



EDEN PRAIRIE SCHOOLS

Inspiring each student every day

SCHOOL BOARD Regular Business Meeting

Monday, August 26, 2019

6:00 PM

MEETING AGENDA

*The mission of Eden Prairie Schools is to inspire each student to learn continuously so they are empowered
To reach personal fulfillment and contribute purposefully to our ever-changing world.*

1. **Convene: 6:00 p.m.**

(Roll Call)

Call to Order:

School Board Roll Call

Karla Bratrud, Dave Espe, Elaine Larabee, Holly Link, Adam Seidel, Terri Swartout

Board Member Lauren Crandall will be participating remotely at the Public Conference Room, Residences at AG47, 6847 Stewart Road, Cincinnati, OH 45236

2. **Pledge of Allegiance: 6:00 p.m.**

3. **Agenda Review and Approval: 6:05 p.m.**

(Action)

Approval of the agenda for the Monday, August 26, 2019 meeting of the School Board of Independent School District 272, Eden Prairie Schools.

Motion _____ Seconded _____

4. **Approval of Previous Minutes: 6:05 p.m.**

(Action)

4

Approval of the Unofficial Minutes from the July 22, 2019 Regular Business Meeting.

Motion _____ Seconded _____

5. **Public Comment: 6:05 p.m.**

(Information)

6. **Announcements: 6:10 p.m.**

(Information)

7. **Board Work: 6:15 p.m.**

(Action)

A. Policy Monitoring: Executive Limitations - 2.1, 2.2 and 2.7

(Action)

1) EL 2.1 Emergency Superintendent Succession

6

OI Motion _____ Seconded _____

Evidence Motion _____ Seconded _____

2) EL 2.2 Treatment of Students

9

OI Motion _____ Seconded _____

Evidence Motion _____ Seconded _____

3) EL 2.7 Asset Protection

36

OI Motion _____ Seconded _____

Evidence Motion _____ Seconded _____

B. 2019-2020 Record of Board Self-Evaluation

(Action)

1) Ends & Executive Limitations (ELs)

53

Motion _____ Seconded _____

2) Record of Board Self-Evaluation for GPs (Governance Policies) and BMDs (Board Management Delegation)

57

Motion _____ Seconded _____

8. **Superintendent Consent Agenda: 7:00 p.m.**

(Action)

Management items the Board would not act upon in Policy Governance, but require Board approval from outside entities.

Motion _____ Seconded _____

A. Monthly Reports

1) Human Resources Report

63

2) Business Services Reports

a. Board Business	67
B. Summary Update of General District Policies - See Appendix "A" (Listing of Individual Policies)	68
C. Mandated District Policies that Require Annual Review	71
9. Board Education & Required Reporting: <u>7:05 p.m.</u>	(Information)
10. Superintendent's Incidental Information Report: <u>7:05 p.m.</u>	(Information)
<i>Incidental Information is considered as "nice to know" information regarding district business. Monitoring and decision-making information are handled elsewhere on the agenda. These items are not open for debate, but rather for awareness and understanding. (Supports EL 2.9 in general and 2.9.6 specifically)</i>	
11. Board Action on Committee Reports & Minutes: <u>7:05 p.m.</u>	(Information)
A. Board Development Committee (Dave Espe, Holly Link, Elaine Larabeel)	
B. Community Linkage Committee (Lauren Crandall, Terri Swartout, Karla Bratrud)	
C. Negotiations Committee (Elaine Larabee, Adam Seidel & Lauren Crandall)	
D. Policy Committee (Elaine Larabee, Adam Seidel, Terri Swartout)	
12. Other Board Updates (AMSD & ISD 287): <u>7:15 p.m.</u>	(Information)
A. AMSD (Association of Metropolitan Schools) - Terri Swartout	
B. ISD 287 (Intermediate School District 287) - Adam Seidel	
13. Board Work Plan: <u>7:20 p.m.</u>	
A. "Proposed" Work Plan Changes Document	(Action) 73
	Motion _____ Seconded _____
B. 2019-2020 Annual Work Plan	74
14. Adjournment: _____ p.m.	(Action)
MOTION to adjourn the Monday, August 26, 2019 Meeting of the Eden Prairie School Board at _____ p.m.	
	Motion _____ Seconded _____
15. Appendix "A" (Reference #8, Item #B)	
A. Appendix "A"	84
1) District Policy 102 - Equal Educational Opportunity	85
2) District Policy 401 - Equal Employment Opportunity	87
3) District Policy 402 - Disability Nondiscrimination Policy	88
4) District Policy 413 - Harassment and Violence	89
a. District Policy 413-F Harassment and Violence Report Form	99
5) District Policy 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse	101
a. District Policy 414-F - Confidential Student Maltreatment Form	108
6) District Policy 419 - Tobacco-Free Environment	109
7) District Policy 421 - Gifts to Employees and School Board Members	112
8) District Policy 504 - Student Dress and Appearance	114
9) District Policy 506 - Student Discipline	117
a. District Policy 506-F - Notice of suspension	135
10) District Policy 510 - School Activities	136
11) District Policy 511 - Student Fundraising	138
12) District Policy 523 - Policies Incorporated by Reference	139
13) District Policy 524 - Internet Acceptable Use and Safety Policy	141
a. District Policy 524 - Electronic Resources Use Agreement - Employee	149
b. District Policy 524 - iLearn Agreement - Student	150
14) District Policy 530 Immunization Requirements	152
a. District Policy 530-F - Immunization Form	156
15) District Policy 532 - Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School	158

Grounds

16) District Policy 601 - School District Curriculum and Instruction Goals	164
17) District Policy 602 - Organization of School Calendar and School Day	169
18) District Policy 603 - Curriculum Development	172
19) District Policy 613 - Graduation Requirements	174
20) District Policy 616 - School District System Accountability	179
21) District Policy 620 - Credit for Learning	182
22) District Policy 707 - Transportation of Public School Students	189
23) District Policy 708 - Transportation of Nonpublic School Students	198
24) District Policy 709 - Student Transportation Safety Policy	201
25) District Policy 713 - Student Activity Accounting	217
26) District Policy 721 - Uniform Grant Guidance Policy Regarding Federal Revenue Sources	222
27) District Policy 802 - Disposition of Obsolete Equipment and Material	239
28) District Policy 806 - Crisis Management Policy	243

**INDEPENDENT SCHOOL DISTRICT 272 ~ EDEN PRAIRIE SCHOOLS
UNOFFICIAL MINUTES OF THE JULY 22, 2019
SCHOOL BOARD MEETING**

A Regular Business Meeting of the Independent School District 272, Eden Prairie Schools, was held on July 22, 2019 in the Administrative Services Center, EDC Meeting Room, 8100 School Road, Eden Prairie, MN 55344.

1. Convene - 7:30 a.m.

Call to Order:

School Board Roll Call

Present: Karla Bratrud, Lauren Crandall, Dave Espe, Elaine Larabee, Holly Link, Adam Seidel, Terri Swartout

Present: Superintendent Swanson

2. Agenda Review and Approval: MOTION by T. Swartout, **Seconded** by Adam Seidel to approve the agenda for the Monday, July 22, 2019 meeting of the School Board of Independent School District 272, Eden Prairie Schools – Passed Unanimously

3. Approval of Previous Minutes: MOTION by D. Espe, **Seconded** by K. Bratrud to approve the UNOFFICIAL Minutes of the School Board Business Meeting on June 24, 2019 – Passed Unanimously

4. Board Work:

A. Required Board Action

- 1) Resolution: "Call the General Election" – **MOTION** by A. Seidel, **Seconded** by H. Link, *BE IT RESOLVED*, the Eden Prairie School Board of Independent School District No. 272 adopts the *RESOLUTION* Relating to Election of School Board Members and Calling the School District General Election as presented:

H. Link, T. Swartout, E. Larabee, A. Seidel, K. Bratrud, L. Crandall, D. Espe – Yes-7; No – 0;

MOTION passed 7-0

2) Extracurricular Activities

a. Executive Summary

- b. Resolution: **MOTION** by A. Seidel, **Seconded** by L. Crandall, *BE IT RESOLVED*, the Eden Prairie School Board of Independent School District No. 272 adopts the *RESOLUTION* Regarding Board Control of Extracurricular Activities as presented:

H. Link, T. Swartout, E. Larabee, A. Seidel, K. Bratrud, L. Crandall, D. Espe – Yes-7; No – 0;

MOTION passed 7-0

3) New Candidate PowerPoint Presentation (Pre-Election) – **MOTION** by H. Link, **Seconded** by K. Bratrud to approve the New Candidate Presentation as presented – Passed Unanimously

4) Scheduled Dates for New Candidate Information Sessions

- a. Monday, July 29, 2019, 6:30 p.m. - 8:30 p.m. and

Monday, August 5, 2019, 6:30 p.m. - 8:30 p.m.

MOTION by D. Espe, **Seconded** by A. Seidel to approve the two dates presented for the New Candidate Information Sessions – Passed Unanimously

5) New School Board Director Handbook (Post-Election) – **MOTION** by T. Swartout, **Seconded** by H. Link to approve the Handbook presented with the corrections/changes noted on pages 3 and 6 – Passed Unanimously

5. **Superintendent Consent Agenda: MOTION** by L. Crandall, **Seconded** by A. Seidel to approve the Superintendent's agenda as presented – Passed Unanimously

A. Resolution of Acceptance of Donations

B. Monthly Reports

1) Human Resources Report

2) Business Services Report

3) 2019-2020 Student Handbooks

a. Eden Prairie High School

(1) EPHS Student Handbook – Summary of Changes

(2) *Draft*: EPHS Student Handbook with Changes

b. Central Middle School

(1) CMS Student Handbook – Summary of Changes

(2) *Draft*: CMS Student Handbook with Changes

c. Elementary School Handbooks

(1) Elementary Student Handbook – Summary of Changes

(2) *Draft*: Elementary Student Handbook with Changes

d. Appendix for All Handbooks from Minnesota Department of Education (MDE)

(1) MDE & EP Parent/Guardian Refusal for Student Participation in Statewide Testing

C. Updated District Policies

1) District Policy 205 - Open Meetings and Closed Meetings

6. **Board Action on Committee Reports & Minutes:**

A. Board Development Committee (D. Espe, H. Link, E. Larabee)

1) Committee Minutes from 07/12/2019 – **MOTION** by H. Link, **Seconded** by L. Crandall to accept Minutes as presented – Passed Unanimously

B. Community Linkage Committee (L. Crandall, T. Swartout, K. Bratrud) – Updated Board

C. Negotiations Committee (E. Larabee, A. Seidel, L. Crandall) – Updated Board

D. Policy Committee (E. Larabee, T. Swartout, A. Seidel) – Updated Board

7. **Board Work Plan:**

A. School Board Work Plan Changes – No Updates

B. 2019-2020 School Board Annual Work Plan

8. **Adjournment: MOTION** by D. Espe, **Seconded** by A. Seidel to adjourn at 7:52 a.m. – Passed Unanimously

Adam Seidel – Board Clerk

Eden Prairie School District 272 Superintendent Monitoring Report		
Policy Name: EL 2.1 Emergency Superintendent Succession	Monitoring Timeframe: July 1, 2017 June 30, 2018 July 1, 2018-June 30, 2019	Policy Monitoring Column FOR BOARD USE ONLY Compliance rating: <ul style="list-style-type: none"> • OI is/is not reasonable • Evidence supports/does not support the OI <i>Include specific evidence for rating conclusion and recommendations.</i>
Policy Quadrant: Executive Limitations	Date of School Board Monitoring: August 27, 2018 August 26, 2019	
		Board member name:
<u>Global Constraint:</u> To protect the Board from sudden loss of Superintendent services, the Superintendent shall not permit there to be fewer than two other staff members sufficiently familiar with Board and Superintendent issues and processes who would be able to take over with reasonable proficiency as an interim successor.		(enter rating and reasoning when appropriate)
<u>Operational Interpretation:</u> 1. It is my interpretation that the Board requires a proactive plan that assures uninterrupted leadership of the organization due to a planned or unplanned short-term absence by the Superintendent. a. "Short Term" may be interpreted to be as little as one (1) day to as many as thirty (30) workdays to provide time for the board to make appropriate arrangements. b. In the event of an unplanned or planned absence, the Superintendent or his/her Assistant shall notify the Chair of the School Board. 2. It is appropriate that a line of succession be established with licensure, knowledge, and experience as the expected qualifications. The following persons and positions are designated to assume District leadership as the "Acting" Superintendent (in the order indicated) on behalf of the Superintendent in his/her anticipated or unanticipated absence.		

<ul style="list-style-type: none"> a. Assistant Superintendent of Academics and Innovation* b. Senior Director of Community Education* c. Senior Director of Student Support Services* d. Executive Director of Business Services e. Executive Director of Human Resources f. Senior Director of Personalized Learning and Teaching* g. Senior Director of Communications and Community Relations <i>*Position Description Requires a Minnesota District Superintendent License or person currently holding the position is Licensed as a District Superintendent in Minnesota.</i> 	
<p><u>Justification:</u></p> <ol style="list-style-type: none"> 1. MN Statute 123B.143 SUPERINTENDENT. Subdivision 1. Contract; duties. All districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio non-voting member of the school board. <ol style="list-style-type: none"> a. The succession list (#2 above) contains at least two current administrators with District Superintendent certification. 2. The assistant superintendent, executive directors and senior directors are knowledgeable of all major district processes. <ol style="list-style-type: none"> a. These major processes are; educational programs, community education, family education, business services, technology, food services, facilities, human resources, communication and transportation. They are knowledgeable due to weekly cabinet meetings routinely held throughout the year. These meetings consist of regular discussion, problem solving, and decision making, communication or strategic planning for all major processes within the system. 3. The assistant superintendent, executive directors and senior directors are knowledgeable regarding Eden Prairie school governance and able to follow the correct process for communication and implementation with the board. <ol style="list-style-type: none"> a. All members of the Superintendent's cabinet are involved in writing the policies and are familiar with all Ends, Executive Limitations, Board Management Delegation and Governance Process Policies. They are also active in writing and reporting on all Monitoring Reports. The superintendent's cabinet members work in partnership with the board governance subcommittee. 	

<p>4. The assistant superintendent, executive directors and senior directors are fully trained and licensed in their respective fields and have extensive leadership, supervision and organizational development experience.</p> <p>a. Degrees, licensure or training for these staff members is available upon request.</p> <p>5. The members of the Superintendent's cabinet are fully trained to activate and lead the District Crisis Center (DCC).</p> <p>a. The Superintendent's cabinet and their immediate subordinates have participated in the development of the plan itself and have participated in emergency planning exercises and drills. They have participated in debrief sessions following the drills.</p>	
<p>Measurement Plan:</p> <p>1. The School Board will review EL 2.1 annually.</p> <p>2. If enacted, the effectiveness of this plan will be reviewed in debrief fashion by the School Board Chair and Vice Chair and findings reported to the Board.</p>	
<p>Evidence:</p> <p>1. The school board has reviewed 2.1 annually.</p> <p>2. The succession plan was not enacted during the time of monitoring.</p>	
<p>Statement of Assertion:</p> <p>Report is Reasonable and Evidence support the Operational Interpretation.</p>	
<p>Board member's summarizing comments:</p>	

∞

Eden Prairie School District 272 Superintendent Monitoring Report		
Policy Name: EL 2.2 Treatment of Students	Monitoring Timeframe: July 2017 – June 2018 July 2018 - June 2019	Policy Monitoring Column FOR BOARD USE ONLY Compliance rating: <ul style="list-style-type: none"> • OI is/is not reasonable • Data does/does not provide adequate evidence of compliance <i>Include specific evidence for rating conclusion and recommendations.</i>
Policy Quadrant: Executive Limitations	Date of School Board Monitoring: August 27, 2018 August 26, 2019	
		Board member name:
<u>Global Constraint:</u> The Superintendent shall not cause or allow an educational environment that is unsafe, unwelcoming, inequitable, disrespectful, unnecessarily intrusive, or that otherwise inhibits the effective learning needs of each student.		<i>(enter rating and reasoning when appropriate)</i>
<u>Operational Interpretation:</u> A safe learning environment is focused on academic achievement, maintaining high standards, fostering positive relationships between staff and students, and encouraging parental and community involvement. (National Dropout Prevention Center/Network)		

<p><u>Justification:</u> The District approves, disseminates, reviews, and enforces the following District Policies that are intended to create and support a safe learning environment.</p> <ul style="list-style-type: none"> Bullying prohibited514 Community notification, predatory offenders906 Crisis management plan806 Hazing prohibited.....526 Healthy school meals533 Internet acceptable use524 Removal of student with IEP532 Student vehicle parking.....527 Transportation, nonpublic school students.....708 Transportation policy709 Transportation, public school students.....707 Video recording, school bus and building.....711, 712 Violence, disruption prohibited.....525 Visitors.....903 	
<p><u>Measurement Plan:</u></p> <ol style="list-style-type: none"> 1. District Policies required by state statute (otherwise known as Mandatory Policies) shall be reviewed and updated by the Superintendent on an annual basis. 2. District Policies that are recommended by MSBA or developed locally shall be reviewed and/or updated upon notice of change by MSBA, or at least every three years. 	
<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. The School Board verified the Superintendent's annual review of mandated District Policies at its regular meeting on June 18, 2018. The Superintendent reviewed the District Policies in June 2019 and identified 40 policies that required review and or updates. In June 2019 the policies were assigned to be brought to the board prior to the start of the 2019 school year. 	

<p>2. The School Board has approved one (1) updated district Policy and adopted two (2) one (1) new policy policies during the reporting period to maintain compliance with statute requirements.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.1 Furthermore, the Superintendent shall not: Allow students to be unprotected against violence or harassment.</p>	
<p><u>Operational Interpretation:</u> The policy of the school district is to maintain a learning environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. (District Policy 413: Harassment and Violence) Staff training and student engagement are critical components of a safe school.</p>	
<p><u>Justification:</u> State law (Minn. Stat. § 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minn. Stat. Ch. 363A (MHRA). District Policy 413: Harassment and Violence complies with that statutory requirement and addresses the classifications protected by the MHRA and/or federal law.</p>	
<p><u>Measurement Plan:</u> Sociologists describe “norms” as understandings that govern individuals' behavior in society. In this context, the policy statement reflects a norm, social contract, or expectation detailing how members of the school community are expected to behave towards each other. One hundred percent compliance with this policy is the district’s goal; however, it is improbable that all instances of harassment or violence will be mitigated throughout the district during a calendar year. District efforts should reflect a focus on creating positive, predictable, and</p>	

<p>responsive school environments for the purpose of increasing student access to learning as a means of preventing, mitigating, and eliminating acts of harassment or violence. As stated above, violation of this norm (policy) occurs when any pupil, teacher, administrator, or other school personnel of the school violates District Policy 413.</p> <p>Therefore:</p> <ol style="list-style-type: none"> 1. Systemic efforts to mitigate incidents related to harassment and violence in the school setting shall be reported. 2. District actions to remain in compliance with Policy 413 shall be reported. <p>Voluntary compliance within the school community shall be measured by the number of reportable incidents of harassment and/or violence as defined by Policy 413 and reported via the annual Discipline Incident Reporting System (DIRS) Report.</p>	
<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. Systemic efforts to mitigate incidents related to harassment and violence in the school setting shall be reported. <ol style="list-style-type: none"> a. Student handbooks approved by the School Board on July 23, 2018 included the district policies on violence harassment and the consequences for failure to abide by the prohibitions as listed. b. Staff are expected to remain vigilant in their supervision of students and report violations to their supervisors. c. During the Spring and Summer of 2018, all staff participated in a training to ensure understanding of the Safe & Supportive Schools Act, EPS Bullying Prevention Policy, and relevant strategies to support student behavior in all of our buildings and settings. Training specific to this policy is provided to all district staff at least every 3 years. d. Principals, Associate Principals, Deans, staff, and security personnel provide student supervision and take appropriate actions when student behavior is contrary to Policy 506 Student Behavior and/or the Student Handbook. e. The District contracts with the Eden Prairie Police for School Liaison Officers to further enforce and provide security within our school buildings and at selected school events. f. The human resources department provides training on how to recognize and report sexual, racial, and religious harassment and violence to all new employees within thirty (30) days of their hire date. In addition to the new hire training, the transportation and buildings/grounds staff are re-trained annually (spring/summer). 	

- g. Positive Behavior Interventions and Supports (PBIS) implementation with MDE-supported training began in 4 elementary schools summer of 2015. Since that time, ~~one additional elementary~~ ~~our remaining 2 elementary schools~~ and our 2 secondary schools have ~~begun~~ **completed** training and **started to** implementation. **The one remaining elementary building has completed one year of the 2-year formal training process.** A plan is in place to support ongoing implementation of this framework in all EP schools. PBIS is a research-based framework to strengthen the climate and culture by proactively teaching school expectations of the school community. This is done to establish a positive learning culture that responsively meets the needs of each student, and includes an emphasis on proactively teaching positive behavioral expectations. These elements have been shown to support successful school interactions for all students and reduce undesired behavior. Strategies within this framework are selected and implemented based on observed student needs and are modified as needs evolve.
2. The data below is from the FY ~~2018~~ **2019** DIRS report to MDE. The District submitted its annual DIRS Report (District Incident Report System) in Summer, ~~2018~~ **2019**. The DIRS Manual lists twenty-nine student offenses that are tracked from the Infinite Campus Student Information System. The DIRS Manual provides definitions of each of the reportable offenses in order to maintain consistency of reporting. For purposes of this report, the following student offenses were used to aggregate the data.

According to the ~~2017-18~~ 2018-19 DIRS Report, EPS experienced the following reportable offenses in grades K-12:

a.

HARASSMENT	2015-16	2016-17	2017-18	2018-19
Sexual, Religious, Racial	0	0	0	0
Hazing	X	0	0	0
Verbal Abuse	0	X	X	X
Bullying/Cyberbullying	X	X	X	X
Harassment	X*	16*	19	X
TOTAL	X	28*	28	16

X=less than 10 *Corrected to include data that was missing in the previous analyses

b.

VIOLENCE	2015-16	2016-17	2017-18	2018-19
Assault	X	11	X	15
Fighting	50	76	90	71
Terroristic Threat	X	X	X	X
Threat / Intimidation	14	17	20	15
Weapon	X	X	12	X
TOTAL	80	116	130	111

X=less than 10

<p><u>Analysis</u></p> <p>1. The tables may contain data sets expressed as “X”. Statutory data privacy provisions preclude the District from reporting data sets of less than 10.</p> <p>2. The total numbers have been reduced. The numbers in categories have changed, but in large part due to clarity around definitions following additional training.</p> <p>2-3. The data reported reflects the number of situations reported (each of which may have included more than one student). The district efforts focused on proactive strategies for teaching students’ appropriate ways to solve problems and for accessing adult support before a situation becomes violent will continue to be a priority in the 2018-19 2019-20 school year, with a particular emphasis on restorative practices to prevent offenses and to reduce the likelihood of repeated offenses.</p> <p>3-4. The district is taking proactive, research-based steps to eliminate incidents of harassment or violence. When an incident occurs, the district is taking appropriate action to respond to student needs.</p>	
<p><u>Statement of Assertion:</u></p> <p>Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.2 Furthermore, the Superintendent shall not: Allow private student data to be unprotected.</p>	
<p><u>Operational Interpretation:</u></p> <p>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.</p> <p>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. (District Policy 515: Protection and Privacy of Pupil Records)</p>	

<p><u>Justification:</u></p> <p>The procedures and policies regarding the protection and privacy of parents and students as provided in District Policy 515: Protection and Privacy of Pupil Records are adopted by the school district, pursuant to the requirements of 20 U.S.C. § 1232g, <i>et seq.</i>, (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</p>	
<p><u>Measurement Plan:</u></p> <p>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:</p> <ol style="list-style-type: none"> 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. 	

<p>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, and shall provide for the need to effectively notify parents or eligible students identified as disabled.</p>	
<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. The school district provided parents and eligible students currently in attendance an annual notice of their rights (per the measurement plan) via the student handbooks distributed and/or accessible by each student at the beginning of the 2017-2018 2018-2019 school year or upon later registration in the District, through the District and school websites, and the <i>Parent Post</i> e-newsletter. 2. There were no instances indicating an outside governmental agency finding of non-compliance with the MN Student Data Privacy Act during the reporting period. 	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.3 Furthermore, the Superintendent shall not: Unfairly or inequitably identify and address student behavior violations.</p>	
<p><u>Operational Interpretation:</u></p> <ol style="list-style-type: none"> 1. I interpret “unfairly identify” student behavior violations to mean the District student discipline policy adequately describes those behaviors or actions for which any student could reasonably expect an appropriate and consistent official action from a school staff member or administrator. 2. I interpret “inequitably address” to mean that there is a District expectation that administration and staff enforce the student discipline policy and apply it equitably and consistently to all students in response to the identified student conduct violation. This includes an expectation of consistency regarding the severity of the consequence, regardless of the student’s demographic designation. 3. Failure to fairly or equitable identify and address student behavior is referred to as “disproportionality”. 	

<p><u>Justification:</u></p> <ol style="list-style-type: none"> 1. District Policy 506 Student Discipline was adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56. 2. Disproportionality: Suspension is associated with negative outcomes for society in general. Skiba and colleagues have found that suspension is applied disproportionately to students who are older, male, from low socio-economic background, are a racial/ethnic minority, or have been identified with a disability. Specifically, students of a minority background are suspended more often, for less serious and more subjective behaviors, and with more serious consequences (Mendez & Knoff, 2003). Instead of supporting students with risk factors, suspension often increases the disparity between student groups. <i>“Disproportionate Minority Representation in Suspension and Expulsion in Minnesota Public Schools: A report from the Minnesota Department of Education (http://tinyurl.com/jwvr7rp).</i> 	
<p><u>Measurement Plan:</u></p> <p>The Disciplinary Incident Reporting System (DIRS) enables both the Minnesota Department of Education and our school district to comply with state and federal reporting requirements. DIRS is a web-based, password-protected system through which all public-school districts must report disciplinary incidents that result in either suspension or expulsion.</p> <p>Minnesota Statutes, section 121A.06, Subdivision 3, requires the Minnesota Department of Education (MDE) to annually report on disciplinary incidents, including incidents involving dangerous weapons, that occur in Minnesota public schools. Data for this report is obtained from MDE’s Disciplinary Incident Report System (DIRS).</p> <ol style="list-style-type: none"> 1. Eden Prairie Schools submits its DIRS data each July to the Minnesota Department of Education. Longitudinal and current year data from this report shall be used in the monitoring report. 2. Intentional and research informed plans are in place to address inequitable practices or responses to student behavior shall be reported. 	
<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. The data included in this report is from the FY 2018 2019 DIRS report to MDE. <ol style="list-style-type: none"> 1. Number of expulsions in 2017-18 2018-19= 0 students 	

2. Out-of-School Suspensions by MDE demographic

NOTE: Data from previous years was also reviewed and updated to ensure that it is un-duplicated by incident in the first column (shown in gray) and unduplicated by student in the last three columns.

Demographic comparison across 3 yrs.	OSS Incidents				Percent of Students Represented in OSS (by demographic)				Number (by demographic) in Student Body				Percent (by demographic) of Total Student Body			
SCHOOL YEAR	15-16	16-17	17-18	18-19	15-16	16-17	17-18	*18-19	15-16	16-17	17-18	18-19	15-16	16-17	17-18	18-19
American Indian	*	X	X	X	0.71%	4.95%	2.33%	0.57%	33	35	36	30	0.37%	0.4%	0.41%	0.34%
Asian	*	X	X	X	3.55%	3.30%	3.72%	4.55%	1135	1162	1207	1215	12.84%	13.15%	13.78%	13.87%
Black	84	118	155	107	43.26%	43.97%	48.84%	46.60%	1190	1143	1179	1279	12.44%	12.93%	13.46%	14.61%
Hispanic	17	27	22	25	10.64%	10.44%	8.37%	11.36%	631	666	715	743	7.14%	7.53%	8.16%	8.48%
White	48	62	89	63	29.79%	29.67%	28.84%	30.11%	5480	5368	5130	4985	61.99%	60.73%	58.55%	56.93%
Native Hawaiian / Pacific Islander	*	X	0	0	0.71%	0.55%	0.00%	0.00%	*	11	X	8	0.08%	0.12%	0.10%	0.09%
Two or More Races	19	21	29	15	11.35%	7.14%	7.91%	6.82%	452	453	485	494	5.11%	5.13%	5.54%	5.64%
Undefined	0	0	0	0	0.00%	0%	0.00%	0.00%	*	X	X	3	0.02%	0.01%	0.01%	0.03%
TOTAL	176	245	309	220	n/a	n/a	n/a	n/a	8840	8839	8762	8757	100%	100%	100%	100%

3. Out-of-School Suspension – Special Education

Students in Special Education: 3 yr. comparison	OSS Incidents	Percent of Students Represented in OSS	Number in student body	Percent of Total Student Body
18-19 Special Education	65	28% of students with OSS (50 students)	960	10.96%
17-18 Special Education	98	28% of students with OSS (61 students)	890	10.16%
16-17 Special Education	105	41% of students with OSS (75 students)	920	10.41%
15-16 Special Education	80-77	41% of students with OSS (58 students)	996	11.27%

2. Intentional and research informed plans

~~The Minnesota Department of Education annually reviews district discipline data to determine if a district is disproportionate in student discipline specific to any student subgroup population. To date, Eden Prairie Schools has not been identified as being “disproportionate.”~~ We were dedicated to supporting building staff to ensure that language barriers and communication gaps based on cultural differences are addressed through explicit, culturally proficient instruction. This work is based on a framework of positive behavior supports & interventions which emphasizes restorative practices intentionally designed to support social-emotional learning proactively and as a response to challenging behavior.

1. Administrators received training in restorative practices.
2. Administrators received training from legal experts around required procedures.

<p>3. Administrative collaboration with other districts to learn about prevention of and response to disproportionality in discipline.</p> <p>4. Administration periodically reviewed discipline data, including ongoing monitoring of individual student needs to ensure interventions were effectively impacting each student's behavior.</p> <p>Administration continues to examine programs and services and recognizes the need to direct additional efforts toward creating alternatives to suspension for our students. These efforts are focused around culturally responsive instruction and a framework of positive behavior intervention & supports for all students. This framework includes decision-making based on student data to identify needs, ensures instruction is designed and resources are applied in an impactful way, and emphasizes monitoring of student data to know if the intervention is effectively impacting student behavior. This includes consideration of strengths and growth of each student while being responsive to cultural background, life experience, and skill development of each individual.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.4 Furthermore, the Superintendent shall not: Hire paid personnel without first completing an appropriate background check.</p>	
<p><u>Operational Interpretation:</u> The purpose of Policy 404 Employment Background Checks is to maintain a safe educational environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district.</p>	
<p><u>Justification:</u> State Statute (123B.03) requires school districts to conduct criminal background checks on all employees.</p>	

<p><u>Measurement Plan:</u> Compliance is demonstrated by consistent application of Policy 404 Employment Background Checks.</p>	
<p><u>Evidence:</u> All paid personnel who were newly employed by the District during the reporting period completed an appropriate background check prior to hire.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.5 Furthermore, the Superintendent shall not: Allow any volunteer unsupervised time with students without first completing an appropriate background check.</p>	
<p><u>Operational Interpretation:</u> Parent involvement is an important aspect of Eden Prairie Schools as it helps create a sense of community where our students, staff, parents, and community members work together to ensure the success of all students. Eden Prairie Schools offers many opportunities for parents and community members to be involved in our schools. To that end, the school district will seek a criminal history background check for all volunteers using the following criteria:</p> <ol style="list-style-type: none"> 1. Will the person have significant student contact (such as one-on-one contact with students, driving, and overnight field trips)? 2. Does the volunteer work require a significant amount of time alone with students with a low level of staff supervision (such as volunteer coaches or mentors)? 	
<p><u>Justification:</u> State Statute (123B.03) requires school districts to conduct criminal background checks on all employees, student activities staff, and student activities volunteers (with the exception of <i>enrolled</i> student volunteers).</p>	

<p><u>Measurement Plan:</u></p> <ol style="list-style-type: none"> 1. If the decision matrix listed above indicates that a background check is necessary, the background check process is required, and the Human Resources Department and the responsible staff member review its results. If there are no concerns, the responsible staff member contacts the potential volunteer. 2. If the decision matrix indicates that a background check is not necessary and there are no concerns voiced by school personnel, the responsible staff member contacts the potential volunteer as appropriate. 	
<p><u>Evidence:</u> The school district conducted criminal background checks on all volunteers (with the exception of <i>enrolled</i> student volunteers) per the Operational Interpretation during the reporting period.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.6 Furthermore, the Superintendent shall not: Neglect to assure an equitable system for access to academic programming.</p>	
<p><u>Operational Interpretation:</u> Educational equity is based on the principles of fairness and justice in allocating resources, opportunities, treatment, and success for every student. Educational equity programs promote the real possibility of equality of educational results for each student and between diverse groups of students. Equity strategies are planned, systematic, and focused on the core of the teaching and learning process. (Source: Northwest Regional Education Laboratory).</p> <p>Equity is defined as: fairness, justice, and impartiality. Equal Access means impartiality in opportunity. Equal Educational Opportunities means providing appropriate resources, opportunities, and treatment for each student.</p>	
<p><u>Justification:</u> The four key action components that ensure educational excellence by incorporating equitable and effective school practices are:</p>	

<p>Access Educational institutions must ensure every student has an equal opportunity to participate in all aspects of the educational process, including learning facilities, resources, and extracurricular and curricular programs.</p> <p>Instruction Educational institutions must use instructional practices that promote positive images of diverse groups and a strong commitment to an equitable approach to teaching and learning.</p> <p>Materials Educational institutions and staff members must review textbooks, audiovisuals, and other materials to minimize bias in content, graphics, pictures, and language.</p> <p>Assessment Educational institutions must account for variances in student learning styles and cultural backgrounds, and align assessment with school curricula, instruction, and systemic improvement goals.</p>	
<p><u>Measurement Plan:</u> This policy shall be measured against the four key components (Access, Instruction, Materials, Assessment) listed in the justification of this policy.</p>	

Evidence:

1. Access:

AP Course Enrollment Data	2015-16 Unduplicated Count			2016-17 Unduplicated Count			2017-18 Unduplicated Count			2018-19* Unduplicated Count		
Ethnicity	# Enrolled in AP Course	Total Enrollment	% Enrolled in AP	# Enrolled in AP Course	Total Enrollment	% Enrolled in AP	# Enrolled in AP Course	Total Enrollment	% Enrolled in AP	# Enrolled in AP Course	Total Enrollment	% Enrolled in AP
American Indian	1	10	10.0%	1	22	4.5%	1	19	5.3%	1	19	5.3%
Asian	147	306	48.0%	211	373	56.6%	231	410	56.3%	215	428	50.2%
Black	38	271	14.0%	58	394	14.7%	68	426	16.0%	53	479	11.1%
Hispanic	25	170	14.7%	44	202	21.8%	42	231	18.2%	36	235	15.3%
White	649	2054	31.6%	757	2062	36.7%	719	2,030	35.4%	620	1,955	31.7%
Grand Total	860	2811	30.6%	1071	3053	35.1%	1,061	3,116	34.1%	926	3,129	29.6%

*Data retrieved from Infinite Campus course enrollment records on 7/23/19.

K-6 Gifted/ Talented	2015-2016				2016-2017				2017-2018				2018-19*			
	% of Students in District K-6		% of Students in GT		% of Students in District K-6		% of Students in GT		% of Students in District K-6		% of Students in GT		% of Students in District K-6		% of Students in GT	
Ethnicity	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
American Indian	0.4%	0.3%	0.3%	0%	0.4%	0.3%	0.4%	0.0%	0.5%	0.4%	0.7%	0.1%	0.5%	0.5%	0.7%	0.1%
Asian	8.8%	8.9%	14.8%	12.6%	8.4%	8.4%	12.9%	12.2%	8.9%	8.6%	11.4%	10.8%	8.4%	8.6%	11.2%	10.9%
Black	8.2%	8.4%	3.7%	5.4%	8.6%	8.8%	5.2%	5.1%	9.5%	8.8%	6.0%	5.6%	10.1%	9.0%	5.9%	5.5%
Hispanic	3.5%	3.8%	1.5%	1.9%	3.7%	3.9%	1.3%	2.0%	3.6%	3.7%	1.6%	2.0%	4.0%	3.6%	2.5%	1.8%
White	29.6%	28.1%	33.8%	25.9%	29.7%	27.8%	34.7%	26.2%	28.3%	27.6%	34.8%	27.1%	27.7%	26.8%	34.6%	26.6%
Total	50.4%	49.5%	54.3%	45.7%	50.8%	49.2%	54.6%	45.4%	50.8%	49.2%	54.5%	45.5%	51.2%	48.8%	55.0%	45.0%

*Data retrieved from Infinite Campus enrollment records on 7/23/19.

1. Instruction:

- a. Sheltered Instruction ~~Operating~~ Observation Protocols (SIOP): research-based and validated model of sheltering instruction for English Language Learners.
- b. All Eden Prairie Schools employees completed a Culturally Responsive Practices online course.
- c. Beyond Diversity and Site based equity teams build racial and cultural awareness and capacity toward culturally responsive teaching, focused on eliminating the racial achievement gap.
- d. Kinder Camp: August camp for students transitioning into kindergarten, focused on children who have not had a preschool experience and/or may not yet be kindergarten ready. Opportunity for informal evaluation to target instruction earlier in the school year and make the most appropriate placement decisions for the student and family.
- e. The Brotherhood and Sisterhood – high school organizations for students at risk, under-represented, and/or of color toward outcomes of student engagement, self-advocacy, and successful high school outcomes.
- f. Dare 2 Be Real ~~WMEP~~ student program in place at the high school. This program promotes, addresses and discusses racial equity and leadership. Students undergo intensive training and structured discussions that are intended to prepare a new generation for global readiness.
- g. Advancement Via Individual Determination (AVID) program implemented in ~~6~~ 8 schools.
- ~~h. High school students of color participate in the WMEP Civil Rights Research Tour, a powerful opportunity for students and staff to impact the way history and ethnic studies are taught in the region.~~
- ~~h.~~ h. Eden Prairie High School elective course, Intro to Social Justice, provides students with opportunities to explore their identity, examine system inequities and social justice in the United States.
- ~~i.~~ i. Eden Prairie High School elective course, Multicultural and Human Relations in Schools, introduces pre-service teachers to core concepts and approaches to multicultural education including issues related to student, family, and community diversity based on culture, language, race, class, gender, sexual identity, and disability.

2. Materials

- a. Educational institutions and staff members must review textbooks, audiovisuals, and other materials to minimize bias in content, graphics, pictures, and language
- b. Curriculum Improvement Committee (CIC) program cycle
- c. Professional Development (How do you recognize bias in the curriculum?)
- d. The World's Best Workforce parent advisory group reviews equitable learning opportunities with an emphasis in the area of curriculum, instruction and assessment.

3. Assessment

- a. AVID (advancement via individual determination) is a set of strategies to help students become college and career ready. A large component of the middle school and high school AVID programming is a requirement that students take enriched or advanced course work. To empower students, AVID offers a series of research-based strategies, structures, and supports to eliminate opportunity gaps and increase success while students engage in challenging work. AVID at the elementary level lays the groundwork for success as students' progress through middle and high school. The AVID strategies have a long track record of benefiting each student, but are particularly effective at helping traditionally underserved students perform at high levels.

Site	2015-16	2016-17	2017-18	2018-19*
CMS Elective	58 students (7 & 8)	109 students (7 & 8)	110 students (7 & 8)	104 students (7 & 8)
EPHS Elective	26 students (9)	56 students (9 & 10)	54 students (9-11)	88 students (9-12)
EL Elementary	106 students (6)	146 students (6)	849 (K-6)	829 (K-6)
OP Elementary	110 students (6)	310 students (K, 1, 6)	821 (K-6)	827 (K-6)
PV Elementary	×	119 students (5 & 6)	766 (K-6)	761 (K-6)
FH Elementary	×	145 students (5 & 6)	737 (K-6)	780 (K-6)
CR Elementary	×	x	676 (K-6)	702 (K-6)
EHSI	×	x	838 (K-6)	838 (K-6)

*Data retrieved from Infinite Campus course enrollment records on 7/23/19.

Statement of Assertion:

Report is Reasonable and Evidence supports the Operational Interpretation

<p>2.2.7 Furthermore, the Superintendent shall not: Allow students to be uninformed of their protections under this policy.</p>									
<p><u>Operational Interpretation:</u> Students have a right to be active participants in their education and the environment in which they work and learn. The District is responsible for informing students and parents of their rights and responsibilities as members of the school community. Parents represent their child until the “age of majority.” When using the term “parent” I am referring to a child’s guardian or to any other adult allowed and/or permitted by law to access private educational records and/or make educational decisions for the child.</p>									
<p><u>Justification:</u> The practice of annual notification of student rights and responsibilities is supported by state statute and requirements as set forth in District Policy.</p> <p>It is the practice of the School District to develop Student Handbooks each school year that include the rights and responsibilities of students. The Student Handbook is distributed and posted online for easy access. The following District Policies require annual notification:</p> <table data-bbox="205 922 546 1071"> <tr> <td>Harassment</td><td>413</td></tr> <tr> <td>Student Discipline</td><td>506</td></tr> <tr> <td>Bullying</td><td>514</td></tr> <tr> <td>Hazing</td><td>526</td></tr> </table> <p>Parents are required to acknowledge in writing that they have read and understand the Student Handbook, as under the law they are required to make educational decisions on behalf of their child until that child has reached the “age of majority.” The “age of majority” is the age at which a person, formerly a minor, is recognized by law to be an adult, capable of managing his or her own affairs and responsible for any legal obligations created by his or her actions. The “age of majority” in Minnesota is age 18.</p>	Harassment	413	Student Discipline	506	Bullying	514	Hazing	526	
Harassment	413								
Student Discipline	506								
Bullying	514								
Hazing	526								

20

<p><u>Measurement Plan:</u> Compliance with this policy shall be evidenced by the annual process of student handbook creation, dissemination, and acknowledged receipt and understanding by students and parents.</p>	
<p><u>Evidence:</u> The District complied with the expectations of this policy as evidenced by the annual process of student handbook creation, dissemination, and acknowledged receipt and understanding by Eden Prairie students and parents during the reporting period.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.2.8 Furthermore, the Superintendent shall not: Neglect to assure that all allegations of student maltreatment are handled in a timely manner.</p>	
<p><u>Operational Interpretation:</u> “Neglect” is interpreted as <i>failing to act</i> “Assure” is interpreted as <i>making something certain</i> “Timely Manner” in this context means <i>as soon as possible but in no event longer than 24 hours</i></p>	
<p><u>Justification:</u> District Policy 414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE fully complies with Minn. Stat. § 626.556 requiring school personnel, as mandated reporters, to report suspected child neglect or physical or sexual abuse as soon as possible but in no event longer than 24 hours after becoming aware of the alleged maltreatment. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused. The statute requires that reports be made directly to law enforcement and/or MDE by the person who “has reason to believe...”, not by his/her supervisor.</p>	

<p><u>Measurement Plan:</u></p> <ol style="list-style-type: none"> 1. DISSEMINATION OF POLICY AND TRAINING <ol style="list-style-type: none"> a. This policy shall appear in school personnel handbooks. b. The school district will develop a method of discussing this policy with school personnel. c. This policy shall be reviewed at least annually for compliance with state law. 2. MANDATED REPORTING 3. Compliance will be demonstrated by adhering to all requirements of Minn. Stat. § 626.556 and District Policy 414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE 	
<p><u>Evidence:</u> The school district reports all instances of child neglect, physical and sexual abuse. The school district has not been found in violation by MDE.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation.</p>	
<p>2.2.9 Furthermore, the superintendent shall not: Neglect to provide adequate minimum time and access to school meals for students.</p>	
<p><u>Operational Interpretation:</u> Students need to be able to eat breakfast and/or lunch at school within a space and timeframe that is suitable to that task.</p> <ol style="list-style-type: none"> 1. Adequate minimum time is defined as at least a 10-minute meal period for breakfast and <ol style="list-style-type: none"> a. a 20-minute meal period for elementary school lunch, b. a 25-minute meal period for middle school lunch, and c. a 30-minute meal period for high school lunch. 2. Adequate access is defined as providing a designated eating space that is clean and accessible to all students. 	

<p><u>Justification:</u></p> <p>There are no federal or state regulations governing minimum time or access standards for school meals for students.</p> <p>In the absence thereof, the district looks to several sources to define adequate minimum time. Minnesota Department of Education recommendations were reviewed, current “like” and proximal school district practices were reviewed, and staff and leadership were consulted.</p> <p>Minnesota Department of Education recommends that districts consider the Centers for Disease Control’s recommendation of providing students with 10 minutes of eating time for breakfast and 20 minutes of eating time for lunch within a clean and accessible meal space.</p> <p>The operational interpretation of this policy is consistent with the majority of neighboring districts to Eden Prairie Schools, which utilize meal periods that closely align with the times described in the operational interpretation of this policy.</p> <p>The operational interpretation of this policy is consistent with feedback provided by district building principals based on their observations and interactions with staff and students during meal periods at their sites.</p> <p>The variance in lunch periods between elementary, middle, and high schools is attributed to differences in the average wait time associated with obtaining lunch at each level.</p> <p>Time and/or space provided beyond the minimum levels described in the operational interpretation of this policy would require a reduction in instructional opportunities for students during the existing school day or an expansion of the minutes built within the school day.</p>	
<p><u>Measurement Plan:</u></p> <p>Compliance with this policy shall be evidenced by the annual process of reviewing:</p> <ol style="list-style-type: none"> 1. Meal schedules at each elementary and secondary school building to ensure adequate minimum time. 2. An accounting of practices related to the cleanliness and accessibility of eating spaces at each elementary and secondary school building. 	

<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. A review of meal schedules from each elementary and secondary school building was conducted in August 2019. All school sites were in compliance with the adequate minimum meal times described in the operational interpretation of this policy during the 2018-19 school year. 2. An accounting of practices related to the cleanliness and accessibility of eating spaces at each elementary and secondary school building was conducted in August 2019. Findings included: <ol style="list-style-type: none"> a. All elementary and secondary school eating spaces are ADA compliant. b. All elementary and secondary school eating spaces are large enough to accommodate the numbers of students being served within them during each meal shift. c. All elementary and secondary school eating spaces feature age-appropriate seating. d. Staff are designated at each school to assist students, monitor safety, and maintain cleanliness during each meal period. e. Custodians are designated at each school to ensure that eating spaces are clean following the conclusion of meal periods each day and prepared for the following day's usage. 	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation.</p>	
<p>2.2.10 Furthermore, the superintendent shall not: Neglect to provide adequate minimum time and access to recess for elementary students.</p>	
<p><u>Operational Interpretation:</u> Recess is defined as a regularly scheduled period in the school day where students are encouraged to engage in physical activity or play with their peers in activities of their choice under the supervision of trained adult monitors.</p> <ol style="list-style-type: none"> 1. Adequate minimum time is defined as at least a 20-minute recess period for elementary school students. 2. Adequate access is defined as providing a designated outdoor or indoor space for recess activities that safely accommodates the number of students accessing it at one time. 	

<p><u>Justification:</u></p> <p>There are no federal or state regulations governing minimum time or access standards for recess for elementary students.</p> <p>In the absence thereof, the Minnesota Department of Education recommends that districts consider the best practices outlined in the “Active Recess” toolkit developed by the Minnesota Department of Education, which includes a recommendation for daily recess for at least 20 minutes for all K-5 students within a defined playground space that features access to play equipment and trained supervisors and that allows for students to safely and universally engage in a variety of recess activities.</p> <p>The operational interpretation of this policy is consistent with the practice of the majority of neighboring districts to Eden Prairie Schools, which utilize an approximately 20-minute recess period within an adult-monitored playground, gymnasium, or classroom space.</p> <p>The operational interpretation of this policy is also consistent with feedback provided by our building principals based on their observations and interactions with staff and students during and outside of recess periods at their sites.</p> <p>Time and/or space provided beyond the minimum level described in the operational interpretation of this policy would require a reduction in instructional opportunities for students during the school day or an expansion of the minutes built within the school day.</p> <p>Recess is just one strategy suggested by the body of academic research for engaging students in physical activity throughout the school day. Additional strategies include engaging students in physical education courses, engaging students in physical extracurricular activities, and the integration of physical activity into classroom instructional activity, all of which are also utilized in elementary schools within our district.</p>	
<p><u>Measurement Plan:</u></p> <p>Compliance with this policy shall be evidenced by the annual process of reviewing:</p> <ol style="list-style-type: none"> 1. Student recess schedules at each elementary school building to ensure adequate minimum time. 2. An accounting of practices related to the safety and accessibility of recess spaces at each elementary school building. 	

<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. A review of recess schedules from each elementary school building was conducted in August 2019. All school sites were in compliance with the adequate minimum recess times described in the operational interpretation of this policy during the 2018-19 school year. 2. An accounting of practices related to the safety and accessibility of recess spaces at each elementary and secondary school building was conducted in August 2019. Findings included: <ol style="list-style-type: none"> a. All elementary recess spaces are ADA compliant. b. All elementary recess spaces are in adherence with Policy 807 regarding playground safety. c. An annual process is in place throughout the district by which building principals are able to review and request updates to recess spaces through the submission of capital requests. d. An annual process is in place throughout the district by which staff are able to review and request updates to age-appropriate play equipment. e. Trained staff are designated at each school to monitor students during recess periods to ensure safe engagement in physical play activities. 	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation.</p>	

School Board member's summarizing comments:

Eden Prairie School District 272 Superintendent Monitoring Report		
Policy Name: 2.7 Asset Protection	Monitoring Timeframe: July 1, 2018-June 30, 2019 July 1, 2017-June 30, 2018	Policy Monitoring Column FOR BOARD USE ONLY Compliance rating: <ul style="list-style-type: none"> • OI is/is not reasonable • Data does/does not provide adequate evidence of compliance <i>Include specific evidence for rating conclusion and recommendations.</i>
Policy Quadrant: Executive Limitations	Date of School Board Monitoring: August 26, 2019 August 27, 2018	
		Board member name:
<u>Global Constraint:</u> The Superintendent shall not cause or allow district assets to be unprotected, inadequately maintained, inappropriately used, or unnecessarily risked.		(enter rating and reasoning when appropriate)
<u>Operational Interpretation:</u> I interpret compliance with the overall policy to mean that all twelve (12) policy provisions are in compliance. Furthermore: 1. I interpret “assets” to mean physical and intellectual property of the District with a value greater than \$5,000. 2. I interpret “unprotected” to mean assets without insurance and/or a plan/guiding procedures. 3. I interpret “inadequately maintained” to mean a lack of preventive maintenance, repair, or renovation which may cause an asset to deteriorate and experience an accelerated depreciation, within available financial resources. 4. I interpret “inappropriately used” to mean the utilization of assets not in accordance with the desired Ends of the district. 5. I interpret “unnecessarily risked” to mean the exposure of assets to circumstances resulting in a higher likelihood of theft or otherwise being unavailable for the asset’s intended purposes.		
<u>Justification:</u> The provisions 2.7.1 through 2.7.12 adequately summarize and categorize those district assets that this policy protects.		

36

37

<u>Measurement Plan:</u> All provisions are in compliance.	
<u>Evidence:</u> Presented in provisions 2.7.1 through 2.7.12.	
<u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation	
2.7.1 Furthermore, the Superintendent shall not: Develop a facilities construction, renovation and maintenance plan that is not part of a comprehensive rolling ten-year plan.	
<u>Operational Interpretation:</u> I interpret “a comprehensive rolling ten-year plan” to be a master plan for facilities construction, renovation, and/or maintenance that is reviewed and updated annually. The annual update allows the District to consider alternatives to the plan in order to reflect new facility needs and educational plans for the future.	
<u>Justification:</u> A school district needs an ongoing program of assessment of existing school sites and facilities in order to identify school facility improvement issues, alternative means of addressing those issues, and to maintain a quality educational environment for students, staff, and community/partnership users. “To establish and maintain quality school facilities and a desirable learning environment for students, staff, and community users, an ongoing assessment of school facility needs and a program of public information about those needs is essential. (Guide for Planning School Construction Projects in Minnesota; MDE, 2003; p. 37)	
<u>Measurement Plan:</u> <ol style="list-style-type: none"> 1. The comprehensive rolling ten-year facilities plan shall be reviewed and updated on an annual basis. 2. The comprehensive rolling ten-year facilities plan shall be consulted and referenced during the development of any facilities construction, renovation, and/or maintenance plan. 3. The Capital Fund budget shall be reviewed and updated on an annual basis. 	
<u>Evidence:</u> At the April 23, 2018 April 24, 2017 school board meeting, the board approved the 2018-19 2017-18 capital budget which included funds to address facility improvements. Prior to approval, administration worked with principals, department leaders, facility staff, and the Superintendent’s Cabinet to determine priorities for maintaining district facilities.	

<p>Facility work completed or planned in fiscal year 2019 2018 adhered to the Comprehensive Facility Plan and included the following components:</p> <ol style="list-style-type: none"> 1. The district continued working on a long-term facility planning process geared to align with the strategic plan 2. Implemented facility changes to accommodate educational program needs and related space concerns 3. Discussed with the School Board deferred maintenance and capital fund expenditures and revenue sources 4. Planned for the building of the Welcome Center and adjoining parking lot, district-wide pavement upgrades, and many annual building updates throughout the district 5. Continued development of Designing Pathways recommendations <p>The school board approved on June 18, 2018 June 26, 2017 a multi-year facilities plan of proposed projects by building location as part of the 10-year long-term facility maintenance plan which was submitted to MDE for review and approval in July 2018 July 2017. At the January 28, 2019 January 23, 2017 school board meeting, the district sold general obligation facility maintenance bonds to fund two years of deferred maintenance projects. On May 14, 2019 the community approved a referendum to fund Designing Pathways facility improvements.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.7.2 Furthermore, the Superintendent shall not: Fail to insure against theft and casualty losses at 100 percent of replacement value and against liability losses to School Board members, staff, and the organization itself in an amount greater than the average for comparable organizations.</p>	
<p><u>Operational Interpretation:</u></p> <ol style="list-style-type: none"> 1. Property, Casualty, Umbrella insurance coverage is in place to insure the School District for losses to real and personal property per Statement of Values on file with the insurance company. <ol style="list-style-type: none"> a. "Fail to insure against theft and casualty losses at 100 percent of replacement value" is interpreted to mean a level of theft and casualty insurance that assumes a reasonable level of risk with consideration to the overall cost of said insurance (See Justification 2.a.). 2. Equipment breakdown insurance coverage is in place specifically for boilers and machinery. 3. Automobile insurance coverage is in place to insure the School District for losses resulting from owned, financed, leased or rented school buses, vans, driver's education vehicles and ground/facilities vehicles are as per Schedule on file with the insurance company. 4. Commercial General Liability, Umbrella Excess Liability coverages are placed to insure against Bodily Injury & Property Damage Liability; Personal & Advertising Injury Liability; Medical Payments; Violent Event Response, Employee Benefits Liability and Sexual Abuse 	

<ol style="list-style-type: none"> 5. School Leader's Errors & Omissions coverage included Directors and Officers and school leader's professional. 6. Crime coverage included for loss sustained from employee dishonesty, theft, disappearance and destruction. 7. Inland Marine coverage for the transport of goods in transit, as well as moveable property and instrumentalities of communication. These categories include items such as instruments, cameras, fine arts, signs, valuable papers, electronic data processing and miscellaneous equipment. 	
<p><u>Justification:</u> This policy revolves around risk management that is the identification, assessment, and prioritization of risks. The strategies to manage risk typically include transferring the risk to another party, avoiding the risk, reducing the negative effect or probability of the risk, or even accepting some or all of the potential or actual consequences of a particular risk. The business office uses Marsh & McLennan for brokerage services for this category of insurance coverage. Below are a number of considerations and coverage categories reviewed on an annual basis, the last review being May 25, 2018:</p> <ol style="list-style-type: none"> 1. Policies and procedures are in place to provide assurance of protection & supervision of facilities and equipment. (District Policy 902 Use of School District Facilities and Equipment) 2. Insurance is meant to provide a reasonable assurance that the owner of the insured real property can fully replace it in case of a loss. In this case, the Administration has chosen to insure at 100% of replacement value which considers the following pertinent facts: <ol style="list-style-type: none"> a. The current estimated property value is \$477,012,008 \$459,287,084, based on a property appraisal completed in 2017 plus an industry recommended 3.85% increase for 2018. b. The property insurance plan the District purchases utilizes Special Form Replacement Cost on a Blanket Property coverage basis (i.e., total property limit can be used at any one location or multiple locations), meaning the only loss situation that the full 100% coverage would be utilized would be in the case of the complete destruction of all real and personal property of the District in every location in a single event. If the District were to lose multiple buildings in a single event, the total amount of insurance coverage would be available to rebuild and refurbish those school sites. 3. School Districts are subject to Minnesota Rule: Chapter 466. Tort Liability, Political Subdivisions. (https://www.revisor.mn.gov/statutes/?id=466&view=chapter#stat.466.02) A school district cannot be held liable for actions that are not foreseeable when reasonable measures ... are employed to insure adequate ...duties are being performed ..., and there is adequate consideration being given for the safety and welfare of all students in the school. (http://cousineaulaw.com/laws/minnesota-tort-laws) <ol style="list-style-type: none"> a. In most education-related civil lawsuits there are two main categories of tort liability relevant to educational institutions—Intentional and Negligent Torts. <ol style="list-style-type: none"> i. Intentional Torts—occur when an individual attempts or “intends” to cause harm to another. For intent to exist, the individual must be aware that injury will, or could, be the result of the act. ii. Negligent Torts—there are four elements of a negligent tort: <ol style="list-style-type: none"> 1. Duty—The duty of an individual or the institution to protect those in our care 	

<ol style="list-style-type: none"> 2. Breach (of Duty)—failure of the individual or institution to exercise a standard of reasonable care. 3. Proximate Cause—showing that the individual or institution failed to exercise a standard of reasonable care. 4. Injury—No matter how great the duty (Element 1), how egregious the breach of that duty (Element 2), or how foreseeable the consequences and proximate cause of the individual or institution’s standard of care (Element 3), there is no liability if actual injuries cannot be proven. 	
<p><u>Measurement Plan:</u> Compliance with this policy shall be evidenced through annual review of school district risk management processes and the subsequent renewal of our insurance plans that conform to the interpretation of this policy.</p>	
<p><u>Evidence:</u> <u>Coverages in place July 1, 2018 July 1, 2017</u></p> <ol style="list-style-type: none"> 1. Property, Casualty, Umbrella insurance coverage is in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 2. Equipment breakdown insurance coverage is in place through Hartford Steam Boiler Inspection & Insurance Co. (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 3. Automobile insurance coverage is in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 4. Commercial General Liability, Umbrella Excess Liability coverages are in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 5. School Leaders Errors & Omissions coverages are in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 6. Crime coverages are in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 7. Inland Marine coverages are in place through Liberty Mutual Riverport (July 1, 2018-July 1, 2019 July 1, 2017-July 1, 2018) 8. Data Security coverages are in place through Liberty Mutual (July 1, 2018-July 1, 2019) 9. Network Security and Privacy coverages are in place through Beazley Insurance Co. (July 1, 2018-July 1, 2019) 	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

40

<p>2.7.3 Furthermore, the Superintendent shall not: Subject facilities and equipment to improper wear and tear or insufficient maintenance.</p>	
<p><u>Operational Interpretation:</u> I interpret this to mean all facility reviews and maintenance plans are in place for all school district buildings and grounds. The School Board is informed about the financial resources needed to implement the plans and that school budgets reflect the identified facility needs (within fiscal limitations).</p>	
<p><u>Justification:</u></p> <ol style="list-style-type: none"> 1. Proactive maintenance plans explicitly stated facility needs with associated costs, and appropriate budgets are essential to ensure school district assets are protected. 2. Facilities and equipment such as computers, school buses, boilers, air handling units, coolers and freezers, dishwashers, serving lines and ovens routinely exceed their expected useful life due to the following procedures, training and asset handling requirements: <ol style="list-style-type: none"> a. Maintenance staff, technology staff, food service staff and school bus mechanics keep detailed records of maintenance schedules for all equipment b. All staff is trained on the use of equipment that they operate and hold appropriate licensure or certification where required c. Access to facilities and equipment is limited through security, either human or electronic, at all times. The proper authorities and key staff are notified in the case of breach of this security 	
<p><u>Measurement Plan:</u> Short and long-term maintenance plans are in place for each district facility. The School Board receives facilities progress reports as needed or desired throughout the year. Budgets include funds for maintenance and equipment needs as determined in district plans within available resources. Finally, the Superintendent approves expenditures from building contingency funds as needed.</p>	
<p><u>Evidence:</u> Plans as identified in the justification are in place along with a budget to support them.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

41

<p>2.7.4 Furthermore, the Superintendent shall not: Allow external guests or user groups access to the facilities or assets without procedures in place to protect district concerns.</p>	
<p><u>Operational Interpretation:</u> The District encourages maximum use of school facilities and equipment for community purposes that do not interfere with use for school purposes. The District expects members of the community who use facilities and equipment to do so with respect for school district property and an understanding of proper use. Individuals and groups shall be responsible for damage to facilities and equipment. A certificate of insurance may be required by the school district to ensure payment for these damages and any liability for injuries. The school district administration may authorize the use of school facilities by community groups or individuals. It may impose reasonable regulations and conditions upon the use of school facilities as it deems appropriate.</p>	
<p><u>Justification:</u> District Policy 902 Use of School District Facilities and Equipment puts forth the processes related to the public use of school facilities and equipment.</p>	
<p><u>Measurement Plan:</u> Compliance shall be evidenced by the appropriate application of District Policy 902.</p>	
<p><u>Evidence:</u> Eden Prairie Community Education reserved buildings for 2,638 1,745 uses that served approximately 20,819 20,650 community members during fiscal year 2018 2019. The Eden Prairie High School Student Activities Department rented its facilities (performing arts center, bubble, activity center, gyms, private instructor rooms, music areas, fields, and tennis courts) for 11,168 10,633 events during fiscal year 2018 2019. Information regarding the procedures in place for community use of District facilities can be found at: http://comed.edenpr.org/facility_use</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

42

43

<p>2.7.5 Furthermore, the Superintendent shall not: Unnecessarily expose the organization, its School Board, or its staff to claims of liability.</p>	
<p><u>Operational Interpretation:</u> I interpret this to mean the actions of the school board, the superintendent's behavior, and the behavior of all district employees will be governed by state and federal law.</p>	
<p><u>Justification:</u> The best way to preserve the legal liability of the school district is to ensure policies and procedures are current, the School Board and Staff are aware and understand the policies and procedures, and that required trainings (Federal and State) occur annually. A deliberate provision for staff awareness of legal responsibilities and professional behavior is essential.</p>	
<p><u>Measurement Plan:</u> Commercial General Liability, Umbrella Excess Liability and School Leader's Errors & Omissions and Crime coverages are in place to insure against Bodily Injury & Property Damage Liability; Personal & Advertising Injury Liability; Medical Payments; Employee Benefits Liability and Sexual Abuse, School Leader's Professional, Director's and Officer's Liability, and Employment Practices Liability.</p> <p>In addition, we provide opportunities for training to staff and Board members on Federal and State laws annually as required. Written policies indicating appropriate procedures for various activities within the district are in place and available on our web site and in the central office.</p>	
<p><u>Evidence:</u> Commercial General Liability, Umbrella Excess Liability coverages are in place through Liberty Mutual Riverport Insurance Services (July 1, 2018-July 1, 2019) (July 1, 2017-July 1, 2018)</p> <p>School Leader's Errors & Omissions coverages are in place through Liberty Mutual Riverport Insurance Services (July 1, 2018-July 1, 2019) (July 1, 2017-July 1, 2018)</p> <p>Crime coverages are in place through Liberty Mutual Riverport Insurance Services (July 1, 2018-July 1, 2019) (July 1, 2017-July 1, 2018)</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

2.7.6 Furthermore, the Superintendent shall not: Endanger the organization's public image, its credibility, or its ability to accomplish ends.	
<u>Operational Interpretation:</u> I interpret this to mean the Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, unsafe, imprudent, or in violation of commonly accepted educational and professional ethics and practices.	
<u>Justification:</u> <ol style="list-style-type: none"> 1. The school district's image, credibility, and ability to accomplish its Ends must be protected at all times. A deliberate provision and attention to maintaining a current, purposeful, legal, and ethical financial system significantly improves the district's ability to achieve its Ends and maintain the support of its community. 2. Superintendents are not only subject to rules and regulations related to the operation of a school district, but also to the Minnesota Code of Ethics for School Administrators (MN Rule 3512.5200). 	
<u>Measurement Plan:</u> <ol style="list-style-type: none"> 1. This policy shall be measured by the presence (or lack thereof) of any formal complaints found to be factual by the School Board, their designee, or the Board of School Administrators that the public image, credibility, or ability to accomplish our Ends has been endangered. 2. Other evidence to support compliance with this policy include the acceptance of related Executive Limitation monitoring reports determined to be in compliance by the School Board. 	
<u>Evidence:</u> <ol style="list-style-type: none"> 1. There were no formal complaints made to the School Board or Board of School Administrators regarding public image violations or violations against the rules and regulations set forth by the Minnesota Code of Ethics for School Administrators. 2. All Executive Limitation monitoring reports regarding public image and credibility were accepted as in compliance. 	
<u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation	
2.7.7 Furthermore, the Superintendent shall not: Allow uninsured personnel access to material amounts of funds.	
<u>Operational Interpretation:</u> I interpret this to mean that adequate internal controls and insurance coverages are in place to limit the District's exposure and risk of loss.	

45

<p><u>Justification:</u> Insurance coverage is essential to protect the overall integrity of the financial system. Insurance ensures that fraud, negligence, or theft by an employee will have a limited impact on the school district.</p> <p>Proper internal controls are essential to limit the district's exposure to loss through fraud or error.</p>	
<p><u>Measurement Plan:</u></p> <ol style="list-style-type: none"> 1. The School District develops, publishes, enforces, and reviews annually internal controls regarding access to funds. 2. The external auditors annually review the system of internal controls, conduct a system walk-through and report any exceptions. 3. Employee Theft and Dishonesty/Crime policies are in place to insure against: Employee Theft Per Loss (also includes Public Employees Faithful Performance); Depositor's Forgery/Alteration; Theft, Disappearance & Destruction (Money, Securities & Other Property – including Robbery & Safe Burglary; and Computer Funds & Transfer Fraud. 	
<p><u>Evidence:</u></p> <ol style="list-style-type: none"> 1. The District Business Office conducted its formal internal control annual review and trained Business Office employees regarding the District's regulations regarding access and handling of district funds in June 2019 2018. <ol style="list-style-type: none"> a. The internal control procedures revealed no exceptions during fiscal year 2019 2018. b. Each site petty cash and safe is randomly audited annually by business office staff c. All cash deposits must be accompanied by a written cash receipt. Cash receipt backup retained at the site is randomly audited by business office staff. d. The use of the online payment systems, Feepay, Campus and USAePay will reduce the amount of cash transactions throughout the district, especially in student activities and food service. 2. The fiscal year 2019 2018 financial audit required by state statute will be presented on or about November 19, 2018 November 25, 2019. The audit report includes a section on "Internal Controls" that would indicate concerns with the District's internal processes and controls during the prior fiscal year. 3. The fiscal year 2018 2017 Audit indicated no internal control deficiencies regarding uninsured personnel access to material amounts of funds. 	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

2.7.8 Furthermore, the Superintendent shall not: Receive, process, or disburse funds under controls that are insufficient to meet the School Board-appointed auditor's standards.	
<u>Operational Interpretation:</u> I interpret this to mean the District audit and financial statements must be based on Generally Accepted Government Auditing Standards, the federal Single Audit Act, and the Minnesota Legal Compliance Guide issued by the Office of the State Auditor in reference to the school district's financial resources.	
<u>Justification:</u> School districts are required to have an annual independent financial audit, to submit audited financial data to the Minnesota Department of Education (MDE) electronically, and to submit all required components of the audit report to MDE and to the Office of the State Auditor.	
<u>Measurement Plan:</u> The Annual Audit Report that routinely tests the district's financial processes and practices. Non-compliance would be reflected by "findings" published in the Annual Audit Report to the Board of Education.	
<u>Evidence:</u> The School Board approved the fiscal year 2018 2017 audit on November 19, 2018 November 27, 2017 and these reports were submitted to the Minnesota Department of Education and the State Auditor's office in December 2018 2017. The fiscal year 2018 2017 Annual Audit revealed one three legal compliance findings and two internal control findings over compliance. A corrective action plan was put in place to address the findings.	
<u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation	
2.7.9 Furthermore, the Superintendent shall not: Compromise the independence of the School Board's audit or other external monitoring or advice.	
<u>Operational Interpretation:</u> I interpret this to mean I will not interfere with the external auditing process and not utilize auditing personnel for other financial business. I will ensure the annual audit takes place in a timely manner.	
<u>Justification:</u> The external audit is, in its purest form, a report card on the overall functioning of the school district. As such, the Superintendent and Executive Director of Business Services should cooperate (and not disrupt) the audit process to all possible extent. As a primary safeguard to maintaining fiscal integrity, the external audit should remain as neutral to the administration and operations of the district as possible.	

46

<p><u>Measurement Plan:</u> Per State Statute, the School Board appoints an external auditor to conduct all external audits. Audits are conducted at the beginning of each fiscal year, and must be completed by the School Board prior to December 31. As a part of the process, the School Board meets with the external auditor to review the audited statements and to report its findings.</p>	
<p><u>Evidence:</u> The School Board approved the fiscal year 2018 ²⁰¹⁷ audit on November 19, 2018 ^{November 27, 2017} and these reports were submitted to the Minnesota Department of Education and the State Auditor's office in December 2018 ²⁰¹⁷.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>2.7.10 Furthermore, the Superintendent shall not: Substantially change the principal educational purpose of a school by closing, repurposing, consolidating, combining or creating new or choice destination schools without School Board approval.</p>	
<p><u>Operational Interpretation:</u></p> <ol style="list-style-type: none"> 1. I interpret <i>school</i> as: <ol style="list-style-type: none"> a. The legal definition of <i>school</i> per Minnesota Statute 120A.05, b. I further interpret <i>school</i> to be the "real property" consisting of any one of the eight (8) current <i>school</i> buildings and Lower Campus. 2. The phrase <i>principal educational purpose</i> is interpreted as the standard course of academic programs implemented to meet the standards established by the Minnesota Commissioner of Education (MN Statute 120A.05). 3. I interpret <i>substantially change the principal purpose of a school</i> to mean: <ol style="list-style-type: none"> a. Alter the primary use of one of the District's elementary, middle or secondary schools per the legal definition of a <i>school</i> (MN Statute 120A.05). b. Significantly alter the physical space <u>and</u> primary use of a specially designated or designed space of a <i>school</i> (i.e. gym, swimming pool, media center, etc.). c. To demolish, reconfigure, or remodel in order to create a new use at a cost in excess of \$100,000 at one site. 4. I interpret <i>by closing or repurposing it</i> to mean: <ol style="list-style-type: none"> a. <i>Closing</i> is eliminating the use of a District <i>school</i> building for any District purpose. b. <i>Repurposing</i> is: <ol style="list-style-type: none"> i. Creating a District "<i>Destination School</i>" ii. Using a District <i>school</i> building for a purpose not associated with a school. 	

47

<p>5. I interpret <i>by consolidating or combining it with another school</i> to mean:</p> <ol style="list-style-type: none"> The action of moving one <i>school</i> into another <i>school's</i> building, and eliminating one of the <i>schools</i> affected, or; Moving one <i>school</i> into another school's building and changing the principal educational purpose of individual <i>schools</i>. <p>6. I interpret <i>board approval</i> as an affirmative majority vote by a quorum of the School Board on a recommendation provided by the Superintendent or his/her designee.</p>	
<p><u>Justification:</u></p> <ol style="list-style-type: none"> The legal definition of <i>school</i> was used to delineate those structures from other District real properties. Minnesota Statute 120A.05 defines the <i>principal educational purpose</i> of school sites: <ol style="list-style-type: none"> Subd. 9.Elementary school. "Elementary school" means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in prekindergarten through grade 6 or any portion thereof, and staff meeting the standards established by the commissioner. Subd. 11.Middle school. "Middle school" means any school other than a secondary school giving an approved course of study in a minimum of two consecutive grades above 4th but below 10th with building, equipment, courses of study, class schedules, enrollment, and staff meeting the standards established by the commissioner of education. Subd. 13.Secondary school. "Secondary school" means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in grades 7 through 12 or any portion thereof, and staff meeting the standards established by the commissioner of education. (Note: the Education Center in Eden Prairie is not included in this definition, as the District does not own real property at that site.) The definition of "Real Property" was used to differentiate it from other types of property owned by the district <ol style="list-style-type: none"> "Real Property" is defined as "A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure." (MN Statute 272.03.b.) (Note: the Education Center in Eden Prairie is not included in this definition, as we do not own real property at that site.) <i>Closing or Repurposing</i> <ol style="list-style-type: none"> It is not uncommon for individual rooms in a facility to provide several functions as needs arise and priorities change over a period of time while the <i>school</i> as a whole retains its <i>principal educational purpose</i>. Most often, the <i>repurposing</i> of usable space does not require substantial changes to the physical structure. 	

49

<p>b. This interpretation does not limit Administration from managing its <i>schools</i> to produce the desired ends. It does limit the administration from <i>substantially changing</i> to a <i>school</i> in a manner that would:</p> <ol style="list-style-type: none"> Physically alter a “specially designated or designed space” for a new use. Require contracts over \$100,000 for repurposing classroom or specialized space at a single <i>school</i> to be approved by the School Board per MN Statute 123B.52 and MN Statute 471.345, Subd. 3. <p>5. “<i>Destination School</i>”</p> <ol style="list-style-type: none"> Meets the legal definition of a <i>school</i> and provides the standard academic program and standards as established by the Minnesota Commissioner of Education <i>in an alternative, enhanced, or specialized learning environment</i>. Is open to enroll <u>eligible</u> students regardless of their home location within the School District Provides a specialized academic focus in <i>an alternative, enhanced, or specialized learning environment</i> that may include, but is not limited to: language immersion, technology, environmental studies, fine arts, online, STEM, etc. <ol style="list-style-type: none"> Programs such as Level III Gifted Services, Special Education Low Incidence and Center-Based programs, and English Language Learners are not <i>destination schools</i>. Eagle Heights Spanish Immersion School is a <i>destination school</i> per this interpretation. The Level IV Gifted and Talented programming would be considered a <i>destination school</i> at such point as it encompasses multiple grade levels at one or more <i>school</i> sites. <p>6. Board Approval</p> <ol style="list-style-type: none"> School Board voting rules are self-explanatory and legally required to do the business of the school district <p>This interpretation has the expectation that the Superintendent will undertake a process that provides adequate background information, opportunities for discussion, and culminates with a specific recommendation for Board action.</p>	
<p><u>Measurement Plan:</u></p> <p>The Superintendent shall be found to be in compliance with this policy when:</p> <ol style="list-style-type: none"> The district’s <i>school</i> sites retain their “principal” educational purpose, The district’s <i>school</i> sites are not repurposed, consolidated or combined with another school without Board approval. 	
<p><u>Evidence:</u></p> <p>No spaces were changed during the reporting period.</p>	
<p><u>Statement of Assertion:</u></p> <p>Report is Reasonable and Evidence support the Operational Interpretation</p>	

<p>2.7.11 Furthermore, the Superintendent shall not: Allow anyone other than the School Board to name facilities, schools, classrooms, or spaces within the district.</p>	
<p><u>Operational Interpretation:</u> The Eden Prairie School Board is responsible for permanently naming facilities, which includes buildings, rooms, internal spaces, streets, landscape materials and associated exterior furnishings, courts, athletic fields, open spaces, forests, and all other areas owned, operated, or controlled by the Eden Prairie School District.</p> <p>Eden Prairie School District may name facilities according to provisions established by statute. The School Board may elect to name facilities in recognition of individuals who have attained achievements of extraordinary and lasting distinction or enter into authorized agreements and contracts to lease naming rights for school facilities or enter into an agreement with a sponsoring agent in order to generate alternative sources of revenue to be used according to a plan specified by the School Board.</p>	
<p><u>Justification:</u> Board authority, established in statute, permits the Board to enter into a contract to lease the naming rights for school facilities, sell advertising on or in facilities and otherwise enter into an agreement with a sponsoring agent. The School Board exercises approval authority for naming of all facilities owned, operated, or controlled by the Eden Prairie School District.</p>	
<p><u>Measurement Plan:</u> Compliance with this policy shall be evidenced via the Board naming all permanent facilities owned or leased by the District.</p>	
<p><u>Evidence:</u> No spaces were named during the reporting period.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	

<p>2.7.12 Furthermore, the Superintendent shall not: Eliminate any non-state-required programs that would adversely affect our reputation and/or diminish the value of our broad-based educational opportunities without School Board approval.</p>	
<p><u>Operational Interpretation:</u></p> <ol style="list-style-type: none"> 1. An “educational program” is defined as “a set of learning activities with a specific goal.” In the context of a school district, an educational program is interpreted as a set of courses leading to acquisition or mastery of a set of identified competencies. 2. The core of this policy [The Superintendent shall not] “Eliminate any non-state required programs...without board approval” is self-explanatory. I interpret this policy to mean that Administration must seek approval via official vote of the School Board to discontinue any educational program at any level that is not required by Minnesota statute. <ol style="list-style-type: none"> a. The State of Minnesota requires the following of all of its high school graduates: <ol style="list-style-type: none"> i. 4 credits of language arts ii. 3 credits of mathematics, including algebra, geometry, statistics and probability sufficient to satisfy the standards. Students in the graduating class of 2015 and beyond must complete an algebra II credit or its equivalent as part of the 3-credit requirement. In addition to the high school credits, students in the graduating class of 2015 and beyond must also complete an algebra I credit by the end of eighth grade. iii. 3 credits of science, including a biology credit. In addition, students in the graduating class of 2015 and beyond must complete a chemistry, physics, or Career and Technical Education (CTE) credit as part of the 3-credit requirement. (The CTE credit must meet the standards underlying the chemistry or physics credit.) iv. 3½ credits of social studies, including U.S. history, geography, government and citizenship, world history and economics. v. 1 credit in the arts vi. 7 elective credits b. In grades K-8 school districts are required to put state academic standards into place so all students have access to high-quality content and instruction. Districts must develop local standards for subjects that do not have state standards. (Source: MDE) Therefore, specific elective courses and programs are not required at these levels, but the standards embedded in those courses and programs are required to be delivered in some form to students. 	

<p>3. The phrase “adversely affect our reputation and/or diminish educational opportunities” is subjective in nature. Therefore, the discussion regarding “value” becomes a consideration for the School Board rather than one for the Superintendent in the decision-making process.</p>	
<p><u>Justification:</u> The parents and owners of Eden Prairie schools value the broad-based educational program offered by the District.</p>	
<p><u>Measurement Plan:</u> Compliance shall be evidenced by adherence to the intent and direction of this policy.</p>	
<p><u>Evidence:</u> No programs were eliminated during the reporting period.</p>	
<p><u>Statement of Assertion:</u> Report is Reasonable and Evidence support the Operational Interpretation</p>	
<p>School Board member’s summarizing comments:</p>	

**Record of Board Policy Monitoring
Ends and Executive Limitations
July 1, 2019 – June 30, 2020**

Monitoring 2018-2019 School Year Data

The purpose of this document is to demonstrate to the owners that the board holds the superintendent accountable to our Ends and ELs.

Policy	Date	Operational Interpretation – Reasonable or not?		Evidence – demonstrates expected progress?		Date to bring back the district’s plan to demonstrate expected progress in the future	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
ENDS							
1.1 Each student graduates and is academically prepared to progress to multiple opportunities after high school	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				
1.1.1 Each student is reading at grade level by the end of third grade	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				
1.1.2 Each student achieves individual growth expectations and proficiency annually in, but not limited to, Language Arts, Math and Science	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				

Policy	Date	Operational Interpretation – Reasonable or not?		Evidence – demonstrates expected progress?		Date to bring back the district’s plan to demonstrate expected progress in the future	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
ENDS							
1.1.3 Each student receives a broad-based education that exceeds the Minnesota State Graduation Requirements	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				
1.2 Each student demonstrates the 21 st century skills needed to succeed in the global economy	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				
1.3 Each student demonstrates the knowledge that citizens and residents of the United States need to contribute positively to society	18-19 OI 06/18/18	Yes	Yes				
	18-19 Evidence 10/28/19						
	19-20 OI 6/24/19	Yes	Yes				

Policy	Date	Operational Interpretation – Reasonable or not?		Evidence – supports Operational Interpretation or not?		Date to re-monitor if either the OI is Not Reasonable or if Evidence doesn’t support OI	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
EXECUTIVE LIMITATIONS							
EL 2.0 Global Executive Constraint	12/9/19						
EL 2.1 Emergency Superintendent Succession	08/26/19						
EL 2.2 Treatment of Students	08/26/19						
EL 2.3 Treatment of Parents	09/23/19						
EL 2.4 Treatment of Staff	10/28/19						
EL 2.5 Financial Planning and Budgeting	12/9/19						
EL 2.6 Financial Management and Operations	09/23/19						
EL 2.7 Asset Protection	08/26/19						
EL 2.8 Compensation and Benefits	10/28/19						

Policy	Date	Operational Interpretation – Reasonable or not?		Evidence – supports Operational Interpretation or not?		Date to re-monitor if either the OI is Not Reasonable or if Evidence doesn’t support OI	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
EXECUTIVE LIMITATIONS							
EL 2.9 Communication and Support to the School Board	06/24/19 (Semi-annual)	Yes	Yes	Yes	Yes		Yes
	11/18/19						
	06/22/20 (Semi-annual)						

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
--------	--------------------------------	---	--	---------------------------------	-----------

BOARD-MANAGEMENT DELEGATION (BMD) POLICIES

3.0 Single Point of Connection	09/23/2019				
3.1 Unity of Control	09/23/2019				
3.1.1	09/23/2019				
3.1.2	09/23/2019				
3.1.3	09/23/2019				
3.2 Delegation to the Superintendent	09/23/2019				
3.2.1	09/23/2019				
3.2.2	09/23/2019				
3.2.3	09/23/2019				
3.2.4	09/23/2019				
3.3 Superintendent Accountability and Performance	09/23/2019				
3.3.1	09/23/2019				
3.3.2	09/23/2019				
3.3.3	09/23/2019				
3.3.4	09/23/2019				
3.3.5	09/23/2019				

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
--------	--------------------------------	---	--	---------------------------------	-----------

GOVERNANCE PROCESS (GP) POLICIES

4.0 Global Governance Commitment	10/28/2019				
4.0.1	10/28/2019				
4.0.2	10/28/2019				
4.1 Governing Style	10/28/2019				
4.1.1	10/28/2019				
4.1.2	10/28/2019				
4.1.3	10/28/2019				
4.1.4	10/28/2019				
4.1.5	10/28/2019				
4.1.6	10/28/2019				
4.2 School Board Job Products	10/28/2019				
4.2.1	10/28/2019				
4.2.2	10/28/2019				
4.2.2 - A	10/28/2019				
4.2.2 - B	10/28/2019				
4.2.2 - C	10/28/2019				

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.2.2 - D	10/28/2019				
4.2.3	10/28/2019				
4.3 Annual Work Plan	10/28/2019				
4.3.1	10/28/2019				
4.3.2	10/28/2019				
4.3.3	10/28/2019				
4.4 Officer Roles	09/23/2019				
4.4.1	09/23/2019				
4.4.1.1	09/23/2019				
4.4.1.2	09/23/2019				
4.4.1.3	09/23/2019				
4.4.1.4	09/23/2019				
4.4.1.5	09/23/2019				
4.4.1.6	09/23/2019				
4.4.1.7	09/23/2019				
4.4.1.8	09/23/2019				
4.4.1.9	09/23/2019				
4.4.2	09/23/2019				
4.4.3	09/23/2019				
4.4.4	09/23/2019				

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.5 School Board Members' Code of Conduct	09/23/2019				
4.5.1	09/23/2019				
4.5.2	09/23/2019				
4.5.2.1	09/23/2019				
4.5.2.2	09/23/2019				
4.5.2.3	09/23/2019				
4.5.3	09/23/2019				
4.5.3.1	09/23/2019				
4.5.3.2	09/23/2019				
4.5.4	09/23/2019				
4.5.5	09/23/2019				
4.5.6	09/23/2019				
4.5.7	09/23/2019				
4.5.8	09/23/2019				
4.5.8.1	09/23/2019				
4.5.8.2	09/23/2019				
4.5.8.3	09/23/2019				
4.5.8.4	09/23/2019				
4.5.8.5	09/23/2019				
4.5.8.6	09/23/2019				

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.5.8.7	09/23/2019				
4.6 Process for Addressing School Board Member Violations	09/23/2019				
4.6.1	09/23/2019				
4.6.2	09/23/2019				
4.6.3	09/23/2019				
4.6.4	09/23/2019				
4.6.4.1	09/23/2019				
4.6.4.2	09/23/2019				
4.7 School Board Committee Principles	09/23/2019				
4.7.1	09/23/2019				
4.7.2	09/23/2019				
4.7.3	09/23/2019				
4.7.4	09/23/2019				
4.8 School Board Committee Structure	09/23/2019				
4.8.1	09/23/2019				
4.8.2	09/23/2019				
4.8.3	09/23/2019				

**Record of Board Self-Evaluation
Governance Policies
(July 1, 2019 – June 30, 2020)**

Monitoring July 1, 2018 – June 30, 2019 School Year Data

**The purpose of this document is to demonstrate to the owners that the Board is accountable to our
Board Management Delegation and Governance Process policies.**

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.8.4	09/23/2019				
4.9 Governance Investment	10/28/2019				
4.9.1	10/28/2019				
4.9.1.1	10/28/2019				
4.9.1.2	10/28/2019				
4.9.1.3	10/28/2019				
4.9.2	10/28/2019				
4.9.3	10/28/2019				
4.10 Operation of the School Board Governing Rules	09/23/2019				
4.10.1	09/23/2019				
4.10.1.1	09/23/2019				
4.10.1.2	09/23/2019				

SUPERINTENDENT CONSENT AGENDA

A. Semi-Monthly Reports

HUMAN RESOURCES

1. Human Resources – Administrative/Supervisory/Technical (AST)

a. Change in Assignment

Stamson, Elizabeth – Gifted & Talented Program Coordinator, District-Wide, 8 hours/day, 5 days/week, 260 days/year, effective 8/14/2019.

2. Human Resources – Eden Prairie Supervisors & Specialists (EPSS)

a. New Hires

McNamara, Elizabeth – College & Career Student Specialist, Eden Prairie High School, 8 hours/day, 5 days/week, 185 days/year, effective 8/19/2019.

3. Human Resources - Licensed Staff

a. New Hires

Blackwell, Terra – Art, 1.0 FTE, Prairie View Elementary, effective 11/8/2019 through 6/10/2020.

Brunelle, Steven – American Sign Language, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Campbell, Kayla – Kindergarten, 1.0 FTE, Prairie View Elementary, effective 8/26/2019.

Eicher, Rachel – Special Education, 1.0 FTE, Forest Hills Elementary, effective 8/26/2019.

Encalada, Keith – Grade 6, 1.0 FTE, Eagle Heights Spanish Immersion, effective 8/26/2019.

Flooding, Barbara – Music – Orchestra, 0.333 FTE, District-wide, effective 8/26/2019.

Grulkowski, Jacquelyn – Grade 2, 1.0 FTE, Prairie View Elementary, effective 8/26/2019.

Gajdostik, Eric – Business Education, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Hansen, Rachele – ECFE, 0.6 FTE, Community Education, effective 8/26/2019.

Hari, Rachel – Business Education, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Jacquemart, Rochelle – English as a Second Language, 1.0 FTE, Central Middle School, effective 8/26/2019 through 3/17/2020.

Langert, Jessica – Social Studies, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Martin, Mira – Speech/Language Pathologist, 1.0 FTE, Education Center, effective 8/26/2019 through 11/25/2019.

Mikkelsen, Grace – Special Education, 1.0 FTE, Forest Hills Elementary, effective 8/26/2019.

Mohamed, Marian – AVID Elective, 0.5 FTE and Special Education, 0.5 FTE, Eden Prairie High School, effective 8/26/2019.

Nord, Kally – Grade 4, 1.0 FTE, Forest Hills Elementary, effective 8/26/2019.

Pemberton, Madeleine – Kindergarten, 1.0 FTE, Oak Point Elementary, effective 8/26/2019.

Poss, Allison – MTSS Site Coordinator, 0.6 FTE, Central Middle School, effective

8/26/2019.

Reger, Jennifer – Kindergarten Teacher, 1.0 FTE, Prairie View Elementary, effective 8/26/2019.

Rieke, Mitchell – Special Education, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Schulz-Welo, Louis – World Language – Spanish, 0.6 FTE, Central Middle School, effective 8/26/2019.

Soboleva, Irina – Special Education Lead, 1.0 FTE, TASSEL, effective 8/26/2019.

Stachowicz, Courtney – Licensed School Nurse, 0.8 FTE, Central Middle School, effective 8/26/2019.

Stalberger, Sheila – Industrial Technology, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Stroud, Kaila – Family & Consumer Science, 1.0 FTE, Eden Prairie High School, effective 8/26/2019.

Strunk, Alyssa – Physical Education/DAPE, 0.641 FTE, Forest Hills Elementary, effective 8/26/2019.

Thone, Kayla – Early Childhood Special Education, 0.5 FTE, Education Center, effective 8/26/2019.

Trochlil, Jenna – Mathematics, 0.5 FTE, Eden Prairie High School, effective 8/26/2019.

Twomey, Catherine – Title I, 1.0 FTE, Prairie View Elementary, effective 8/26/2019 through 6/10/2020.

Wisness, Alexis – Title I, 1.0 FTE, Prairie View Elementary, effective 8/8/2019.

b. Change in Assignment

Kasid, Shelly – Elementary Interventionist, 0.5 FTE, Elementary Instructional Coach, 0.3 FTE, Forest Hills Elementary, effective 8/26/2019.

Kieffer, Justin – Physical Education, 0.542 FTE, DAPE, 0.4 FTE, Prairie View Elementary, effective 8/26/2019.

Ploetz, Susan – Grade 4, 1.0 FTE, Cedar Ridge Elementary, effective 8/26/2019.

c. Resignation/Retirements

Bray, Mark – Social Studies, 1.0 FTE, Eden Prairie High School, effective 11/6/2019.

Breyer, Heidi – Grade 1, 1.0 FTE, Cedar Ridge Elementary, effective 6/7/2019.

Hill-Hood, Gwendolyn – Special Education, 1.0 FTE, Central Middle School, effective 6/7/2019.

4. Human Resources - Classified Staff

a. New Hires

BUILDING SERVICES

Gonzalez, Antonio – Custodian (Non-Licensed), Oak Point Elementary, 8 hours/day, 5 days/week, 260 days/year, effective 7/23/2019.

CLASS

Awyusuf, Younis – Office Professional – Welcome Center, Administrative Services Center, 8 hours/day, 5 days/week, 260 days/year, effective 8/20/2019.

Babington, Elizabeth – Office Professional – Communications, Administrative Services Center, 8 hours/day, 5 days/week, 260 days/year, effective 8/12/2019.

Fuxa, Becky – Food Services – Clerk, Eden Prairie High School, 5 hours/day, 5 days/week, 177 days/year, effective 8/22/2019.

Odegard, Carrie – Scheduling Clerk, Central Middle School, 6 hours/day, 5

days/week, 203 days/year, effective 8/22/2019.

MSEA

Johnson, Mary – Special Education Paraprofessional, Central Middle School, 6.25 hours/day, 5 days/week, 178 days/year, effective 9/3/2019.

Mutter-Schulz, Noah – Health Services Paraprofessional, Oak Point Elementary and Eagle Heights Spanish Immersion Elementary, 6.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2019.

Sohail, Fareeha – Playground Paraprofessional, Prairie View Elementary, 2 hours/day, 5 days/week, 172 days/year, effective 9/3/2019.

Trotter, Amir – Little Eagles Preschool Paraprofessional, Community Education, 6.9 hours/day, 5 days/week, 200 days/year, effective 9/3/2019.

PRESCHOOL TEACHERS

Nemitz, Katlyn – Little Eagles Preschool Teacher, Community Education, 8 hours/day, 5 days/week, 205 days/year, effective 8/26/2019.

Thum, Teresa – Little Eagles Preschool Teacher, Community Education, 4.25 hours/day, 5 days/week, 185 days/year, effective 8/26/2019.

b. Change in Assignment

BUILDING SERVICES

Windhorst, Bert – Maintenance – Grounds, Transportation & Grounds, 8 hours/day, 5 days/week, 260 days/year, effective 7/29/2019.

CLASS

Khattak, Malalai – Office Professional – Personnel & Finance, Central Middle School, 8 hours/day, 5 days/week, 260 days/year, effective 7/23/2019.

Knothe, Martine – Office Professional – Counselors, Eden Prairie High School, 7.75 hours/day, 5 days/week, 190 days/year, effective 8/19/2019.

c. Resignations/Retirements

CLASS

Beary, Scott – Technology Support Specialist, District-wide, effective 7/31/2019.

Farinella, Michelle – MARSS Specialist, Administrative Services Center, effective 8/20/2019.

Hughes, Jill – Scheduling Clerk, Central Middle School, effective 8/16/2019.

McGuire, Eleisia – Receptionist, Eagle Heights Spanish Immersion, effective 6/30/2019.

Williams, Shanisa – Office Professional – Counselors, Eden Prairie High School, effective 6/7/2019.

FOOD SERVICE

Fitzgerald, Sandra – Food Service Assistant II, Eden Prairie High School, effective 8/1/2019.

Ghent, Marsha – Food Service Assistant I, Prairie View Elementary, effective 8/15/2019.

Hoff, Crystal – Food Service Assistant I, Central Middle School, effective 8/27/2019.

Janson, Stephenie – Food Service Assistant I, Eden Prairie High School, effective 6/6/2019.

Neal, Darcy – Child Nutrition Manager, Prairie View Elementary, effective 8/31/2019.

MSEA

Baysudee, Rakhshana – Special Education Paraprofessional, Oak Point Elementary,

effective 6/6/2019.

Bethke, Dustin – Special Education Paraprofessional, TASSEL, effective 8/9/2019.

Boe, Grant – Security Monitor, Eden Prairie High School, effective 8/21/2019.

Hans, Grace – Eagle Zone Program Assistant, effective 8/7/2019.

Hatterschide, Kristi – Special Education Bus Paraprofessional, Transportation, effective 8/4/2019.

Jankewicz, Sarah – Little Eagles Paraprofessional, Little Eagles Preschool, effective 8/15/2019.

Shakur, Amien – Playground Paraprofessional, Cedar Ridge Elementary, effective 8/14/2019.

PRESCHOOL TEACHERS

Deraad, Anna – Little Eagles Preschool Teacher, Community Education, effective 6/7/2019.

Board Business

General Consent Agenda

Acknowledgment of Electronic Transfers July 2019

INVEST DATE	FROM	TO	INTEREST RATE	MATURITY DATE	PRINCIPAL
07/25/19	PMA Financial	MNTrust	2.150%	07/29/19	\$1,250,294.53
06/07/19	PMA Financial	MNTrust	2.300%	08/06/19	\$249,941.43
07/25/19	PMA Financial	MNTrust	2.150%	08/23/19	\$8,013,665.76
07/25/19	PMA Financial	MNTrust	2.150%	08/23/19	\$250,427.06
07/25/19	PMA Financial	MNTrust	2.150%	08/23/19	\$5,008,541.10
07/25/19	PMA Financial	MNTrust	2.150%	08/23/19	\$2,504,270.55

Memorandum

To: Eden Prairie School Board

From: Dr. Josh Swanson

Date: August 20, 2019

Regarding: District Policies

On an annual basis District Policies are reviewed. Under policy governance this is the responsibility of the superintendent, but requires board approval. That process has been completed and several policies updated based on: changes in statute, a review of the Minnesota School Board Association model policies, and recommendations by our legal council. After a thorough review, my recommendation is that the board approve the policies as presented. I have included a summary of the changes to each policy on the table below and the full policies are available for your review within Appendix A of the board packet.

Policy	Mandatory	Name	Notes for the Board
102	No	Equal Educational Opportunity	Added language to reflect the current Minnesota Human Rights Act: Minn Stat. 363A.03, Subd. 44
401	No	Equal Employment Opportunity	Added language to reflect the current Minnesota Human Rights Act: Minn Stat. 363A.03, Subd. 44
402	Yes	Disability Nondiscrimination Policy	Updated content to reflect Human Resources and added current legal reference.
413	Yes	Harassment & Violence	Added language to reflect the current Minnesota Human Rights Act: Minn Stat. 363A.03, Subd. 44, language clarifications made, and updates to timelines based on the advice of legal counsel.
414	Yes	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	Updated 1 word for grammar.

Policy	Mandatory	Name	Notes for the Board
419	Yes	Tobacco-Free Environment	Updated language to more accurately reflect e-cigarettes and e-delivery devices.
421	No	Gifts to Employees and School Board Members	Updated to reflect employee accomplishment plaques.
504	No	Student Dress and Appearance	Updated to allow for head coverings worn for religious practice or belief.
506	Yes	Student Discipline	Updated language for electronic cigarettes.
510	No	School Activities	Language updates to increase clarity. No significant impact to policy.
511	No	Student Fundraising	Language updates to increase clarity. No significant impact to policy.
523	No	Policies Incorporated by Reference	Updated to reflect Eden Prairie's currently adopted policies.
524	Yes	Internet Acceptable Use and Safety Policy	Updates to language to clarify electronic resources as a broader category than internet and broaden the definition of electronic devices.
530	No	Immunization Requirements	Clarification added to immunization requirements to include current medical practice and providers.
532	Yes	Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds	Removal of notes from our policy since notes are not part of the policy and a change to reflect current law regarding the definition of an "emergency".
601	Yes	School District Curriculum & Instruction Goals	Language was added to define experiential learning. No Child Left Behind language was updated and language reflecting read well by 3rd grade and intervention was included.
602	No	Organization of School Calendar And School Day	Non-policy notes removed and e-learning days defined within the policy.
603	Yes	Curriculum Development	Added language regarding notification of high school students who do not meet MCA, regarding educational rights and options under Minn. Stat. § 120B.125.

Policy	Mandatory	Name	Notes for the Board
613	No	Graduation Requirements	Updated language to reflect upcoming graduation classes' requirements. Updates to Special Education graduation requirements that reflect current college and career readiness practices. An update to the early graduation process which includes notification and review by the Superintendent or designee.
616	Yes	School District System Accountability	Language updated to reflect ESSA reporting requirements.
620	Yes	Credit for Learning	Added definition for "Weighted Grades" (which we do NOT use) but provide clarity further in the policy.
707	No	Transportation of Public School Students	Minor changes in language reflecting current statute for the transportation of homeless students and students receiving special education services prior to kindergarten.
708	No	Transportation of Nonpublic School Students	Minor changes in language in how non-public school students receiving special education services are referenced.
709	No	Student Transportation Safety Policy	Minor change in transportation type reference and non-policy note removed.
713	No	Student Activity Accounting	Significant changes reflective of the board action taken in July 2019 regarding financial oversight of extra curriculars accounts.
721	Yes	Uniform Grant Guidance Policy Regarding Federal Revenue Sources	Removal of non-policy notes.
802	No	Disposition of Obsolete Equipment and Material	Minor change to align our policy with current bid law.
806	Yes	Crisis Management Policy	Removal of non-policy notes.

MANDATED Policy Annual Review (Action): 2019-2020 School Year

Each of the following policies' mandates the Board to perform an annual review for conformity to prevailing law. Each is based upon MSBA model policy language **and or review by district's legal counsel as necessary**. The School Board has reviewed and approved the most recent versions. I am recommending that the Board certify that the District has performed an annual review of the following policies. If Board Members wish to further review the policies, they can be found on the District website.

Policy #	Policy Title	MSBA Mandated Model Policy Purpose	Remarks/Comments/Etc.
410	Family and Medical Leave	The purpose of this policy is to provide for family and medical leave to school district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.	After review, no changes have been made.
413	Harassment and Violence	The purpose of this policy is to maintain learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, family status, status with regard to public assistance, sexual orientation, or disability.	Updates that ensure the policy reflects the Minnesota Human Rights Act have been made and timelines language updated, based on advice of legal counsel. The policy is included within the August 26, 2019 consent agenda.
414	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.	An update to grammar was made and the policy is included within the August 26, 2019 consent agenda.
415	Mandated Reporting of Maltreatment of Vulnerable Adults	The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.	After review, no changes have been made.
506	Student Discipline	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	An update to language regarding electronic cigarettes was made. The policy is included within the August 26, 2019 consent agenda.

		disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.	
514	Bullying Prohibition	The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.	After review, no changes have been made.
522	Student Sex Nondiscrimination	The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.	After review, no changes have been made.
524	Internet Acceptable Use and Safety Policy	The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.	Updates have been made that clarify electronic resources as a broader category than internet and broaden the definition of electronic devices. The policy is included within the August 26, 2019 consent agenda.
616	School District System Accountability	The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and federal law.	Updates have been made to reflect reporting requirements in ESSA. The policy is included within the August 26, 2019 consent agenda.
806	Crisis Management	The purpose of the Crisis Management Policy is to act as a guide for the school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district.	An update was made to remove non-policy related notes. The policy is included within the August 26, 2019 consent agenda.
Suggested Recommendation: Move that the School Board review and approve these policies which are required by MSBA annually.			

Eden Prairie School Board
2019 & 2020 WORK PLAN CHANGES
“Proposed” WORK PLAN CHANGES – August 26, 2019

Date of Meeting/Workshop	Changes Requested
Monday, September 9, 2019 – Workshop	- ADD: - Brief Business Meeting at the beginning of Workshop at 6:00 p.m.
Monday, September 23, 2019	
Monday, October 14, 2019 – Workshop	
Monday, October 28, 2019	
Monday, November 4, 2019 – Workshop	
Wednesday, November 13, 2019	
Monday, November 25, 2019	
Monday, December 9, 2019	
Placeholder – General Board Work	
<ul style="list-style-type: none"> School Board Website Review/Discussion – Board Pages Workshop to Discuss: Monitoring Process and Communication EL 2.2 Treatment of Students – OI and Measurement Plan 	
Placeholder – Policy Review	

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
*****2019***** Board Meeting Mon, July 22, 2019 7:30 AM			<ul style="list-style-type: none"> • Resolution: "Call the General Election" • Schedule Candidate Information Sessions • New School Board Candidate Presentation • School Board Handbook Presentation 		<ul style="list-style-type: none"> • Monthly Reports • Student Handbooks: <ul style="list-style-type: none"> - High School - Middle School - Elementary Schools (Summary Detail Included) 		
School Board "New Candidate" Information Session Monday, July 29, 2019 ASC/EDC, 6:30 – 8:30 p.m.							
School Board "New Candidate" Information Session Monday, August 5, 2019 ASC/EDC, 6:30 – 8:30 p.m.							
School Board Listening Session Monday, August 26, 2019 ASC/Riley Creek Meeting Room, 5:00 – 5:45 p.m.							
Board Meeting Mon, Aug 26, 2019 6:00 PM	<ul style="list-style-type: none"> • EL 2.1 Emergency Supt. Succession • EL 2.2 Treatment of Students • EL 2.7 Asset Protection 		<ul style="list-style-type: none"> • Record of Board Self-Evaluation 		<ul style="list-style-type: none"> • Monthly Reports 		
Post Meeting Board Workshop Mon, Aug 26, 2019							<ul style="list-style-type: none"> • School Board Mtg. Self-Assessment
Board Workshop Mon, Sept 9, 2019 6:00 PM							<ul style="list-style-type: none"> • ADMIN Proposals for FY 2019-20 Workshops • NEW Policy Development

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							Discussion (Ends & EL Policies) •Policy Monitoring: All BMD Policies •Policy Monitoring: GP's: 4.4, 4.5, 4.6, 4.7, 4.8, & 4.10 •Confirm agenda for next Board Workshop
Board Meeting Mon, Sept 23, 2019 6:00 PM	<ul style="list-style-type: none"> •EL 2.3 Treatment of Parents •EL 2.6 Financial Management & Operations <hr/> <ul style="list-style-type: none"> •All BMD Policies •BMD 3.0 Single Point of Connection •BMD 3.1 Unity of Control •BMD 3.2 Delegation to the Superintendent •BMD 3.3 Superintendent Accountability & Performance <hr/> <ul style="list-style-type: none"> •GP 4.4 Officer Roles •GP 4.5 School Board Members Code of Conduct •GP 4.6 Process for Addressing School Board Member Violations •GP 4.7 School Board Committee Principles 		<ul style="list-style-type: none"> •Approval of Preliminary FY 2020-21 Levy -Tax Levy Comparison - Tax Levy Presentation Pay 20 <hr/> <ul style="list-style-type: none"> •Record of Board Self-Evaluation 		<ul style="list-style-type: none"> •Monthly Reports 	<u>Superintendent Incidentals:</u> <ul style="list-style-type: none"> • FY 2018-19 Year-end Preliminary Financial Report •FY 2019-20 Preliminary Enrollment Report 	

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
	<ul style="list-style-type: none"> GP 4.8 School Board Committee Structure GP 4.10 Operation of the School Board Governing Rules 						
Post Meeting Board Workshop Mon, Sept 23, 2019							<ul style="list-style-type: none"> School Board Mtg. Self-Assessment
Board Workshop Mon, Oct 14, 2019 6:00 PM							<ul style="list-style-type: none"> Administration: Setting Stage for FY 2020-21 Budget Guidelines Policy Monitoring: GP 4.0, 4.1, 4.2, 4.3, 4.9 Confirm agenda for next Board Workshop
Board Meeting Mon, Oct 28, 2019 6:00 PM	<ul style="list-style-type: none"> Ends 1.1, 1.2, 1.3 Evidence (FY 2018-19) EL 2.4 Treatment of Staff EL 2.8 Compensation and Benefits <hr/> <ul style="list-style-type: none"> GP 4.0 Global Governance Commitment GP 4.1 Governing Style GP 4.2 School Board Job Products GP 4.3 Annual Work Plan GP 4.9 Governance Investment 		<ul style="list-style-type: none"> Record of Board Self-Evaluation 		<ul style="list-style-type: none"> Monthly Reports 	<u>Superintendent Incidentals:</u> <ul style="list-style-type: none"> Enrollment Report as of Oct. 1, 2019 <ul style="list-style-type: none"> -Exec. Summary -Capture Rate -History & Projection Totals -Official October 1 Enrollment Count World's Best Workforce Report FY 2018-2019 Achievement 	

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
						Integration Progress Report	
Post Meeting Board Workshop Mon, Oct 28, 2019							•School Board Mtg. Self-Assessment
Board Workshop Mon, Nov 4, 2019 6:00 PM*							<ul style="list-style-type: none"> •FY 2019-2020 Superintendent Goal Setting Discussion •“New Policy Introductions” •Review of Treasurer’s Annual Report •Confirm agenda for next Board Workshop
Special Business Meeting Wed, Nov 13, 2019 7:30 AM			•Resolution Approving Canvassing of Elections				
Board Meeting Mon, Nov 25, 2019 6:00 PM	•EL 2.9 Communication and Support to the School Board	• <u>Closed Session:</u> Review of FY 2018-19 Superintendent Goals -Minn. Stat. 13D.05, Subd. 3	<ul style="list-style-type: none"> •FY 2019-20 Superintendent Goal Setting •Record of Board Self-Evaluation 	<ul style="list-style-type: none"> •Treasurer’s Report •End & EL’s Policy Monitoring Process 	•Monthly Reports	•FY 2018-19 Audited Financial Presentation	
Post Meeting Board Workshop Mon, Nov 25, 2019							•School Board Mtg. Self-Assessment
Board Meeting	•EL 2.5 Financial Planning and Budgeting		•Approval of Final FY 2020-21 Levy		•Monthly Reports	•Truth in Taxation Hearing	

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings
Board Workshops
Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Mon, Dec 9, 2019 6:00 PM	• EL 2.0 Global Executive Constraint		<div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> • Record of Board Self-Evaluation			<div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div>	
Post Meeting Board Workshop Mon, Dec 9, 2019							• School Board Mtg. Self-Assessment

*November Meeting dates changed due to Veteran's Day on Monday, November 11, 2019

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
*****2020***** Annual Organizational Meeting Mon, Jan 6, 2020 6:00 PM			<ul style="list-style-type: none"> • 2019 Annual Organizational Mtg. <ul style="list-style-type: none"> - Election of Officers - School Board Compensation - School Board Calendar • Approval of School Board Meeting Calendar: Jul 1, 2020 through Jun 30, 2020 • Resolution for Combined Polling Places for the General Elections • Appointment of Intermediate District 287 Representative 		<ul style="list-style-type: none"> • 2019 Annual School District Organizational Items: <ul style="list-style-type: none"> - School District Newspaper - School District Depository/Financial Institutions - Money Wire Transfers - Early Claims Payment - School District Legal Counsel - School District Responsible Authority - Deputy Clerk & Deputy Treasurer - Facsimile Signature Authorization - Authorization for Superintendent to Sign Contracts - Local Education Agency (LEA) Representative - MDE Designation of Identified Official with Authority (IoWA) 		
Board Workshop Mon, Jan 6, 2020 6:15 PM Convene following the Annual Organizational Meeting							<ul style="list-style-type: none"> • 2020 Committees & Outside Organization Discussion • 5-Year Financial Forecast

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							• Confirm agenda for next Board Workshop
Board Meeting Mon, Jan 27, 2020 6:00 PM		<ul style="list-style-type: none"> •FY 2020-21 School Calendar <i>(Draft)</i> •FY 2021-22 School Calendar <i>(Preliminary)</i> •FY 2020-21 Budget Timelines – <i>First Reading</i> •FY 2020-21 Budget Assumptions – <i>First Reading</i> 	<ul style="list-style-type: none"> •FY 2019-20 Mid-Year Budget Approval •Record of Board Self-Evaluation 	<ul style="list-style-type: none"> •2020 School Board Committee & Outside Organization Assignments 	<ul style="list-style-type: none"> • Monthly Reports • FY 2020-21 Bus Purchase • Pay Equity • District Policy 721 • Bids - Seek 		
Post Meeting Board Workshop Mon, Jan 27, 2020							• School Board Meeting Self-Assessment
Board Workshop Mon, Feb 10, 2020 6:00 PM							• Confirm agenda for next Board Workshop
Board Meeting Mon, Feb 24, 2020 6:00 PM			<ul style="list-style-type: none"> •Record of Board Self-Evaluation 		<ul style="list-style-type: none"> • Monthly Reports • Approval of FY 2020-21 School Calendar • Approval of Preliminary FY 2021-22 School Calendar 		
Post Meeting Board Workshop Mon, Feb 24, 2020							• School Board Meeting Self-Assessment

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Board Workshop Mon, Mar 09, 2020 6:00 PM							•Confirm agenda for next Board Workshop
Board Meeting Mon, Mar 23, 2020 6:00 PM		• FY 2020-21 Capital Budget – <i>First Reading</i>	•Resolution to Release Probationary Teachers •Final FY 2020-21 Budget Assumptions <hr/> •Record of Board Self-Evaluation		•Monthly Reports •Achievement & Integration Budget		
Post Meeting Board Workshop Mon, Mar 23, 2020							•School Board Meeting Self-Assessment
Board Workshop Mon, Apr 13, 2020 6:00 PM							•FY 2020-2021 Annual Work Plan Calendar Discussion •FY 2020-2021 School Board Meeting Calendar Discussion •FY 2020-2021 School Board Budget Discussion •Confirm agenda for next Board Workshop

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Board Meeting Mon, Apr 27, 2020 6:00 PM		<ul style="list-style-type: none"> FY 2020-21 School Board Work Plan – <i>First Reading</i> Closed Session: Negotiation Strategy FY 2020-21 School Board Budget – <i>First Reading</i> 	<ul style="list-style-type: none"> Approval of FY 2020-21 Capital Budget Approval of FY 2020-21 School Board Meeting Calendar <hr/> <ul style="list-style-type: none"> Record of Board Self-Evaluation 		<ul style="list-style-type: none"> Monthly Reports 		
Post Meeting Board Workshop Mon, Apr 27, 2020							<ul style="list-style-type: none"> School Board Meeting Self-Assessment
Board Workshop Mon, May 04, 2020* 6:00 PM							<ul style="list-style-type: none"> Confirm agenda for next Board Workshop
Board Meeting Mon, May 18, 2020* 6:00 PM		<ul style="list-style-type: none"> FY 2020-21 Budget – <i>First Reading</i> 	<ul style="list-style-type: none"> Approval of FY 2020-21 School Board Work Plan Approval of FY 2020-21 School Board Budget <hr/> <ul style="list-style-type: none"> Record of Board Self-Evaluation 		<ul style="list-style-type: none"> Monthly Reports MSHSL Resolution for Membership Approval of FY 2020-21 School Meal Prices 		
Post Meeting Board Workshop Mon, May 18, 2020*							<ul style="list-style-type: none"> School Board Meeting Self-Assessment
Board Workshop Mon, June 08, 2020 6:00 PM							<ul style="list-style-type: none"> General Fund Budget Q&A

EDEN PRAIRIE SCHOOL BOARD
2019-2020 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2019

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							•Confirm agenda for next Board Workshop
Board Meeting Mon, June 22, 2020 6:00 PM	•Ends 1.1, 1.2, 1.3 OI		<ul style="list-style-type: none"> •Approval of FY 2020-21 Budget •ISD 287 10-Year Facilities Maintenance Resolution <hr/> <ul style="list-style-type: none"> •Record of Board Self-Evaluation 		<ul style="list-style-type: none"> •Monthly Reports •EPS 10-Year Facilities Maintenance Plan •Q-Comp Annual Report •Annual Review of District Mandated Policies •Approval of Updated District Policies 		
Post Meeting Board Workshop Mon, Jun 22, 2020							•School Board Meeting Self-Assessment

*May Meeting dates changed due to Memorial Day

APPENDIX “A”

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. ~~It is~~ The **policy of the** school district's ~~policy~~ **is** to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, ~~gender~~, marital status, parental status, status with regard to public assistance, disability, sexual orientation including gender identity and expression or age. The school district also makes reasonable accommodations for disabled students.

[Note: Part of the definition of "sexual orientation" within the Minnesota Human Rights Act (MHRA) is "having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness," which is how gender identity and expression gain protection under the MHRA. Minn. Stat. § 363A.03, Subd. 44.]

- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- D. ~~It is the responsibility of~~ Every school district employee **shall be responsible for** ~~to~~ complying with this policy conscientiously.
- E. Any student, parent or guardian having a ~~ny~~ questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: — Minn. Stat. Ch. 363 (Minnesota Human Rights Act)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment)

and Violence Policy)

~~42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)~~

~~20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)~~

~~**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)~~

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, ~~gender~~, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. Every school district employee shall be responsible for following this policy.
- E. Any person having a question regarding this policy should discuss it with the Executive Director of Human Resources (specify, e.g., the Personnel Manager).

~~**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 2615 (Family and Medical Leave Act)
38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)~~

~~**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 405 (Veteran's Preference)
MSBA/MASA Model Policy 413 (Harassment and Violence)~~

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact the Executive Director of ~~Student Support Services Human Resources~~. ~~This individual is the school district's appointed ADA/Section 504 coordinator.~~

~~**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. 794 *et seq.* (§ 504 of Rehabilitation Act of 1973)
42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)
29 C.F.R. Part 32
34 C.F.R. Part 104~~

~~**Cross References:** MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)~~

Adopted: **August 14, 2012**

MSBA/MASA Model Policy 413

Orig. 1995

Revised: ~~May 26, 2015~~

Rev. 2015

~~June 27, 2016~~

August 26, 2019

413 HARASSMENT AND VIOLENCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with

regard to public assistance, sexual orientation, (including gender identity or expression), or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

A. “Assault” is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. the intentional infliction of or attempt to inflict bodily harm upon another; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. “Harassment” prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual’s or group of individuals’ race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
3. otherwise adversely affects an individual’s employment or academic opportunities.

~~C. “Immediately” means as soon as possible but in no event longer than 24 hours.~~

C. Protected Classifications; Definitions

1. “Disability” means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.

2. “Familial status” means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor’s legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

D. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of an individual(s) covered by this policy ~~a student~~ who is the target or victim of acts of harassment or violence.

E. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or

- b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
- 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of gender or sexual orientation. (including gender identity or expression).

F. Sexual Violence; Definition

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

- c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

G. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts as soon as possible to an immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker as soon as possible. ~~immediately~~. If the complaint

involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. ~~The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.~~

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to intervene in ~~address and resolve~~ the harassment or violence and shall inform the building report taker as soon as possible, ~~immediately~~. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to intervene in ~~address and resolve the~~ harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer ~~immediately~~, as soon as possible, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form ~~within 24 hours~~ and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Executive Director of Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.⁺
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.

~~† In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.~~

- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or ~~other~~ remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

V. INVESTIGATION

- A. By authority of the school district, the human rights officer ~~within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy;~~ shall undertake or authorize an investigation of reports or complaints alleging harassment or violence prohibited by this policy. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present information and a response to allegations ~~a defense~~ during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer or designee shall report the outcome of the investigation ~~make a written report~~ to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be made filed directly with the school board. The ~~report~~ outcome of the investigation shall ~~include document~~ a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

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

~~allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.~~

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under the Maltreatment of Minors Act, Minn. Stat. §626.556. ~~Minnesota law.~~ If so, the duties of mandatory reporting apply. ~~under Minn. Stat. § 626.556 may be applicable.~~
- B. Nothing in this policy will prohibit the school district from taking immediate action, as it deems appropriate, to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- ~~C. This policy shall appear in the student handbook.~~
- C. The school district will develop a method of disseminating and discussing this policy with students and employees.

- D.** The school district may implement violence prevention and character development education programs to prevent and reduce policy violations toward students. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- E.** This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: ~~Minn. Stat. § 120B.232 (Character Development Education)~~
~~Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)~~
~~Minn. Stat. § 121A.031 (School Student Bullying Policy)~~
~~Minn. Stat. Ch. 363A (Minnesota Human Rights Act)~~
~~Minn. Stat. § 609.341 (Definitions)~~
~~Minn. Stat. § 626.556 et seq. (Reporting of Maltreatment of Minors)~~
~~20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)~~
~~29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)~~
~~29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)~~
~~42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)~~
~~42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964)~~
~~42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)~~
~~42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)~~

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



INDEPENDENT SCHOOL DISTRICT NO. 272
HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 272 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability by any pupil, teacher, administrator, or other school personnel, which creates an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

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

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

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

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e., threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.) _____



EDEN PRAIRIE SCHOOLS
Inspiring each student every day

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

List any witnesses that were present _____

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

(Complainant Signature)

(Date)

Received by _____

(Date)

Adopted: June 25, 2013

MSBA/MASA Model Policy 414

Orig. 1995

Revised: August 12, 2014

Rev. 2016

June 27, 2016

June 26, 2017

August 26, 2019

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to fully comply with Minn. Stat. § 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:

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

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

- F. "No maltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in

compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.

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

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

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

- H. “Report” means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.
- I. “School personnel” means professional employee or professional’s delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd.15), or by a person in a position of authority (as defined in Minn. Stat. § 609.341, Subd.10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration as well as sexual contact. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166,

Subd. 1b(a) or (b) (Registration of Predatory Offenders).

- K. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- L. “Person responsible for the child’s care” means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- M. “Threatened injury” means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child’s care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred and may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated

reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.

- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

V. INVESTIGATION

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

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

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

~~**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. § 121A.58 (Corporal Punishment) Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force) Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures) Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders) Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)~~

~~Minn. Stat. § 260C.007, Subd. 4, Clause (5) (Child in Need of Protection) Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)~~
~~Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment) Minn. Stat. § 609.02, Subd. 6 (Definitions—Dangerous Weapon) Minn. Stat. § 609.341, Subd. 10 (Definitions—Position of Authority)~~
~~Minn. Stat. § 609.341, Subd. 15 (Definitions—Significant Relationship) Minn. Stat. § 609.379 (Reasonable Force)~~
~~Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)~~
~~Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)~~
~~20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)~~

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

Minnesota Department of Education staff use only			
Intake Person	MDE File #	Investigator	Date Assigned
	<input type="checkbox"/> No Maltreatment <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> I & R <input type="checkbox"/> Other (Please explain)		Date Reporter Notified: _____
	PSN Date: _____ <input type="checkbox"/> Verbal <input type="checkbox"/> Written		_____ Verbal _____ Written (Attach written correspondence)

Date Submitted: _____ ISD#: _____ School District: _____
 School Name: _____ Program Name: _____
 Address: _____ City: _____ Zip: _____ Phone: _____
 Principal/Director: _____ Phone: _____ (Ext): _____
 Transportation Information, if necessary: Contact: _____ Phone: _____

REPORTER (name of person completing form) Reporter is confidential under Minnesota Statutes, section 626.556.

Name: _____ Title: _____ Phone: _____ Mandated Reporter: Yes ___ No ___
 Address: _____ City: _____ State: _____ Zip: _____

ALLEGED VICTIM (Complete one reporting form for each alleged victim)

Name: _____ DOB: _____ Grade: _____ Gender: Male ___ Female ___
 Special Education: Yes ___ No ___ Disability Description: _____ Ethnicity: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Parent/Guardian: _____ Phone: _____ Alternate Phone: _____

ALLEGED OFFENDER

Name: _____ Position: _____ DOB: _____ Gender: Male ___ Female ___
 Address: _____ City: _____ State: _____ Zip: _____
 Ethnicity: _____ Phone: _____ Alternate Phone: _____

INCIDENT

Date: _____ Time: _____ Location (i.e. - bus, classroom): _____
 Address (if different than school): _____ County: _____
Alleged Maltreatment: Physical Abuse ___ Sexual Abuse ___ Neglect ___ Unknown ___ **Injury:** Yes ___ No ___ Unknown ___

Description of Incident and Injury: (please attach additional page if needed).

Witness Contact Information: _____
 Police Notified: Yes ___ No ___ Police Department: _____
 Contact: _____ Phone: _____ Case No.: _____

Minnesota Department of Education
 Student Maltreatment Program
 1500 Highway 36 West, Roseville, MN 55113-4266
 651-582-8546 Fax: 651-797-1601
 Email: mde.student-maltreatment@state.mn.us

May 2013

419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic cigarette delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related device, or electronic cigarette delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. The school district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- ~~A. “Electronic cigarette delivery device” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, and the use or inhalation of~~

~~which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.~~ means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery devices include any component part of a product, whether or not marked or sold separately. Electronic delivery devices do not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marked and sold for such an approved purpose.

- B. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- C. “Tobacco-related devices” means cigarette papers or pipes for smoking.
- D. “Smoking” means inhaling, ~~or exhaling, smoke from~~ burning or carrying any lighted ~~or heated~~ cigar, cigarette, pipe, or any other lighted ~~or heated tobacco or plant~~ product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking ~~also includes carrying or using an activated electronic delivery device, a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation and the use of electronic cigarettes, including the inhaling and exhaling of vapor from any electronic delivery device.~~

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

V. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VI. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

~~Legal References:~~ ~~Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)~~
~~Minn. Stat. § 609.685 (Sale of Tobacco to Children)~~
~~2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)~~

~~Cross References:~~ ~~MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)~~
~~MSBA/MASA Model Policy 506 (Student Discipline)~~
~~MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior~~

421 GIFTS TO EMPLOYEES AND SCHOOL BOARD MEMBERS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Gift” means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.
- B. “Interested person” means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make.

IV. PROCEDURES

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

V. VIOLATIONS

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

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

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

504 STUDENT DRESS AND APPEARANCE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
 - 1. Clothing appropriate for the weather.
 - 2. Clothing that does not create a health or safety hazard.
 - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
 - 1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
 - 2. Clothing bearing a message that is lewd, vulgar, or obscene.
 - 3. Apparel promoting products or activities that are illegal for use by minors.
 - 4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
 - 5. Any apparel or footwear that would damage school property.
- D. **Headgear, including hats or head coverings** Hats are not allowed in the building except with the approval of the building principal (i.e., student undergoing chemotherapy; medical situations, **student religious practice or belief**).

- E. It is not the intention of this policy to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane or do not advocate violence or harassment against others.
- F. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

- A. When, in the judgment of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.
- D. Additional details for appropriate dress and appearance and procedures are found in student handbooks that are distributed annually.

~~**Legal References:** U. S. Const., amend. I
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)
Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)~~

Cross References: ~~MSBA/MASA Model Policy 413 (Harassment and Violence)~~
~~MSBA/MASA Model Policy 506 (Student Discipline)~~
~~MSBA/MASA Model Policy 525 (Violence Prevention)~~

Adopted: August 14, 2012

~~MSBA/MASA Model Policy 506~~

~~— Orig. 1995~~

~~Rev. 2016~~

Revised: ~~June 23, 2015~~

~~June 27, 2016~~

~~August 29, 2016~~

~~August 26, 2019~~

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 or property immediately adjacent to school grounds; 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, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district 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, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-free Environment Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district'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. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions 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.

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

a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district 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.

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.

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

XII. STUDENT DISCIPLINE RECORDS

The policy of the school district 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 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.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. § 122A.42 (General Control of Schools)~~
~~Minn. Stat. § 123A.05 (Area Learning Center Organization)~~
~~Minn. Stat. § 124D.03 (Enrollment Options Program)~~
~~Minn. Stat. § 124D.08 (Enrollment in Nonresident District)~~
~~Minn. Stat. Ch. 125A (Students With Disabilities)~~
~~Minn. Stat. § 152.22 (Medical Cannabis; Definitions)~~

~~Minn. Stat. § 152.23 (Medical Cannabis; Limitations)~~
~~Minn. Stat. Ch. 260A (Truancy)~~
~~Minn. Stat. Ch. 260C (Juvenile Court Act)~~
~~20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)~~
~~29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)~~
~~34 C.F.R. § 300.530(e)(1) (Manifestation Determination)~~

Cross References: ~~MSBA/MASA Model Policy 413 (Harassment and Violence)~~
~~MSBA/MASA Model Policy 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)~~



EDEN PRAIRIE SCHOOLS

Inspiring each student every day

(Sample Form)

NOTICE OF SUSPENSION

(Date)

(Name of Parent or Guardian)

(Address)

(City, State, Zip)

Dear (Parent or Guardian)

(Name of Student) has been suspended from (name of school) for (number of days) commencing on (date).

The grounds for suspension are:

Briefly, the facts that have been determined are:

The testimony received was:

An administrative conference to determine the above was conducted before

_____, at _____ on _____
(Name of Administrator) (Time) (Date)

pursuant to Minn. Stat. §§ 121A.40-121A.56, a copy of which is enclosed.

The plan of readmission is:

Alternative educational services in the form of homework will be available to be picked up at the school after ____ [date] ____.

While suspended, the student may not come on any school campus except with you for the purpose of discussing conduct.

If you have any questions, please call.

Sincerely,

Administrator

Enc: Minn. Stat. §§ 121A.40-121A.56

Adopted: March 26, 2013

~~MSBA/MASA Model Policy 510~~

~~Orig. 1995~~

Revised: August 26, 2019

~~Rev. 2000~~

510 SCHOOL ACTIVITIES

I. PURPOSE

The purpose of this policy is to impart to students, employees and the community the school district's policy related to the student activity program.

II. GENERAL STATEMENT OF POLICY

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development.

III. RESPONSIBILITY

- A. The school board expects all students who participate in school sponsored activities to represent the school and community in a responsible manner. All relevant district and site rules pertaining to student conduct and student discipline extend to school activities.
- B. The school board expects all spectators at school sponsored activities, including parents, employees, and other members of the public, to behave in an appropriate manner at those activities. Students and employees may be subject to discipline and parents and other spectators may be subject to sanctions for engaging in misbehavior or inappropriate, illegal or unsportsmanlike behavior at these activities or events.
- C. ~~It shall be the responsibility of the~~ The superintendent or designee ~~shall be responsible for to disseminate~~ing information needed to inform students, parents, staff and the community of the opportunities available within the school activity program and the rules of participation.
- D. Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the league rules. ~~It shall be the responsibility of those~~ Those employees who conduct MSHSL activities ~~shall be responsible for to~~ familiarizeing students and parents with all applicable rules, penalties, and opportunities.

Legal References: ~~Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities)~~

Cross References: ~~MSBA/MASA Model Policy 503 (Student Attendance)~~
~~MSBA/MASA Model Policy 506 (Student Discipline)~~
~~MSBA Service Manual, Chapter 5, Various Educational Programs~~

511 STUDENT FUNDRAISING

I. PURPOSE

The purpose of this policy is to address student fundraising efforts.

II. GENERAL STATEMENT OF POLICY

The school board recognizes a desire and a need by some student organizations for fundraising. The school board also recognizes a need for some constraint to prevent fundraising activities from becoming too numerous and overly demanding on employees, students and the general public.

III. RESPONSIBILITY

- A. ~~It shall be the responsibility of the~~ The building administrators ~~shall be responsible for~~ ~~to~~ developing recommendations that will result in a level of activity deemed acceptable by employees, parents and students. Fundraising must be conducted in a manner that will not result in embarrassment on the part of individual students, employees, or the school.
- B. All fundraising activities must be approved in advance by the administration. Participation in nonapproved activities shall be considered a violation of school district policy.
- C. ~~It shall be the responsibility of the~~ The superintendent or designee ~~shall be responsible for~~ ~~to~~ providing coordination of student fundraising throughout the school district as deemed appropriate.
- D. The school district expects all students who participate in approved fundraising activities to represent the school, the student organization and the community in a responsible manner. All rules pertaining to student conduct and student discipline extend to student fundraising activities.
- E. The school district expects all employees who plan, supervise, coordinate, or participate in student fundraising activities to act in the best interests of the students and to represent the school, the student organization, and the community in a responsible manner.

~~**Legal References:** Minn. Stat. § 120A.20 (Age Limitations; Pupils)
Minn. Stat. § 123B.09, Subd. 8 (Duties)
Minn. Stat. § 123B.36 (Authorized Fees)~~

~~**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)~~

523 POLICIES INCORPORATED BY REFERENCE**PURPOSE**

Certain policies as contained in this policy reference manual are applicable to students as well as to employees. In order to avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to students:

Model Policy 102	Equal Educational Opportunity
Model Policy 103	Complaints – Students, Employees, Parents, Other Persons
Model Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Model Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Model Policy 305	Policy Implementation
Model Policy 413	Harassment and Violence
Model Policy 417	Chemical Use and Abuse
Model Policy 418	Drug-Free Workplace/Drug-Free School
Model Policy 419	Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
Model Policy 420	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions
Model Policy 511	Student Fundraising
Model Policy 524	Internet Acceptable Use and Safety Policy
Model Policy 525	Violence Prevention
Model Policy 610	Field Trips
Model Policy 613	Graduation Requirements
Model Policy 614	School District Testing Plan and Procedure
Model Policy 615	Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students
Model Policy 616	School District System Accountability Model
Policy 707	Transportation of Public-School Students
Model Policy 708	Transportation of Nonpublic School Students
Model Policy 709	Student Transportation Safety Policy
Model Policy 710	Extracurricular Transportation Model
Policy 711	Video Recording on School Buses
Model Policy 712	Video Surveillance Other Than on Buses
Model Policy 801	Equal Access to School Facilities

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:-

Cross References:-

524 INTERNET AND ELECTRONIC RESOURCES ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. LIMITED EDUCATIONAL PURPOSE

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

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

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

that student learning or the school environment is substantially and materially disrupted.

- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

ALTERNATIVE NO. 3

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

VIII. LIMITED EXPECTATION OF PRIVACY

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

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

- C. The ~~Electronic Resources Internet~~ Use Agreement form for students must be read and signed by the user, the parent or guardian, ~~and the supervising teacher~~. The ~~Electronic Resources Internet~~ Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. ~~As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.~~

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district ~~media devices, services, diskettes, tapes, hard drives,~~ or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

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

6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

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

XIII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet **and Electronic Resources** policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References:

~~15 U.S.C. § 6501 et seq. (Children's Online Privacy Protection Act)~~
~~17 U.S.C. § 101 et seq. (Copyrights)~~
~~20 U.S.C. § 6751 et seq. (Enhancing Education through Technology Act of 2001)~~
~~47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))~~
~~47 C.F.R. § 54.520 (FCC rules implementing CIPA)~~
~~Minn. Stat. § 121A.031 (School Student Bullying Policy)~~
~~Minn. Stat. § 125B.15 (Internet Access for Students)~~
~~Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)~~
~~*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)~~
~~*United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)~~
~~*Doninger v. Niehoff*, 527 F.3d 41 (2nd Cir. 2008)~~
~~*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)~~
~~*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)~~
~~*S.J.W. v. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8th Cir. 2012)~~
~~*Kowalski v. Berkeley County Sch.*, 652 F.3d 656 (4th Cir. 2011)~~
~~*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3rd Cir. 2011)~~
~~*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)~~
~~*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)~~
~~*J.S. v. Bethlehem Area Sch. Dist.*, 807 A.2d 847 (Pa. 2002)~~

Cross References:

~~MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)~~
~~MSBA/MASA Model Policy 406 (Public and Private Personnel Data)~~
~~MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)~~
~~MSBA/MASA Model Policy 506 (Student Discipline)~~
~~MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)~~
~~MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)~~
~~MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)~~
~~MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)~~
~~MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)~~
~~MSBA/MASA Model Policy 603 (Curriculum Development)~~
~~MSBA/MASA Model Policy 604 (Instructional Curriculum)~~
~~MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)~~
~~MSBA/MASA Model Policy 806 (Crisis Management Policy)~~
~~MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)~~



ELECTRONIC RESOURCES USE AGREEMENT - EMPLOYEE

SCHOOL DISTRICT EMPLOYEE

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature _____

Date: _____

EPS iLearn Agreement
Inspiring Each Student - Every Day

The mission of Eden Prairie Schools is “To inspire each student to learn continuously so they are empowered to reach personal fulfillment and contribute purposefully to our ever changing world.” Our students will be prepared to demonstrate digital responsibility, technological awareness and the ability to use technology to create, research, communicate and produce in the academic and professional setting. i-Learn@EPS is about creating engaging curriculum, dynamic learning environments and students who are better prepared for the world beyond our school doors; it is not about the device, but rather how to use the device in education.

Each student at Eden Prairie Schools will be assigned a digital device to assist with this mission. Parent/guardian, please review the applicable iLearn@EPS Expectations and contents of this Agreement with your child. Please complete this Agreement indicating you and your child understand the responsible use and care guidelines.

Agreement for responsible care and use

I (the **student**) understand responsible use guidelines in the school handbook.

- I agree to care for my assigned device properly as described in the iLearn Expectations section of the handbook.
- I agree to use my device properly as described in iLearn Expectations. If I break this agreement, I understand the consequences could include suspension of device privileges and/or other disciplinary action.
- I understand that the device, school network, accounts, and Apps are owned by Eden Prairie Schools and that the school or district can access any files or information at any time.
- Per district policy, some students will be allowed to bring their device home. If I will be taking home my assigned device each day. I agree to return my device and accessories to the school in working order and in the condition which I received it when asked.

I (**parent/guardian**) have reviewed the responsible use guidelines in the iLearn Expectation section of the handbook with my child. I understand the technology is provided for educational purposes in keeping with the academic goals of Eden Prairie Schools.

- I understand and will support my student in adhering to the responsible use guidelines as described in the iLearn Expectations section of the handbook.
- I am aware that if my child breaks this agreement, the consequences could include suspension of device privileges and/or other disciplinary action.
- I understand that the school network, accounts, device and applications are owned by Eden Prairie Schools and that the school or district has the right to access any files or information at any time.
- Although the district has sophisticated filters and protections in place, I recognize it is impossible for the school to restrict access to all controversial materials and will not hold the school responsible for materials acquired on the school network.
- I understand my child may be in a grade level which allows students to bring their device

home each day. I understand all computer/device activities at home should be supervised.

- I understand my child may be in a grade level which allows students to bring their device home each day, and as the child's parent/guardian, I have the right to set my own rules and boundaries at home around use of the device. I have discussed my expectations with my child.

Agreement for financial responsibility

We understand that the assigned device belongs to Eden Prairie Schools and will be returned at the end of the academic school year; designated devices not returned will be treated as stolen property. Students who transfer, withdraw, or are expelled will return the device and accessories at the time of withdrawal.

If damage occurs to the device, the student should immediately report the damage and turn the device in. The device will be repaired or replaced by the district. Incidents of gross negligence or repeated incidents may result in financial restitution from the family, up to the cost of the entire device if warranted. Please review replacement and repair costs listed:

Grades 9-12 MacBook Laptop Replacement - First Incident - \$350/Second and Subsequent Incidents - \$700 Screen Damage - \$350 Keyboard Damage - \$140 Hard Drive Damage - \$400 Charger - \$79 Major Scratches and Dents - \$100 Laptop Case Replacement - \$30	Grades K-8 Replacement iPad - \$400 iPad Brick - \$13 iPad Cable - \$7 iPad Glass Damage - \$150 iPad Case Replacement - \$32
---	---

Agreement of student access to online educational applications:

Eden Prairie Schools attempts to provide students with the best educational practices and resources. Many of our teachers are incorporating web-based applications and sites to enhance student education, engage students in the curriculum, and spark creativity and collaboration amongst peers. Through the use of web-based apps students and teachers can expand the classroom by participating in collaborative practices that enable students to learn the appropriate and safe ways to use the Internet. These practices provide both an outstanding educational opportunity for our academic areas as well as an opportunity to help students prevent poor online actions and communications. By signing this agreement, I am providing written permission for my child to access and use web-based apps and resources.

I have read and understand the information presented in this Agreement and the “iLearn@EPS Expectations” section of the student handbook. I understand this Agreement will remain in effect for subsequent school years and any modifications will be reflected in the student handbook.

Student Name : _____ Parent/Guardian Name : _____

Parent Signature : _____ Date : _____

530 IMMUNIZATION REQUIREMENTS

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

I. PURPOSE

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

II. GENERAL STATEMENT OF POLICY

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:

1. a statement, from a physician, ~~advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations, (hereinafter "medical statement"), affirming stating~~ that the student received the immunizations required by law, consistent with medically acceptable standards; or
2. a ~~medical statement affirming, from a physician or a public clinic which provides immunizations, stating~~ that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.

B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the ~~medical statement, of a physician or public clinic which administers immunizations~~. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for

each vaccine according to the age of the student.

- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.
- E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
- F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a physician's signed **medical** statement stating that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:

1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
 2. notify parents and students of the consequence for failure to provide required documentation regarding immunizations;
 3. review student health records to determine whether the required information has been provided; and
 4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

Legal References: ~~Minn. Stat. § 13.32 (Educational Data)~~
~~Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)~~
~~Minn. Stat. § 121A.17 (School Board Responsibilities)~~
~~Minn. Stat. § 144.29 (Health Records; Children of School Age)~~
~~Minn. Stat. § 144.3351 (Immunization Data)~~
~~Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)~~
~~Minn. Stat. § 144.442 (Testing in Schools)~~
~~Minn. Rules Parts 4604.0100-4604.1000 (Immunization)~~
~~McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)~~
~~Op. Atty. Gen. 169 W (July 23, 1980)~~
~~Op. Atty. Gen. 169 W (Jan. 17, 1968)~~

Cross References: ~~MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)~~

Enter the dates for each vaccine your child has received to date. Specify the month, day, and year of each dose such as 01/01/2010.

Immunization Form

Name _____ Birthdate _____

Immunizations required for child care, early childhood programs, and school.

Vaccine	Birth to 6 months	12 -24 months	At Kindergarten	At 7th grade	At 12th grade
Hepatitis B	<input type="text"/>	<input type="text"/>			
Diphtheria, Tetanus, Pertussis (DTaP, DT, Td)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Haemophilus influenzae type b (Hib)	<input type="text"/>	<input type="text"/>	<input type="text"/>		
Pneumococcal (PCV)	<input type="text"/>	<input type="text"/>	<input type="text"/>		
Polio	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Measles, Mumps, Rubella (MMR)		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Chickenpox (varicella)		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Hepatitis A		<input type="text"/>	<input type="text"/>		
Tetanus, Diphtheria, Pertussis (Tdap)				<input type="text"/>	
Meningococcal (MCV4)				<input type="text"/>	<input type="text"/>

Minnesota law requires children enrolled in child care, early childhood education, or school to be immunized against certain diseases, unless the child is medically or non-medically exempt.

Instructions for parent or guardian:

- Fill out the dates in chronological order even if your child received a vaccine outside of the age/grade category that the box is in. Depending on the age of your child, they may not have received all vaccines; some boxes will be blank.
 - If you have a copy of your child's immunization history, you can attach a copy of it instead of completing the front of this form.
 - Your doctor or clinic can provide a copy of your child's immunization history. If you are missing or need information about your child's immunization history, talk to your doctor or call the Minnesota Immunization Information Connection (MIIC) at 651-201-3980 or 800-657-3970.
- Sign or get the signatures needed for the back of this form.
 - Document medical and/or non-medical exemptions in section 1.
 - Verify history of chickenpox (varicella) disease in section 2.
 - Provide consent to share immunization information (optional) in section 3.

Instructions: Complete section 1 to document a medical or non-medical exemption, section 2 to verify history of varicella disease, and section 3 to consent to share immunization information.

Name _____

1. Document a medical and/or non-medical exemption (A and/or B).

Place an X in the box to indicate a medical or non-medical exemption. If there are exemptions to more than one vaccine, mark each vaccine with an X.

Vaccine	Medical Exemption	Non-Medical Exemption
Diphtheria, Tetanus, and Pertussis		
Polio		
Measles, Mumps, Rubella		
<i>Haemophilus influenzae</i> type b		
Chickenpox (varicella)		
Pneumococcal		
Hepatitis A		
Hepatitis B		
Meningococcal		

A. Medical exemption: By my signature below, I confirm that this child should not receive the vaccines marked with an X in the table for medical reasons (contraindications) or because there is laboratory confirmation that they are already immune.

Signature: _____ Date: _____
(of health care practitioner*)

2. History of chickenpox (varicella) disease. This child had chickenpox in the month and year _____

My signature below means that I confirm that this child does not need chickenpox vaccine because:

- ☐ I am a health care practitioner and this child was previously diagnosed with chickenpox or the parent provided a description that indicates this child had chickenpox in the past.
- ☐ I am the parent or guardian and this child had chickenpox on or before September 1, 2010.

Signature: _____ Date: _____
(of health care practitioner*, representative of a public clinic, or parent/guardian). Parent can sign if chickenpox occurred before September 2010.

*Health care practitioner is defined as a licensed physician, nurse practitioner, or physician assistant.

B. Non-medical exemption: A child is not required to have an immunization that is against their parent or guardian’s beliefs. However, choosing not to vaccinate may put the health or life of your child or others they come in contact with at risk. Unvaccinated children who are exposed to a vaccine-preventable disease may be required to stay home from child care, school, and other activities in order to protect them and others.

By my signature, I confirm that this child will not receive the vaccines marked with an X in the table because of my beliefs. I am aware that my child may be required to stay home from child care, school, and other activities if exposed.

Signature: _____ Date: _____
(of parent or guardian in presence of notary)

Non-medical exemptions must also be signed and stamped by a notary:

This document was acknowledged before me
on _____ (date)

by _____
(name of parent or guardian)

Notary Signature: _____

Notary Stamp

STATE OF MINNESOTA, COUNTY OF _____

3. Consent to share immunization information: This school is asking for permission to share your child’s immunization record with Minnesota’s immunization information system. Giving your permission will:

- Provide easier access for you and your school to check immunization records, such as at school entry each year.
- Support your school in helping to protect students by knowing who may be vulnerable to disease based on their immunization record. This can be important during a disease outbreak.

Under Minnesota law, all the information you provide is private and can only be released to those authorized to receive it. Signing this section of the form is optional. If you choose not to sign, it will not affect the health or educational services your child receives.

I agree to allow my child’s school to share my child’s immunization documentation with Minnesota’s immunization information system:

Signature: _____ Date: _____
(of parent/guardian)

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

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

~~[Note: Minnesota Laws 2009, Chapter 96, made a number of changes to the laws and rules governing the use of “conditional procedures” with respect to special education students. Specifically, Chapter 96 repealed, EFFECTIVE AUGUST 1, 2011, Minn. Stat. §§ 121A.66, 121A.67, Subd. 1, as well as Minn. Rules 3525.0210, Subparts 5, 6, 9, 13, 17, 29, 30, 46, 47, and 3525.2900, Subp. 5. These laws and rules were replaced, effective August 1, 2011, with a restrictive procedures law which generally addresses the restraint of special education students. Also note that the restrictive procedures law contains a significant staff training component, found at Minn. Stat. § 125A.0942, Subds. 1, 2, and 5. Staff who intend to use restrictive procedures must be trained in the areas specified in Subd. 5 to use these procedures.]~~

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district’s discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student’s behavior will be taken by staff when a student’s behavior violates the school district’s discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury ~~or to prevent serious property damage.~~
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s behavior by means including, but not limited to, those described in the student’s IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student’s behavior continues to endanger or may

endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

B. Removal By Police Liaison Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, 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.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Corporal punishment prohibited by Minn. Stat. § 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
6. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

~~*[Note: Until August 1, 2015, a school district may use prone restraints with children age five (5) or older if:*~~

- ~~*a. The district has provided to the Minnesota Department of Education (MDE) a list of staff who have had specific training on the use of prone restraints;*~~
- ~~*b. The district provides information on the type of training that was provided and by whom;*~~
- ~~*c. Only staff who have received specific training may use prone restraints;*~~
- ~~*d. Each incident of the use of prone restraints is reported to MDE within five (5) working days on a form provided by MDE; and*~~
- ~~*e. A school district, before using prone restraints, must review any known medical or psychological limitations that contraindicate the use of prone restraints.*~~

~~*By February 1, 2015, stakeholders must recommend to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome*~~

~~goals for reducing the use of restrictive procedures, and the Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of prone restraints.]~~

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat § 125A.0942, Subd. 5, and otherwise comply with the requirements of § 125A.0942.

~~**Legal References:** Minn. Stat. § 13.01, *et seq.* (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40–121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
Minn. Stat. §§ 125A.094–125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)~~

~~**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)~~

~~MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)~~
~~MSBA/MASA Model Policy 525 (Violence Prevention)~~
~~MSBA/MASA Model Policy 806 (Crisis Management Policy)~~

601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Graduation Standards and federal law and are aligned with creating the world's best workforce.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to establish the "world's best workforce" in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. "Instruction" means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. "Performance measures" are measures to determine school district and school site progress in striving to create the world's best workforce and must include at least the following:
 - 1. the size of the academic achievement gap by student subgroup;
 - 2. student performance on the Minnesota Comprehensive Assessments;
 - 3. high school graduation rates; and
 - 4. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- F. "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce and includes the following:
1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all ~~nine~~ student categories ~~identified in state and federal law identified under the federal 2001 No Child Left Behind Act and two student gender categories of male and female;~~
 2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and accelerate their instruction, adopt procedures for early admission to kindergarten or first grade of gifted and talented learners which are sensitive to under-represented groups. and identify the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students’ progress and growth toward career and college readiness and leading to the world’s best workforce;
 3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, students’ access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minn. Stat. § 120B.35, Subd. 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5;
 4. strategies for improving instruction, curriculum, and student achievement; ~~including the English and, where practicable, the native language development and the academic achievement of English learners;~~
 5. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and;
 6. an annual budget for continuing to implement the school district plan.
- B. School district site and school site goals shall include the following:
1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning. * These skills include the following:
 - a. reading, writing, speaking, listening, and viewing in the English language;
 - b. mathematical and scientific concepts;

- c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e. problem solving);
 - d. creative and critical thinking, decision making, and study skills;
 - e. work readiness skills;
 - f. global and cultural understanding.
- 2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
 - a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
 - b. bring many perspectives, including historical, to contemporary issues;
 - c. develop an appreciation and respect for democratic institutions;
 - d. communicate and relate effectively in languages and with cultures other than the student's own;
 - e. practice stewardship of the land, natural resources, and environment;
 - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
- 3. Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement, and the performing arts.
- 4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
 - a. establishing and achieving personal and career goals;
 - b. adapting to change;
 - c. leading a healthy and fulfilling life, both physically and mentally;
 - d. living a life that will contribute to the well-being of society;
 - e. becoming a self-directed learner;
 - f. exercising ethical behavior.
- 5. Students will be given the opportunity to acquire human relations skills necessary to:
 - a. appreciate, understand, and accept human diversity and interdependence;
 - b. address human problems through team effort;
 - c. resolve conflicts with and among others;

- d. function constructively within a family unit;
 - e. promote a multicultural, gender-fair, disability-sensitive society.
- C. Every child is reading at or above grade level no later than the end of grade 3, including English learners, and teachers provide comprehensive, scientifically based reading instruction,

including a program or collection of instructional practices that is based on valid, replicable evidence showing that, when the programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension), as well as instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs.

1. The school district shall identify, before the end of kindergarten, grade 1, and grade 2, students who are not reading at grade level before the end of the current school year **and shall identify students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher.** Reading assessments in English and in the predominant languages of district students, where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The school district must use locally adopted, developmentally appropriate, and culturally responsive assessment.
2. At least annually, the school district must give the parent of each student who is not reading at or above grade level timely information about:
 - a. **the** student's reading proficiency as measured by a locally adopted assessment;
 - b. reading-related services currently being provided to the student; **and the student's progress; and**
 - c. strategies for parents to use at home in helping their students succeed in becoming grade-level proficient in reading English and their native languages.

This provision may not be used to deny a student's right to a special education evaluation.

3. For each student who is not reading at or above grade level, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. **If a student does not read at or above grade level by the end of grade 3, the school district must continue to provide reading intervention until the student reads at grade level.** Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

Legal References: _____

~~Minn. Stat. § 120B.018 (Definitions)~~
~~Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)~~
~~Minn. Stat. § 120B.11 (School District Process)~~
~~Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)~~
~~Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)~~
~~Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)~~
~~Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)~~
~~Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)~~
~~Minn. Stat. § 123B.147, Subd. 3 (Principals)~~
~~20 U.S.C. § 5801, *et seq.* (National Education Goals 2000)~~
~~20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)~~

Cross References: _____

~~MSBA/MASA Model Policy 104 (School District Mission Statement)~~
~~MSBA/MASA Model Policy 613 (Graduation Requirements)~~
~~MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)~~
~~MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)~~
~~MSBA/MASA Model Policy 616 (School District System Accountability)~~
~~MSBA/MASA Model Policy 618 (Assessment of Student Achievement)~~

Adopted: May 28, 2013

~~MSBA/MASA Model Policy 602~~

Revised: ~~August 12, 2014~~

~~Orig. 1995~~

June 26, 2017

~~Rev. 2013~~

August 26, 2019

602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish the total number of student days including beginning and ending dates, and workshop days for staff, and provide for emergency closings and other information related to students, staff, and parents.

~~*[Note: The annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school commencing with the 2012-2013 school year. Also commencing with the 2013-2014 school year, the school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. If a voluntary prekindergarten program is offered by the school district, a prekindergarten student must receive at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the Commissioner of Education under Minn. Stat. § 124D.126.]*~~

- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2, or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.

1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.
 2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minn. Stat. § 123A.30, § 123A.32, or § 123A.35 with a school district that qualifies under Section III.B.1.
 3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

~~*[Note: The provisions of the prior law requiring the school board to adopt the calendar for the next school year by April 1 have been repealed. The school board should still attempt to establish the calendar as early as possible so proper planning can take place by all members of the school community.]*~~

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the School Board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- D. Proposed changes in the school day shall be subject to review and approval by the School Board.

V. E-LEARNING DAYS

- A. An “e-learning day” is a school day where a school offers full access to online instruction provided by students’ individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as one day of instruction and included in the hours of instruction pursuant Section III.A., above.
- D. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.

- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student's teacher must be accessible both online and by telephone during normal school hours to assist students and parents.

Legal References: ~~Minn. Stat. § 120A.40 (School Calendar)~~
~~Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)~~
~~Minn. Stat. § 120A.415 (Extended School Calendar)~~
~~Minn. Stat. § 120A.42 (Holidays)~~
~~Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)~~
~~Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)~~
~~Minn. Stat. § 123A.30 (Agreements for Secondary Education)~~
~~Minn. Stat. § 123A.32 (Interdistrict Cooperation)~~
~~Minn. Stat. § 123A.35 (Cooperation and Combination)~~
~~Minn. Stat. § 124D.11, Subd. 9 (Revenue for Results Oriented Charter School)~~
~~Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)~~
~~Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)~~
~~Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)~~

Cross References: ~~MSBA/MASA Model Policy 425 (Staff Development)~~

603 CURRICULUM DEVELOPMENT

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the school curriculum.

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the education program of the school district.

III. RESPONSIBILITY

- A. The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research on the school district's curriculum needs and establishing a long range curriculum development program. Timelines shall be determined by the superintendent that will provide for periodic reviews of each curriculum area.
- B. A district advisory committee shall provide assistance at the request of the superintendent. The advisory committee membership shall be a reflection of the community and, to the extent possible, shall reflect the diversity of the district and its school sites, and shall include parent, teacher, support staff, student, community residents, and administration representation.
- C. Within the ongoing process of curriculum development, the following needs shall be addressed:
 - 1. Provide for articulation of courses of study from kindergarten through grade twelve.
 - 2. Identify minimum objectives for each course and at each elementary grade level.
 - 3. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
 - 4. Provide a program for ongoing monitoring of student progress.
 - 5. Provide for specific, particular, and special needs of all members of the student community.
 - 6. Develop a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners, and teachers providing comprehensive, scientifically based reading instruction consistent with law.

7. Integrate required and elective course standards in the scope and sequence of the district curriculum.
 8. Meet all requirements of the Minnesota Department of Education and the federal law.
- D. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessment that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of Minn. Stat. § 120A.20, Subd. 1(c). A student's plan under this section shall continue while the student is enrolled.
- ~~E.-D.~~ The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes, and for periodically presenting recommended modifications for school board review and approval.
- ~~E.F.~~ The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to curriculum development.

~~Legal References:~~ ~~Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)~~
~~Minn. Stat. § 120B.11 (School District Process)~~
~~Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)~~
~~Minn. Rules Part 3500.0550 (Inclusive Educational Program)~~
~~Minn. Rules Parts 3501.0640–3501.0655 (Academic Standards for Language Arts)~~
~~Minn. Rules Parts 3501.0700–3501.0745 (Academic Standards for Mathematics)~~
~~Minn. Rules Parts 3501.0800–3501.0815 (Academic Standards for the Arts)~~
~~Minn. Rules Parts 3501.0900–3501.0955 (Academic Standards in Science)~~
~~Minn. Rules Parts 3501.1000–3501.1190 (Graduation Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)~~
~~20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)~~

~~Minn. Rules Parts 3501.1200–3501.1210 (Academic Standards for English Language Development)~~
~~Minn. Rules Parts 3501.1300–3501.1345 (Academic Standards for Social Studies)~~

~~Cross References:~~ ~~MSBA/MASA Model Policy 604 (Instructional Curriculum)~~
~~MSBA/MASA Model Policy 605 (Alternative Programs)~~
~~MSBA/MASA Model Policy 613 (Graduation Requirements)~~
~~MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)~~
~~MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)~~
~~MSBA/MASA Model Policy 616 (School District System Accountability)~~
~~MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)~~
~~MSBA/MASA Model Policy 618 (Assessment of Student Achievement)~~
~~MSBA/MASA Model Policy 619 (Staff Development for Standards)~~
~~MSBA/MASA Model Policy 620 (Credit for Learning)~~
~~MSBA/MASA Model Policy 623 (Mandatory Summer School Instruction)~~

613 GRADUATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students entering grade 8 in the ~~2011-2012 school year and earlier must satisfactorily complete, as determined by the school district, all credit requirements, all state academic standards, or local standards where state standards do not apply, and successfully pass graduation examinations, as required, in order to graduate. For students entering grade 8 in the~~ 2012-2013 school year and later, ~~the school district's policy is that students~~ must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

III. DEFINITIONS

- A. "Academic Standard" means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, or the arts, career and technical education, or world languages.
- B. "Credit" is equivalent to a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the school district.
- C. "Section 504 Accommodation" means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.
- D. "Individualized Education Program" or "IEP" means a written statement developed for a student eligible by law for special education and services.
- E. "English language learners" or "ELL" student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

IV. TEST ADMINISTRATOR

The Director of Assessment and Accountability shall be named the school district test administrator.

V. GRADUATION ASSESSMENT REQUIREMENTS

- A. For students enrolled in grade 8 in the 2012-13 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:
1. ~~An opportunity~~ **Encouragement** to participate on a nationally normed college entrance exam in grade 11 or grade 12;
 2. Achievement and career and college readiness tests in mathematics, reading and writing. The tests must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation. In addition, the tests must ensure that the foundational knowledge and skills for student's successful performance in postsecondary employment or education and articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admission requirements. To the extent available, the tests should:
 - a. Monitor students' continuous development of and growth in requisite knowledge and skills; analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and
 - b. Based on analysis of students' progress and performance data, determine student's learning and instructional needs and the instructional tools and best practices that support academic rigor for the students; and
 3. Consistent with this paragraph and Minn. Stat. 120B.125 (see Policy 604, Section II.H), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
 4. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

5. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
6. Students meeting the state graduation requirements under this section and who are students in grade 11 or 12 and who are identified as academically ready for a career or college must be actively encouraged by the school district to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.
7. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

VI. GRADUATION CREDIT REQUIREMENTS

- A. Students beginning 8th grade in the 2012-2013 school year and later must successfully complete, as determined by the school district, the following high school level course credits for graduation:
 1. Four credits of language arts; sufficient to satisfy all academic standards English Language arts;
 2. Three credits of mathematics, including an Algebra II credit or its equivalent, geometry, statistics and probability, or its equivalent, sufficient to satisfy the academic standards in mathematics. Students in the graduation class of 2015 and beyond must complete algebra 1 credit by the end of the 8th grade sufficient to satisfy all of the 8th grade standards in mathematics.
 3. Three credits of science, including at least: (a) one credit of biology; (b) one credit of chemistry or physics; and one elective credit of science. The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;
 4. Four credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics, or three credits of social studies, encompassing at least United States history, geography, government and citizenship, and world history, and one-half credit of economics.
 5. One credit in the arts; to satisfy all of the state or local academic standards in arts; and
 6. A minimum of 9.5 elective course credits.

- B. All students must satisfactorily complete the following required and elective standards, in accordance with the standards adopted by the school district:
 - 1. Physical Education, 1 credit
 - 2. Health, .5 credit
 - 3. Computer Related Course, .5 credit
 - 4. Business Related Course, .5 credit
 - 5. World Languages (K-12), 2 credits
- C. All students must satisfactorily complete the currently adopted Minnesota Academic Standards, in accordance with the standards developed by the Minnesota Department of Education (MDE):
 - 1. Minnesota Academic Standards, English Language Arts K-12;
 - 2. Minnesota Academic Standards, Mathematics K-12;
 - 3. Minnesota Academic Standards, Science K-12;
 - 4. Minnesota Academic Standards, Social Studies K-12;
 - 5. Minnesota Academic Standards, Arts K-12; and
 - 6. Minnesota Academic Physical Education K-12
- D. A career and technical education credit may fulfill a mathematics or arts credit under VI.A.2. or VI.A.6., above.
- E. A computer science credit may fulfill a mathematics credit requirement under VI.A.2., if the credit meets state academic standards in mathematics
- F. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairment for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

VII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minn. Stat. § 120B.07 upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or

guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and

- C. The principal's decision shall be in writing and may be subject to review by the superintendent or designee.

~~Legal References:~~ ~~Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)~~

~~Minn. Stat. § 120B.021 (Required Academic Standards) Minn. Stat. § 120B.023 (Benchmarks)~~

~~Minn. Stat. § 120B.024 (Graduation Requirements; Course Credits) Minn. Stat. § 120B.07 (Early Graduation)~~

~~Minn. Stat. § 120B.11 (School District Process)~~

~~Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)~~

~~Minn. Rules Parts 3501.0010-3501.0180 (Graduation Standards—Mathematics and Reading)~~

~~Minn. Rules Parts 3501.0200-3501.0290 (Graduation Standards—Written Composition)~~

~~Minn. Rules Parts 3501.0505-3501.0655 (Academic Standards for Language Arts)~~

~~Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)~~

~~Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)~~

~~Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)~~

~~Minn. Rules Parts 3501.1000-3501.1190 (Graduation Required Assessment for Diploma)~~

~~20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)~~

~~Cross References:~~ ~~MSBA/MASA Model Policy 104 (School District Mission Statement)~~

~~MSBA/MASA Model Policy 604 (School District Curriculum and Instruction Goals)~~

~~MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)~~

~~MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)~~

~~MSBA/MASA Model Policy 616 (School District System Accountability)~~

616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The curriculum, instruction, assessment and program evaluation shall be directed toward the fulfillment of the district mission and student achievement goals. The school district will establish a process to review and improve curriculum, instruction and assessment which includes input by students, parents or guardians and local community members. The school district will be accountable to the public and state through annual reporting.

III. DEFINITIONS

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

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

The School Board has established student achievement policies (Ends) which provide broad direction for the school district. These policies are monitored annually and approved by the Board.

B. System for Reviewing All Instruction and Curriculum

The district Superintendent shall maintain a curriculum review cycle that consists of two parts. First, the major review of a curriculum area is aligned with the state release of new standards. Second, a “just in time” or monitoring of curriculum areas is completed annually.

~~<https://sites.google.com/a/edenpr.k12.mn.us/eps-curriculum-center/cic-review/cic-cycle>~~

C. The School Board shall approve an advisory committee as submitted by the Superintendent on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities. Recommendations of this committee shall be published annually to the community.

1. The committee will be known as the Worlds’ Best Workforce Advisory Council. (WBWF)
2. The committee shall, to the extent possible, include parents, teachers, support staff, students and other community residents. It also shall reflect the diversity of the district and its learning sites, to the extent possible.
3. By Oct. 1st of each year the Advisory Committee (WBWF) will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
4. The WBWF (ad hoc) shall review and/or make recommendations to the Superintendent or designee regarding the following:
 - a. Rigorous state and local academic standards
 - b. Student achievement goals and measures
 - c. Assessments (local, state, national, and international)
 - d. Program evaluations

D. Reporting

1. Consistent with Minn. Stat. § 120B.36, Subd.1, the School Board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency, and efforts to equitably distribute diverse, effective, experienced, and in-field teachers and to review school district success in realizing the previously adopted student

achievement goals and related benchmarks and the improvement plans leading to world's best workforce. The School Board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituents in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published reports and in its summary report to the Commissioner.

2. The school performance report for a school site and a school district must include performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.

Legal References: ~~Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)-
Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.35 (Student Achievement Levels)
Minn. Stat. § 120B.36 (School Accountability; Appeals Process)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making Agreement)
Minn. Stat. § 123B.147, Subd. 3 (Principals)-
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
20 U.S.C. § 6301, et seq. (No Child Left Behind Every Student Succeeds Act)~~

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

620 CREDIT FOR LEARNING

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Accredited school” means a school that is accredited by an accrediting agency, recognized according to Minn. Stat. § 123B.445 or recognized by the Commissioner of the Minnesota Department of Education (MDE).
- B. “Blended learning” is a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.
- C. “Commissioner” means the Commissioner of MDE.
- D. “Digital learning” is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.
- E. “Eligible institution” means a Minnesota public post-secondary institution, a private, nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by the North Central

Association of Colleges and Schools, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota.

- F. “Nonpublic school” is a private school or home school in which a child is provided instruction in compliance with the Minnesota compulsory attendance laws.
- G. “Online learning” is a form of digital learning delivered by an approved online learning provider.
- H. “Online learning provider” is a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by MDE to provide online learning courses.
- I. “Weighted grade” is a letter or numerical grade that is assigned a numerical advantage when calculating the grade point average.

IV. TRANSFER OF CREDIT FROM OTHER SCHOOLS

A. Transfer of Academic Requirements from Other Minnesota Public Secondary Schools

- 1. The school district will accept and transfer secondary credits and grades awarded to a student from another Minnesota public secondary school upon presentation of a certified transcript from the transferring public secondary school evidencing the course taken and the grade and credit awarded.

B. Transfer of Academic Requirements from Other Schools

- 1. The school district will accept secondary credits and grades awarded to a student for courses successfully completed at a public school outside of Minnesota or an accredited nonpublic school upon presentation of a certified transcript from the transferring public school in another state or nonpublic school evidencing the course taken and the grade and credit awarded.
 - a. When a determination is made that the content of the course aligns directly with school district graduation requirements, the student will be awarded commensurate credits and grades.
 - b. In the event the content of a course taken at an accredited nonpublic school or public school in another state does not fully align with the content of the school district’s high school graduation requirements but is comparable to elective credits

offered by the school district for graduation, the student may be provided elective credit applied toward graduation requirements.

- d. If no comparable course is offered by the school district for which high school graduation credit would be provided, elective credit will be provided to the student.
2. Students transferring from a non-accredited, nonpublic school shall receive credit from the school district upon presentation of a transcript or other documentation evidencing the course taken and grade and credit awarded.
- a. Students will be required to provide copies of course descriptions, syllabi, or work samples for determination of appropriate credit. In addition, students also may be asked to provide interviews/conferences with the student and/or student's parent and/or former administrator or teacher; review of a record of the student's entire curriculum at the nonpublic school; and review of the student's complete record of academic achievement.
 - b. Where the school district determines that a course completed by a student at a non-accredited, nonpublic school is commensurate with school district graduation requirements, credit shall be awarded, but the grade shall be "P" (pass).
 - c. In the event the content of a course taken at a non-accredited, nonpublic school does not fully align with the content of the school district's high school graduation requirements but is comparable to elective credits offered by the school district for graduation, the student may be provided elective credit applied toward graduation requirements.
 - d. If no comparable course is offered by the school district for which local high school graduation credit would be provided, no credit will be provided to the student.

V. POST-SECONDARY ENROLLMENT CREDIT

- A. A student who satisfactorily completes a post-secondary enrollment options course or program under Minn. Stat. § 124D.09 that has been approved as meeting the necessary requirements is not required to complete other requirements of the Minnesota Academic Standards content standards corresponding to that specific rigorous course of study.
- B. Secondary credits granted to a student through a post-secondary enrollment options course or program that meets or exceeds a graduation standard or

requirement shall be counted toward the graduation and credit requirements of a student completing the Minnesota Academic Standards.

1. Course credit will be considered by the school district only upon presentation of a certified transcript from an eligible institution evidencing the course taken and the grade and credit awarded.
 2. Seven quarter or four semester post-secondary credits shall equal at least one full year of high school credit. Fewer post-secondary credits may be prorated.
 3. When a determination is made that the content of the post-secondary course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as a course credit applied toward graduation requirements.
 4. In the event the content of the post-secondary course does not fully align with the content of a high school course required for graduation but is comparable to elective credits offered by the school district for graduation, the school district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.
 5. If no comparable course is offered by the school district for which high school graduation credit would be provided, the school district will notify the Commissioner, who shall determine the number of credits that shall be granted to a student.
 6. When secondary credit is granted for post-secondary credits taken by a student, the school district will record those credits on the student's transcript as credits earned at a post-secondary institution.
- C. A list of the courses or programs meeting the necessary requirements may be obtained from the school district.

VI. CREDIT FROM ONLINE LEARNING COURSES

- A. Secondary credits granted to a student through an online learning course or program that meets or exceeds a graduation standard or requirement shall be counted toward the graduation and credit requirements of a student completing the Minnesota Academic Standards.
- B. Course credit will be considered only upon official documentation from the online learning provider evidencing the course taken and the grade and credit awarded to the student.

- C. When a student provides documentation from an online learning provider, the course credit and course grade shall be recorded and counted toward graduation credit requirements for all courses or programs that meet or exceed the school district's graduation requirements in the same manner as credits are awarded for students transferring from another Minnesota public school as set forth in Section IV.A. above.

VII. ADVANCED ACADEMIC CREDIT

- A. The school district will grant academic credit to a student attending an accelerated or advanced academic course offered by a higher education institution or a nonprofit public agency, other than the school district.
- B. Course credit will be considered only upon official documentation from the higher education institution or nonprofit public agency that the student successfully completed the course attended and passed an examination approved by the school district.
- C. When a determination is made that the content of the advanced academic course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as a course credit applied toward graduation requirements.
- D. In the event the content of the advanced academic course does not fully align with the content of a high school course required for graduation but is comparable to elective credits offered by the school district for graduation, the school district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.
- E. If no comparable course is offered by the school district for which high school graduation credit would be provided, the school district will notify the Commissioner and request a determination of the number of credits that shall be granted to a student.

VIII. WEIGHTED GRADES

- A. The school district does not offer weighted grades.

IX. PROCESS FOR AWARDING CREDIT

- A. The building principal will be responsible for carrying out the process to award credits and grades pursuant to this policy. The building principal will notify students in writing of the decision as to how credits and grades will be awarded.
- B. A student or the student's parent or guardian may seek reconsideration of the decision by the building principal as to credits and/or grades awarded upon

request of a student or the student's parent or guardian if the request is made in writing to the superintendent within five school days of the date of the building principal's decision. The request should set forth the credit and/or grade requested and the reason(s) why credit(s)/grade(s) should be provided as requested. Any pertinent documentation in support of the request should be submitted.

- C. The decision of the superintendent as to the award of credits or grades shall be a final decision by the school district and shall not be appealable by the student or student's parent or guardian except as set forth in Section IX.D. below.
- D. If a student disputes the number of credits granted by the school district for a particular post-secondary enrollment course, online learning course, or advanced academic credit course, the student may appeal the school district's decision to the Commissioner. The decision of the Commissioner shall be final.
- E. At any time during the process, the building principal or superintendent may ask for course descriptions, syllabi, or work samples from a course where content of the course is in question for purposes of determining alignment with graduation requirements or the number of credits to be granted. Students will not be provided credit until requested documentation is available for review, if requested.

~~**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
Minn. Stat. § 120B.021 (Required Academic Standards)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.14 (Advanced Academic Credit)
Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 123B.445 (Nonpublic Education Council)
Minn. Stat. § 124D.03, Subd. 9 (Enrollment Options Program)
Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Act)
Minn. Stat. § 124D.095 (Online Learning Option)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)~~

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

707 TRANSPORTATION OF PUBLIC SCHOOL STUDENTS

I. PURPOSE

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide for the transportation of students in a manner which will protect their health, welfare, and safety.
- B. The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

III. DEFINITIONS

- A. “Child with a disability” includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of Education. A licensed physician, an advanced practice nurse, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the school district’s discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability. (Minn. Stat. § 125A.02)
- B. “Home” is the legal residence of the child. In the discretion of the school district, “home” also may be defined as a licensed day care facility, school day care facility, a respite care facility, the residence of a relative, or the residence of a person chosen by the student’s parent or guardian as the home of a student for part or all of the day, if requested by the student’s parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless

otherwise specifically provided by law, a homeless student is a resident of the school district if enrolled in the school district. (Minn. Stat. § 123B.92, Subd. 1(b)(1); Minn. Stat. § 127A.47, Subd. 2)

- C. “Homeless student” means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and migratory children who qualify as homeless because they are living in any of the preceding listed circumstances.. (42 U.S.C. § 11434a)
- D. “Nonpublic school” means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minn. Stat. §120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d, *et seq.*). (Minn. Stat. §123B.41, Subd. 9)
- E. “Nonresident student” is a student who attends school in the school district and resides in another district, defined as the “nonresident district.” In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the parents reside in different school districts, the student shall be a resident of the school district designated by the student’s parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides. (Minn. Stat. § 123B.88, Subd. 6; Minn. Stat. § 125A.51; Minn. Stat. § 127A.47, Subd. 3)
- F. “Pupil support services” are health, counseling, and guidance services provided by the public school in the same district where the nonpublic school is located. (Minn. Stat. § 123B.41, Subd. 4)
- G. “School of origin,” for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 U.S.C. § 11432(g)(3)(G))
- H. “Shared time basis” is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minn. Stat. § 120A.22 by attendance at a nonpublic school. (Minn. Stat. § 126C.01, Subd. 8)
- I. “Student” means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota. (Minn. Stat. § 123B.41, Subd. 11)

IV. ELIGIBILITY

- A. Upon the request of a parent or guardian, the school district shall provide transportation to and from school, at the expense of the school district, for all resident students who reside two miles or more from the school, except for those students whose transportation privileges have been revoked or have been voluntarily surrendered by the student's parent or guardian. (Minn. Stat. § 123B.88, Subd. 1)
- B. The school district may, in its discretion, also provide transportation to any student to and from school, at the expense of the school district, for any other purpose deemed appropriate by the school board.
 - 1. The school district will provide transportation to students who reside within two miles at a fee designated within the annual budget.
- C. In the discretion of the school district, transportation along regular school bus routes may also be provided, where space is available, to any enrolled student where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the school district's expenditures for transportation. (Minn. Stat. § 123B.88, Subd. 10, 11, 12, and 13)
- D. For purposes of stabilizing enrollment and reducing mobility, the school district may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.

V. TRANSPORTATION OF NONRESIDENT STUDENTS

- A. If requested by the parent of a nonresident student, the school district shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students. (Minn. Stat. § 124D.04, Subd. 7; Minn. Stat. § 123B.92, Subd. 3)
- B. If the school district decides to transport a nonresident student within the student's resident district, the school district will notify the student's resident district of its decision, in writing, prior to providing transportation. (Minn. Stat. § 123B.88, Subd. 6)
- C. When divorced or legally separated parents or parents residing separately reside in different school districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the school district during those times when the student is residing with the parent in the nonresident

school district. (Minn. Stat. § 127A.47, Subd. 3(b))

- D. The school district may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest grade level offered by the program. (Minn. Stat. § 123B.92, Subd. 3(b))

VI. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS

- A. In general, the school district shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week. (Minn. Stat. § 124D.03, Subd. 8)
- B. Resident students shall be eligible for transportation to and from a nonresident school district at the expense of the school district, if in the discretion of the school district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The school district, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the school district in an adjacent district. (Minn. Stat. § 123B.88, Subds. 1 and 4)
- C. In general, the school district is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement but may provide such transportation services at its discretion. (Minn. Stat. § 124D.041)

VII. SPECIAL EDUCATION STUDENTS/STUDENTS WITH A DISABILITY/ STUDENTS WITH TEMPORARY DISABILITIES

- A. Upon a request of a parent or guardian, the board must provide necessary transportation, consistent with Minn. Stat. § 123B.92, Subd. 1(b)(4), for a resident ~~student~~ child with a disability ~~who is~~ not yet enrolled in kindergarten ~~for the provision of special instruction and services. —, who requires special education services in a location other than the student's home, shall be provided transportation to and from the student's home at the expense of the school district and shall not be subject to any distance requirement~~ for the provision of special instruction and services. Special instruction and services for a child with a disability not yet enrolled in kindergarten include an individualized education program (IEP) team placement in an early childhood program when that placement is necessary to address the child's level of functioning and needs. (Minn. Stat. § 123B.88, Subd. 1)

- B. Resident students with a disability whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the handicapping condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600)
- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the school district, shall be provided transportation, by the school district to and from said board and lodging facilities, at the expense of the school district. (Minn. Stat. § 125A.65)
- D. If a resident student with a disability attends a public school located in a contiguous school district and the school district of attendance does not provide special instruction and services, the school district shall provide necessary transportation for the student between the school district boundary and the educational facility where special instruction and services are provided within the school district. The school district may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the school district boundary. (Minn. Stat. § 125A.12)
- E. When a student with a disability or a student with a short-term or temporary disability is temporarily placed for care and treatment in a day program located in another school district and the student continues to live within the school district during the care and treatment, the school district shall provide the transportation, at the expense of the school district, to that student. The school district may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the school district receives a copy of the order, then the school district must provide transportation to and from the program unless the court or agency orders otherwise. Transportation shall only be provided by the school district during regular operating hours of the school district. (Minn. Stat. § 125A.15(b); Minn. Stat. § 125A.51(d))
- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the school district, including correctional facilities operated on a fee-for-service basis and state institutions, for care and treatment, the school district shall provide the necessary transportation at the expense of the school district. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation. (Minn. Stat. § 125A.15(c) and (d); Minn. Stat. § 125A.51(e))

- G. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- H. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

VIII. HOMELESS STUDENTS

- A. Homeless students shall be provided with transportation services comparable to other students in the school district. (42 U.S.C. § 11432(e)(3)(C)(i)(III)(cc) and (g)(4)(A))
- B. Upon request by the student's parent, guardian, or homeless education liaison, the school district shall provide transportation for a homeless student as follows:
 - 1. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked.~~ **on the same basis as transportation services are provided to other students in the school district.** (42 U.S.C. § 11432(g)(1)(J)(iii)(I))
 - 2. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked~~ **on the same basis as transportation services are provided to other students in the school district,** unless the school district and the school district in which the student is temporarily placed agree that the school district in which the student is temporarily placed shall provide transportation. (Minn. Stat. § 125A.51(f); 42 U.S.C. § 11432(g)(1)(J)(iii)(II))
 - 3. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the school district, the school district may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the school district upon agreement with the school district in which the school of origin is located. (Minn. Stat. § 125A.51(f))

4. A homeless nonresident student enrolled under Minn. Stat. § 124D.08, Subd. 2a, must be provided transportation from the student's district of residence to and from the school of enrollment. (Minn. Stat. § 123B.92, Subd. 3(c)).

IX. AVAILABILITY OF SERVICES

Transportation shall be provided on all regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the school district, on staff development days. (Minn. Stat. § 123B.88, Subd. 21)

X. MANNER OF TRANSPORTATION

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The school district may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means. (Minn. Stat. § 123B.88, Subd. 1)

XI. RESTRICTIONS

Transportation by the school district is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the school district's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. § 1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59)

XII. FEES

- A. In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, Subd. 1(10)).
- B. The school district may charge fees for transportation of students to and from school when authorized by law. If the school district charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The school district also may waive fees for transportation if the student's parent is serving in, or within the past year has served in, active military service as defined in Minn. Stat. § 190.05. (Minn. Stat. § 123B.36, Subds. 1(11) and 6).

- C. The school district may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee. (Minn. Stat. § 123B.36, Subd. 1(13))
- D. Where, in its discretion, the school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the school district may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, Subd. 3)

~~Legal References:~~ ~~Minn. Stat. § 120A.22 (Compulsory Instruction)~~
~~Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)~~
~~Minn. Stat. § 121A.59 (Bus Transportation is a Privilege Not a Right)~~
~~Minn. Stat. § 123B.36 (Authorized Fees)~~
~~Minn. Stat. § 123B.41 (Educational Aids for Nonpublic School Children; Definitions)~~
~~Minn. Stat. § 123B.44 (Provision of Pupil Support Services)~~
~~Minn. Stat. § 123B.88 (Independent School Districts, Transportation)~~
~~Minn. Stat. § 123B.92 (Transportation Aid Entitlement)~~
~~Minn. Stat. § 124D.03 (Enrollment Options Program)~~
~~Minn. Stat. § 124D.04 (Enrollment Options Programs in Border States)~~
~~Minn. Stat. § 124D.041 (Reciprocity with Adjoining States)~~
~~Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District)~~
~~Minn. Stat. Ch. 125A (Children With a Disability)~~
~~Minn. Stat. § 125A.02 (Children With a Disability, Defined)~~
~~Minn. Stat. § 125A.12 (Attendance in Another District)~~
~~Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)~~
~~Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)~~
~~Minn. Stat. § 125A.515 (Placement of Students; Approval of Education Program)~~
~~Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind)~~
~~Minn. Stat. § 126C.01 (General Education Revenue—Definitions)~~
~~Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts)~~
~~Minn. Stat. § 190.05 (Definitions)~~
~~Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)~~
~~Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)~~
~~20 U.S.C. § 1415 (Individuals with Disabilities Education Improvement Act of 2004)~~
~~29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)~~
~~42 U.S.C. § 2000d (Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin)~~
~~42 U.S.C. § 11431, et seq. (McKinney Vento Homeless Assistance Act of 2001)~~

~~42 U.S.C. § 12132, et seq. (Americans With Disabilities Act)~~

~~**Cross References:** MSBA/MASA Model Policy 708 (Transportation of Nonpublic School Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 710 (Extracurricular Transportation)
MSBA Service Manual, Chapter 2, Transportation~~

708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. ELIGIBILITY

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

nonpublic school students who are provided pupil support services, if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. § 123B.44, Subd. 1)

- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the school district. (Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

IV. ~~SPECIAL EDUCATION/DISABLED~~ STUDENTS WITH DISABILITIES

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

care information as required by law. (Minn. Rules Part 7470.1700)

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

V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students (*District Policy 707*) shall apply to the transportation of nonpublic school students except as specifically provided herein.

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

~~Cross References:~~ ~~MSBA/MASA Model Policy 707 (Transportation of Public School Students)~~
~~MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)~~
~~MSBA Service Manual, Chapter 2, Transportation~~

709 STUDENT TRANSPORTATION SAFETY POLICY

I. PURPOSE

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four

weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report

unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs, and belongings to yourself.
- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) K-12 Student Consequences

1 st offense	warning
2 nd offense	1 school-day suspension from riding the bus
3 rd offense	3 school-day suspension from riding the bus
4 th offense	5 school-day suspension from riding the bus

Further offenses individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

(2) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(3) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(4) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

(5) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(6) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.

- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
 2. reckless driving;
 3. improper or erratic traffic lane changes;
 4. following the vehicle ahead too closely;
 5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus ~~or type III vehicle~~, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.

- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

A. Training

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.
2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and

6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

~~*[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]*~~

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

- b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
 - c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
 12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
 13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;

- (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
 - (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections;
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - (d) placing the type III vehicle in “park” during loading and unloading;
 - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
 - (9) compliance with paragraph V.F. concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type III vehicle under this section.
 - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.

- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy
- under Minn. Stat. § 181.951, Subds. 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
- f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minn. Stat. § 171.321, Subd. 5.
 - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
- 2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I “Activity” Buses Driven by Employees with Driver’s License Without a School Bus Endorsement

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.

4. The word “School” on the front and rear of the bus must be covered by a sign that reads “Activities” when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call “911” or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III “Crash & Emergency Preparedness” of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student’s name and address;
 2. the nature of the student’s disabilities;
 3. emergency health care information; and
 4. the names and telephone numbers of the student’s physician, parents, guardians, or custodians, and some person other than the student’s parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district’s record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.

- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

~~**Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
Minn. Stat. § 123B.90 (School Bus Safety Training)
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
Minn. Stat. Ch. 169 (Traffic Regulations)
Minn. Stat. § 169.011, Subds. 15 and 71 (Definitions)
Minn. Stat. § 169.02 (Scope)
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules;~~

~~Misdemeanor)~~
~~Minn. Stat. § 169.454 (Type III Vehicle Standards)~~
~~Minn. Stat. § 169.4582 (Reportable Offense on School Buses)~~
~~Minn. Stat. §§ 169A.25–169A.27 (Driving While Impaired)~~
~~Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)~~
~~Minn. Stat. §§ 169A.50–169A.53 (Implied Consent Law)~~
~~Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)~~
~~Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)~~
~~Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)~~
~~Minn. Stat. § 171.321 (Qualifications of School Bus Driver)~~
~~Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)~~
~~Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)~~
~~Minn. Stat. Ch. 245C (Human Services Background Studies)~~
~~Minn. Stat. § 609.02 (Definitions)~~
~~Minn. Rules Parts 7470.1000–7470.1700 (School Bus Inspection)~~
~~49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)~~
~~49 C.F.R. § 383.33 (Notification of Driver’s License Suspensions)~~
~~49 C.F.R. § 383.5 (Transportation Definitions)~~

~~**Cross References:** MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)~~
~~MSBA/MASA Model Policy 506 (Student Discipline)~~
~~MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)~~
~~MSBA/MASA Model Policy 707 (Transportation of Public Students)~~
~~MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)~~
~~MSBA/MASA Model Policy 710 (Extracurricular Transportation)~~

713 STUDENT ACTIVITY ACCOUNTING

I. PURPOSE

The school board recognizes the need to provide alternative paths to learning, skill development for its students, and activities for student enjoyment. It also understands its commitment to and obligation for assuring maximum accountability for public funds and student activity funds. For these reasons, the school board will assume control over and/or oversee funds for student activities as set forth in this policy.

II. GENERAL STATEMENT OF POLICY

A. Curricular and Co-curricular Activities

The school board shall take charge of, control over, and account for all student activity funds that relate to curricular and co-curricular activities.

B. Extracurricular Activities

The school board ~~superintendent or designee~~ shall take charge of, ~~and~~ control over, ~~and account for~~ all student activity accounting that relates to extracurricular activities.

C. Non-Student Activities

In overseeing student activity accounts under this policy, the school board shall not maintain or account for funds generated by non-students including, but not limited to, convenience funds of staff members, booster club funds, parent-teacher organization or association funds, or funds donated to the school district for specified purposes other than student activities.

III. DEFINITIONS

A. Co-curricular Activity

A “co-curricular activity” means those portions of the school-sponsored and directed activities designed to provide opportunities for students to participate in such experiences on an individual basis or in groups, at school and at public events, for improvement of skills (i.e., interscholastic sports, band, etc.). Co-curricular activities are not offered for school credit, cannot be counted toward graduation, and have *one or more* of the following characteristics:

1. They are conducted at regular and uniform times during school hours, or at times established by school authorities;
2. They are directed or supervised by instructional staff in a learning environment similar to that found in courses offered for credit; and
3. They are partially, primarily, or totally funded by public moneys for general instructional purposes under direction and control of the school board.

B. Curricular Activity

A “curricular activity” means those portions of the school program for which credit is granted, whether the activity is part of a required or elective program.

C. Extracurricular (Noncurricular/Supplementary) Activity

An “extracurricular (noncurricular/supplementary) activity” means all direct and personal services for students for their enjoyment that are managed and operated under the guidance of an adult or staff member. Extracurricular activities have *all* of the following characteristics:

1. They are not offered for school credit nor required for graduation;
2. They generally are conducted outside school hours or, if partly during school hours, at times agreed by the participants and approved by school authorities;
3. The content of the activities is determined primarily by the student participants under the guidance of a staff member or other adult.

D. Public Purpose Expenditure

A “public purpose expenditure” is one which benefits the community as a whole, is directly related to the functions of the school district, and does not have as its primary objective the benefit of private interest.

IV. **MANAGEMENT AND CONTROL OF ACTIVITY FUNDS**

A. Curricular and Co-curricular Activities

1. All money received on account of co-curricular activities shall be turned over to the business office, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
2. The business office shall account for all revenues and expenditures related to curricular and co-curricular activities in accordance with the Uniform

Financial Accounting and Reporting Standards (~~UFARS~~), ~~the Manual for Activity Fund Accounting (MAFA)~~ to the extent applicable, and school district policies and procedures.

B. Extracurricular Activities

~~1. Extracurricular Activities Under Board Control~~

- ~~a.1.~~ Any and all costs of extracurricular activities ~~under board control~~ may be provided from school revenues.
- ~~b.2.~~ All money received or expended for extracurricular activities ~~under board control~~ shall be recorded in the same manner as other revenues and expenditures of the school district and shall be turned over to the business office, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
- ~~e.3.~~ The business office shall account for all revenues and expenditures related to extracurricular activities ~~under board control~~ in accordance with UFARS ~~and MAFA~~ and school district policies and procedures.

~~2. Extracurricular Activities Not Under Board Control~~

- ~~a.~~ ~~All extracurricular activities not under board control shall be self-sustaining with all expenses, except direct salary costs and indirect costs of the use of school facilities, met by dues, admissions, or other student fundraising events. The general fund shall reflect only those salaries directly related to and readily identified with the activity and paid by public funds.~~
- ~~b.~~ ~~Revenues and expenditures for extracurricular activities not under board control shall be recorded and be managed according to MAFA and shall be reviewed for compliance with and accepted by the school board in accordance with school district policies and procedures.~~
- ~~e.4.~~ All student activity funds will be collected and expended:
 - ~~(1)~~a. in compliance with school district policies and procedures;
 - ~~(2)~~b. under the general direction of the principal and with the participation of students and faculty members who are responsible for generating the revenue;

- ~~(3)~~c. in a manner which does not produce a deficit or an unreasonably large accumulation of money to a particular student activity fund;
 - ~~(4)~~d. for activities which directly benefit the majority of those students making the contributions in the year the contributions were made whenever possible; and
 - ~~(5)~~e. in a manner which meets a public purpose.
- ~~d.5.~~ Activity accounts of a graduated class will be terminated prior to the start of the school year following graduation. Any residual money from a graduating class activity fund will **remain in the general fund and may be used for any school district purpose.** ~~accrue to the next year's senior class.~~ Prior to depositing such accounts, all donations or gifts accepted for the specific purpose of the student activity account shall be administered in accordance with the terms of the gift or donation and school district policy.

V. DEMONSTRATION OF ACCOUNTABILITY

~~B.~~ A. Annual External Audit

The school board shall direct its independent certified public accountants to audit, examine, and report upon student activity accounts as part of its annual school district audit in accordance with state law.

~~Legal References:~~ ~~Minn. Stat. § ' 123B.02, Subd. 6 (General Powers of Independent School Districts)~~

~~Minn. Stat. § ' 123B.09 (Boards of Independent School Districts)~~
~~Minn. Stat. § ' 123B.15, Subd. 7 (Officers of Independent School Districts)~~
~~Minn. Stat. § ' 123B.35 (General Policy)~~
~~Minn. Stat. § ' 123B.36 (Authorized Fees)~~
~~Minn. Stat. § ' 123B.37 (Prohibited Fees)~~
~~Minn. Stat. § ' 123B.38 (Hearing)~~
~~Minn. Stat. § ' 123B.49 (Extracurricular Activities; Insurance)~~
~~Minn. Stat. § ' 123B.52 (Contracts)~~
~~Minn. Stat. § ' 123B.76 (Expenditures; Reporting)~~
~~Minn. Stat. § ' 123B.77 (Accounting, Budgeting, and Reporting Requirement)~~
~~Minn. Rules Part 3500.1050 (Definitions for Pupil Fees)~~
~~Visina v. Freeman, 252 Minn. 177, 89 N.W.2d 635 (1958)~~
~~Minn. Op. Atty. Gen. 159a-16 (May 10, 1966)~~

~~Cross References:~~ ~~Uniform Financial Accounting and Reporting Standards (AUFARS®)~~
~~Manual for Activity Fund Accounting (AMAFA®)~~

~~MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)~~
~~MSBA/MASA Model Policy 701.1 (Modification of School District Budget)~~
~~MSBA/MASA Model Policy 702 (Accounting)~~
~~MSBA/MASA Model Policy 703 (Annual Audit)~~
~~MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)~~
~~MSBA/MASA Model Policy 706 (Acceptance of Gifts)~~

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

~~[Note: School districts are required by the federal Uniform Grant Guidance regulations, 2 C.F.R. Part 200, to have the policies which establish uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities including school districts. The United States Office of Management and Budget published the final regulations December 26, 2013. The Uniform Grant Guidance is effective for new and continuation federal grant awards issued on or after December 26, 2014. The regulations do not affect grant funds awarded prior to December 26, 2014, unless funds made available under those grants are carried forward into a new federal fiscal year or a continuation grant. 2 C.F.R. § 200.110.]~~

I. PURPOSE

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

II. DEFINITIONS

A. Grants

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

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

- B. “Non-federal entity” means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.
- C. “Federal award” has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:

1. a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability); or
b. The cost-reimbursement contract under the federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability).
 2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 C.F.R. § 200.40 (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
 3. “Federal award” does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.
- D. “Contract” means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 C.F.R. Part 200, does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
1. “Procurement by micro-purchase” is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (generally \$3,000, except as otherwise discussed in 48 C.F.R. Subpart 2.1 or as periodically adjusted for inflation).
 2. “Procurement by small purchase procedures” are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$150,000 (periodically adjusted for inflation).
 3. “Procurement by sealed bids (formal advertising)” is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 4. “Procurement by competitive proposals” is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.

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

III. CONFLICT OF INTEREST

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

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

IV. ACCEPTABLE METHODS OF PROCUREMENT

Note: The Federal Office of Management and Budget (OMB) has provided a two-year grace period for implementing the new procurement standards, until July 1, 2017. Eden Prairie Schools will delay implementation of this section of Uniform Grant Guidance until July 1, 2017.

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

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

5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or
 - d. After solicitation of a number of sources, competition is determined inadequate.
- I. Competition. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- J. The school district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school district must not preclude potential bidders from qualifying during the solicitation period.
- K. Non-federal entities are prohibited from contracting with or making subawards under “covered transactions” to parties that are suspended or debarred or whose principals are suspended or debarred. “Covered transactions” include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.
- L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 C.F.R. § 180.215.

V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

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

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

- B. Equipment

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

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

VI. FINANCIAL MANAGEMENT REQUIREMENTS

- A. Financial Management. The school district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.

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

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

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

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

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

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

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

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

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

B. Definitions

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

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

1. Advisory councils;
2. Audit costs and related services;
3. Bonding costs;
4. Communication costs;
5. Compensation for personal services;
6. Depreciation and use allowances;
7. Employee morale, health, and welfare costs;
8. Equipment and other capital expenditures;
9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
10. Insurance and indemnification;
11. Maintenance, operations, and repairs;

12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;
15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

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

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);
6. Donations;
7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;

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

E. Program Allowability

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

F. Federal Cost Principles

1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide for effective grant management. These core principles require all costs to be:
 - a. Necessary for the proper and efficient performance or administration of the program.

- b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
- c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
- d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
- e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

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

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

- c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.

4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

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

I. Training

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

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

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

Costs of compensation are allowable to the extent that they satisfy the specific requirements of the Uniform Grant Guidance and that the total compensation for individual employees:

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

Unless an arrangement is specifically authorized by a federal awarding agency, a school district must follow its written non-federal, entity wide policies and practices concerning the permissible extent of professional services that can be

provided outside the school district for non-organizational compensation.

B. Compensation – Fringe Benefits

1. During leave.

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

- a. They are provided under established written leave policies;
- b. The costs are equitably allocated to all related activities, including federal awards; and
- c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the school district.

2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 C.F.R. § 200.447(d)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the school district's accounting practices.
3. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the school district follows a consistent costing policy.
4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the school district.
5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the school district.
6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.

- C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the school district's policy and sound business practice.
- D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:
1. Critical and necessary for the conduct of the project;
 2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
 3. Consistent with the school district's cost accounting practices and school district policy; and
 4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.
- E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the school district's reimbursement policy.
- F. Travel Costs. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the school district's non-federally funded activities and in accordance with the school district's reimbursement policies.

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

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

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with the school district's established travel policy.

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

1. A direct result of the individual's travel for the federal award;
2. Consistent with the school district's documented travel policy for all school district travel; and

3. Only temporary during the travel period.

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

~~Legal References: 2 C.F.R. § 200.12 (Capital Assets)
2 C.F.R. § 200.112 (Conflict of Interest)
2 C.F.R. § 200.113 (Mandatory Disclosures)
2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
2 C.F.R. § 200.212 (Suspension and Debarment)
2 C.F.R. § 200.300(b) (Statutory and National Policy Requirements)
2 C.F.R. § 200.302 (Financial Management)
2 C.F.R. § 200.303 (Internal Controls)
2 C.F.R. § 200.305(b)(1) (Payment)
2 C.F.R. § 200.310 (Insurance Coverage)
2 C.F.R. § 200.311 (Real Property)
2 C.F.R. § 200.313(d) (Equipment)
2 C.F.R. § 200.314 (Supplies)
2 C.F.R. § 200.315 (Intangible Property)
2 C.F.R. § 200.318 (General Procurement Standards)
2 C.F.R. § 200.319(e) (Competition)
2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms)
2 C.F.R. § 200.328 (Monitoring and Reporting Program Performance)
2 C.F.R. § 200.338 (Remedies for Noncompliance)
2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)
2 C.F.R. § 200.430 (Compensation—Personal Services)
2 C.F.R. § 200.431 (Compensation—Fringe Benefits)
2 C.F.R. § 200.447 (Insurance and Indemnification)
2 C.F.R. § 200.463 (Recruiting Costs)
2 C.F.R. § 200.464 (Relocation Costs of Employees)

2 C.F.R. § 200.473 (Transportation Costs)
2 C.F.R. § 200.474 (Travel Costs)~~

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

802 DISPOSITION OF OBSOLETE EQUIPMENT AND MATERIAL

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. “Contract” means an agreement entered into by the school district for the sale of supplies, materials, or equipment.

B. “Official newspaper” is a regular issue of a qualified legal newspaper.

IV. MANNER OF DISPOSITION

A. Authorization

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

B. Contracts Over \$175,000 ~~\$100,000~~

1. If the value of the equipment or materials is estimated to exceed ~~\$100,000~~ **\$175,000**, sealed bids shall be solicited by two weeks’ published notice in the official newspaper. This notice shall state the time and place of receiving bids and contain a brief description of the subject matter. Additional publication in the official newspaper or elsewhere may be made as the school board shall deem necessary.

2. The sale shall be awarded to the highest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law.

3. A record shall be kept of all bids, with names of bidders and amounts of bids, and an indication of the successful bid. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the highest responsible bid shall be rejected unless the alteration or erasure is corrected by being crossed out and the correction printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid.
4. In the case of identical high bids from two or more bidders, the school board may, at its discretion, utilize negotiated procurement methods with the tied high bidders so long as the price paid does not go below the high tied bid price. In the case where only a single bid is received, the school board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not fall below the original bid. If no satisfactory bid is received, the board may readvertise.
5. All bids obtained shall be kept on file for a period of at least one year after their receipt. Every contract made without compliance with the foregoing provisions shall be void.
6. Data submitted by a business to a school in response to a request for bids are private until opened. Once opened, the name of the bidder and the dollar amount specified become public; all other data are private until completion of the selection process, meaning the school has completed its evaluation and ranked the responses. After completion of the selection process, all data submitted by all bidders are public except trade secret data. If all responses are rejected prior to completion of the selection process, all data remain private, except the name of the bidder and the dollar amount specified which were made public at the bid opening for one year from the proposed opening date or until resolicitation results in completion of the selection process or until a determination is made to abandon the purchase, whichever occurs sooner, at which point the remaining data becomes public. Data created or maintained by the school district as part of the selection or evaluation process are protected as nonpublic data until completion of the selection or evaluation process. At that time, the data are public with the exception of trade secret data.

C. Contracts From \$25,000 to ~~\$175,000~~ ~~\$100,000~~

If the amount of the sale is estimated to exceed \$25,000 but not to exceed ~~\$175,000~~ ~~\$100,000~~, the contract may be made either upon sealed bids in the manner directed above or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding notice. All quotations obtained shall be kept on file for a period of at least one year after receipt.

D. Contracts \$25,000 or Less

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

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

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

F. Notice of Quotation

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

G. Sales to Employees

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

H. Exceptions for Surplus School Computers

A school district may bypass the requirements for competitive bidding and is not subject to any other laws relating to school district contracts if it is disposing of surplus school computer and related equipment by conveying the property and title to:

1. another school district;

2. the state department of corrections;
3. the board of trustees of Minnesota State Colleges and Universities; or
4. the family of a student residing in the district whose total family income meets the federal definition of poverty.

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

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

806 CRISIS MANAGEMENT POLICY

I. PURPOSE

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

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

II. GENERAL INFORMATION

A. The Policy and Plans

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

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

B. Elements of the District Crisis Management Policy

1. General Crisis Procedures. The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the

designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Emergency Planning and Procedures Guide for Schools to assist in the development of building-specific crisis management plans. Finally, all general crisis procedures will address specific procedures for children with special needs such as physical, sensory, motor, developmental, and mental health challenges.

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

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

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

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

3. School Emergency Response Teams

- a. Composition. The building administrator in each school building will select a school emergency response team that will be trained to respond to emergency situations. All school emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.
- b. Leaders. The building administrator or his or her designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

III. PREPARATION BEFORE AN EMERGENCY

A. Communication

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.
2. Students and Parents. Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion.

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

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.

~~*[Note: The State Fire Marshal advises schools to defer fire drills during the winter months.]*~~

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.
7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire

extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be regularly updated and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

D. Emergency Telephone Numbers

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

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

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

E. Warning Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings.

It shall be the responsibility of the building administrator to inform students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

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

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

G. Media Procedures

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

H. Grief-Counseling Procedures

Grief-counseling procedures will set forth the procedure for initiating grief-counseling plans. The procedures will utilize available resources including the school psychologist, counselor, community grief counselors, or others in the community. Grief-counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The grief-counseling procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

IV. SAMPLE PROCEDURES INCLUDED IN THIS POLICY

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when drafting specific crisis management plans. After approval by the school board, an adopted procedure will become an addendum to the Crisis Management Policy.

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

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

V. MISCELLANEOUS PROCEDURES

A. Chemical Accidents

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

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

B. Visitors

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites).

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

C. Student Victims of Criminal Offenses at or on School Property

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

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

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

School districts within a ten (10) mile radius of the Monticello or Prairie Island nuclear power plants will implement crisis plans in the event of an accident or incident at the power plant.

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

~~**Legal References:** Minn. Stat. Ch. 12 (Emergency Management)
Minn. Stat. § 121A.035 (Crisis Management Policy)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 299F.30 (Fire Drill in School)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
Minn. Rules Ch. 7511 (Fire Safety)
20 U.S.C. § 1681, et seq. (Title IX)
20 U.S.C. § 6301, et seq. (No Child Left Behind)
20 U.S.C. § 7912 (Unsafe School Choice Option)
42 U.S.C. § 5121 et seq. (Disaster Relief and Emergency Assistance)~~

~~**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)~~