

SUPERINTENDENT'S REPORT AND AGENDA

Regular Meeting of the Board of Education
Independent School District No. 280, Richfield, Minnesota

Richfield Public Schools *inspires* and *empowers* each individual to learn, grow and *excel*

Monday, May 4, 2020
7:00 p.m. School Board Meeting

- I. CALL TO ORDER
- II. REVIEW AND APPROVAL OF THE AGENDA
- III. INFORMATION AND PROPOSALS -- NON-ACTION ITEMS
 - A. Public Comment
 - B. Superintendent Update
 1. Distance Learning and Coronavirus Update
 2. Strategic Planning
 3. Rotary Club Update
 4. RDLS – Technology Presentation
 5. YTD Budget & Actual as of March 31, 2020
- IV. CONSENT AGENDA
 - A. Routine Matters
 1. Minutes of the regular meeting held April 20, 2020
 2. General Disbursements as of April 29, 2020 for \$3,299,931.85
 3. Investment Holdings as of April 27, 2020
 - B. Personnel Items
- V. OLD BUSINESS
 - A. Policy 502 and Guideline 502.1 Resident and Nonresident Student Enrollment and New Student Registration
 - B. Policy 612 and Guidelines 612.1 and 612.2 Curriculum Development

C. Policy 404 Drug and Alcohol Testing

D. Policy 112 and Guidelines 112.1 and 112.2 Wellness Policy and Guidelines

VI. NEW BUSINESS

A. Richfield High School Change Order #019

B. Probationary Position Nonrenewal

C. Donations

VII. ADVANCE PLANNING

A. Legislative Update

B. Information and Questions from Board

C. Future Meeting Dates

| | | |
|---------|-----------|-----------------------|
| 5-18-20 | 7:00 p.m. | Regular Board Meeting |
|---------|-----------|-----------------------|

| | | |
|---------|-----------|--|
| 6-15-20 | 7:00 p.m. | Regular Board Meeting – Public Comment |
|---------|-----------|--|

D. Suggested/Future Agenda Items

VIII. ADJOURN REGULAR MEETING

Enriching and accelerating learning

R

RICHFIELD
PUBLIC SCHOOLS

Escuelas Públicas de
Richfield

Strategic Planning 2020-25

Plan Estratégico 2020-25

Enriqueciendo y acelerando el aprendizaje



Richfield Public Schools Strategic Plan 2020-25

RICHFIELD

Realized

Plan estratégico de las escuelas públicas de Richfield 2020-25

RICHFIELD

*Hecho
realidad*



Planning – Large Group Meetings

Planificación – Reuniones de grupos

| DATE / FECHA | TIME / HORA | LOCATION / LUGAR |
|--|-------------|--|
| Tuesday, Jan. 14, 2020 Martes, 14 de enero del 2020 | 5:30-8 p.m. | Richfield High School Cafeteria Comedor de la Preparatoria de Richfield |
| Monday, Feb. 10, 2020 Lunes, 10 de febrero del 2020 | 5:30-8 p.m. | Richfield High School Cafeteria Comedor de la Preparatoria de Richfield |
| Thursday, March 19, 2020 Jueves, 19 de marzo del 2020 CANCELLED | 5:30-8 p.m. | Richfield High School Cafeteria Comedor de la Preparatoria de Richfield |
| Wednesday, April 22, 2020 Miércoles, 22 de abril del 2020 CANCELLED | 5:30-8 p.m. | Richfield High School Cafeteria Comedor de la Preparatoria de Richfield |

Process and Timeline: Strategic Plan 2020-2025

Proceso y cronograma: Plan estratégico 2020-2025

| MONTH / MES | ACTION / ACCIÓN |
|--|---|
| Dec. 2019/Jan. 2020 diciembre 2019 / enero 2020 | Review Strategic Plan 2015-20 Revisión del plan estratégico 2015-20 |
| Dec. 2019/Jan. 2020 diciembre 2019 / enero 2020 | Review measures on Vision Cards Revisar medidas en las tarjetas de la visión |
| January 2020 enero 2020 | Create outline of new plan Crear el esquema del nuevo plan |
| January 2020 enero 2020 | Integrate new branding messages Integrar mensajes de la nueva imagen corporativa |
| January - April 2020 enero - abril 2020 | Host large monthly meetings to gather input from stakeholders Organizar reuniones mensuales para recolectar la opinión de todas las partes interesadas |
| February - May 2020 febrero - mayo 2020 | Host monthly meetings with committees for additional input Organizar reuniones mensuales con comités para recibir aportes adicionales |
| May 2020 mayo 2020 | Synthesize meeting themes Sintetizar los temas tratados en las reuniones |
| June 2020 junio 2020 | Present final draft of Strategic Plan 2020-25 to the board Presentar el borrador final del plan estratégico 2020-25 a la Junta del Consejo escolar |



Mission: Strategic Plan Misión: Plan Estratégico

Our Mission:
Richfield Public Schools
inspires and empowers each
individual to learn, grow and
excel.

Nuestra misión:
Las escuelas públicas de
Richfield **inspiran y capacitan**
a todos los individuos a
aprender, crecer y a
destacar.



Refining Our Brand

Perfeccionando la imagen de nuestra organización



Escuelas Públicas de
Richfield

 **RICHFIELD**
HIGH SCHOOL
Escuela Preparatoria de Richfield

 **RICHFIELD**
CENTENNIAL
ELEMENTARY
Escuela de primaria
Centennial

 **RICHFIELD**
DUAL LANGUAGE
SCHOOL
Escuela de Inmersión Dual (RDLS)

 **RICHFIELD**
COLLEGE EXPERIENCE
PROGRAM
Programa de experiencia
universitaria

 **RICHFIELD**
COMMUNITY EDUCATION
Educación comunitaria

 **RICHFIELD**
MIDDLE SCHOOL
Escuela Secundaria
de Richfield

 **RICHFIELD**
SHERIDAN HILLS
ELEMENTARY
Escuela de primaria
Sheridan

 **RICHFIELD**
STEM ELEMENTARY
Escuela de primaria STEM

 **RICHFIELD**
EDUCATION CENTER
Centro de Educación de
Richfield



Refining Our Brand

Redefiniendo la imagen de nuestra organización

Brand Messages

- **REAL COMMUNITY**
Caring community, rich in diversity and relationships
- **PERSONALIZED LEARNING**
Rigorous, relevant, and engaged learning for each student
- **RICH OPPORTUNITIES**
Inspiring possibilities through academics, arts, music, athletics, and activities
- **INNOVATION IN ACTION**
Transforming how we teach, redefining school

Mensajes de la imagen de nuestra organización

- **COMUNIDAD REAL**
Comunidad solidaria, rica en diversidad y relaciones.
- **APRENDIZAJE PERSONALIZADO**
Aprendizaje riguroso, relevante y participativo para cada estudiante
- **EXCELENTES OPORTUNIDADES**
Posibilidades motivadoras a través de lo académico, las artes, la música, el atletismo y otras actividades
- **INNOVACIÓN EN ACCIÓN**
Transformando cómo enseñamos, redefiniendo la escuela



Richfield Realized Richfield Hecho Realidad

- Academics
- Communication and Marketing
- Climate and Culture
- Business and Operations
- Activities
- Other

- Enseñanza académica
- Comunicación y mercadeo
- Clima y cultura de la organización
- Negocios y operaciones comerciales
- Actividades
- Otros



Richfield Realized Richfield Hecho Realidad

https://richfieldschools.sjc1.qualtrics.com/jfe/form/SV_3mkjVAFERS8KLvn



Enriching and accelerating learning

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RICHFIELD
PUBLIC SCHOOLS

Escuelas Públicas de Richfield

Thank You!

¡Gracias!

Enriqueciendo y acelerando el aprendizaje



FOR IMMEDIATE RELEASE

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Richfield Rotary Donates \$3800 Worth of Books to Local Schools

Local community grant project provides Spanish-English visual dictionaries and culturally relevant books to Richfield elementary schools

Richfield, Minnesota, March 26, 2020

Through a community grant-funded project, the Rotary Club of Richfield is donating \$3,800 worth of books to Richfield Public elementary schools, Partnership Academy and Blessed Trinity Catholic School. Donated books include Spanish-English visual dictionaries and books that are culturally relevant to the schools' growing number of Latino students. They will be delivered to schools in April and placed in school libraries, classrooms and English Language Learner resource rooms as determined by each school.

The project was funded by the Richfield Rotary Foundation, supplemented by a local community project grant from Rotary District 5950. The book donation is an outgrowth of Richfield Rotary's longstanding Dictionary Project, which has provided 3rd graders in all Richfield public, parochial, and home schools with an individual student dictionary in English each year since 2006.

Last fall, Richfield Rotary asked elementary teachers and principals to provide feedback on its Dictionary Project. Barbara Devlin, Richfield Rotary president, observed, "Elementary principals and teachers would still like to receive individual student dictionaries in English. However, with a growing number of students whose first language is Spanish, they would like additional literacy supports for Latino students."

Lisa Hendricks, Executive Director of Partnership Academy, wrote, "We are grateful for the opportunity to partner with the Richfield Rotary to ensure our students have access to books and resources that are culturally relevant to their lives."

Theresa Bechtold, Chair of the Partnership Academy Board of Education, added, "These books and dictionaries will especially help our community as PA implements distance learning for our students. Now more than ever our students (and homeschooling parents) will benefit from your generosity."

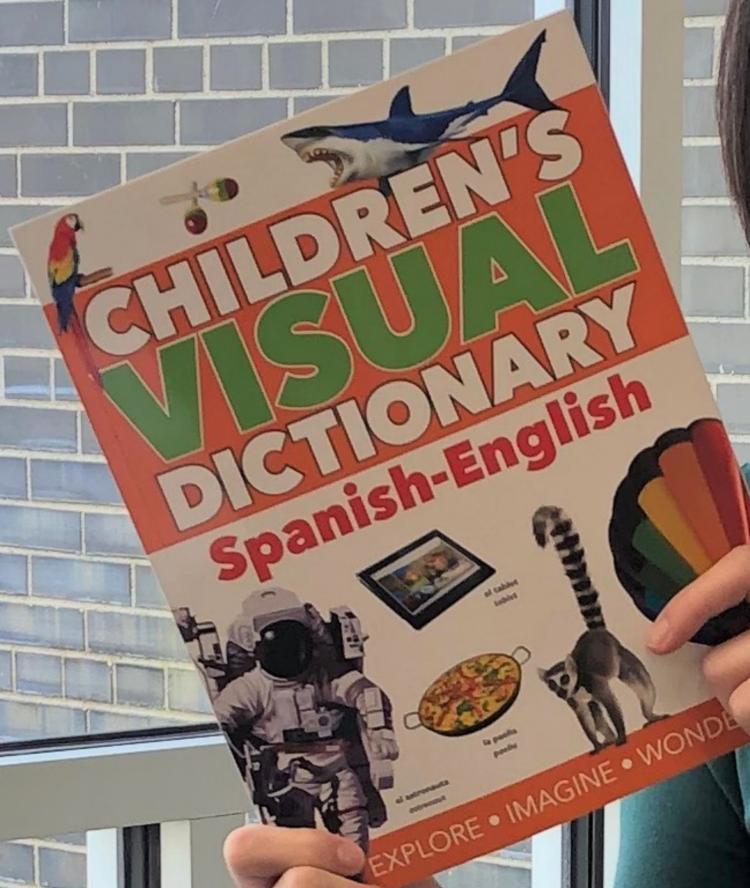
Patrick O'Keefe, Principal, Blessed Trinity Catholic School, wrote, "We are fortunate to have such a dedicated group working on behalf of our Richfield community."

Principals in Richfield Public elementary schools expressed their appreciation as well. Marta Shahsavand, Principal of Richfield Dual Language School, stated, "Thank you for this important project." Nancy Stachel, Principal, Sheridan Hills Elementary School, added, "This is fabulous news! Thank you for all that you do for our schools." Amy Winter, Principal, of Richfield STEM School, stated, "I am excited to see all the resources."

For more information:

<https://www.richfieldrotary.org/>





The Rotary Club of Richfield has been serving the Richfield community for nearly 70 years. We are neighbors, friends and community leaders who come together for networking, fun, and to create positive, lasting change in the Richfield area and around the world. We are part of an international network of 35,000 Rotary Clubs with 1.2 million members worldwide, reaching across boundaries to expand our impact.

Here are just a few of the ways that Richfield Rotary has supported our community:

Community Presentation on Personal Safety – Co-sponsored with Richfield Public Safety

Dictionary Project – Provide dictionaries to 3rd or 4th graders in area public, parochial and home schools

Spanish-English Dictionaries and Books – Combined club and grant funds to provide Spanish-English visual dictionaries and culturally relevant books to area public and parochial schools

Teen Job Fair – Richfield and Bloomington Rotary Clubs organized a job fair for students at Richfield, Kennedy and Jefferson High Schools

Richfield Safety Day – Contribute volunteer and financial support for this annual program for Richfield 3rd graders, sponsored by Richfield Public Safety

Camp Enterprise – Sponsor high school students in a 3-day seminar to learn about the free enterprise system

Rotary Ethics Luncheon – Sponsor high school student participation in an area-wide luncheon focused on fostering ethical behavior in work and life.

Academic Scholarships for students at Richfield HS and Academy of Holy Angels

MIRA Computer Project – With help from business partners, provided MIRA (Latino Resource Center) with refurbished computers for clients completing adult computer classes

Rotary / VEAP Student Hunger Project – Each Thursday during the school year, area Rotarians pack food bags for Friday distribution to needy students in area schools.

Bread of Hope – Richfield Rotary partners with Lakewinds Coop, Loaves and Fishes, and other service organizations to distribute day-old bread to needy families

Warm Hands / Heads / Hearts – Distribute winter hats and mittens to needy Richfield School students

Sock-It-To-Me – Donate warm socks to homeless people served by Cabrini Partnership

Little Free Library – Collaborated with community members to construct and locate Little Free Libraries in Richfield.

Done in a Day Service Projects – Club members provide volunteer assistance for special activities or events, e.g. Richfield park clean-up, Three Kings Celebration sponsored by MIRA, Heart of Dance festival for youth dancers, Community Education family night, Flags for Fort Snelling Cemetery, ARC Value Village, letters to military and other service providers

Richfield Rotary also supports communities across the globe:

Polio-Plus – a world-wide program to eradicate polio.

The Rotary Foundation – provides matching grants for community and world service.

Palumpar, India – Multi-club grant projects supporting the education of girls in the Nari Gunjan community, “the poorest of the poor.”

Richfield Rotary Relaunch

A “Richfield Rotary Relaunch” began in the summer of 2019, focused on bringing in new members who are younger, more diverse, and who live, work and/ or do business in Richfield. Club goals, projects and activities are being tailored to fit new members’ interests and personal commitments. **Learn more on the Rotary Club of Richfield MN Facebook Page and on the web at richfieldrotary.org. We would love to have you become involved!**

Rotary Club of Richfield

SPANISH-ENGLISH DICTIONARY AND BOOK PROJECT Spring 2020

History of Dictionary Project; Requests for Change

Since 2006, Richfield Rotary has been providing 3rd graders in all Richfield public, parochial, and home schools with an individual student dictionary. Last fall, the club asked elementary school teachers and administrators to provide feedback on the project. The feedback centered on two program adjustments to accommodate needs of students whose first language is Spanish:

- Richfield Public elementary schools and Partnership Academy requested that individual student dictionaries (in English) be moved from 3rd to 4th grade, so students have an additional year to become more English proficient. (Blessed Trinity preferred to maintain dictionary distribution in 3rd grade.)
- Provide additional resources to support literacy development, including Spanish-English visual dictionaries and culturally relevant library books.

Additional Literacy Resources: Spanish-English Dictionary and Book Project

With a combined \$3800 in funding from the Richfield Rotary Foundation and a Rotary District 5950 Local Project Grant, the Rotary Club of Richfield will distribute Spanish-English visual children's dictionaries and other culturally relevant books to Richfield Public elementary schools, Partnership Academy, and Blessed Trinity Catholic School during the Spring of 2020. The dictionaries and books may be placed in school libraries, classrooms, and English Language Learner resource rooms, as determined by each school.

School and district leaders have expressed strong support for the project, including Lisa Hendricks, Executive Director of Partnership Academy, who wrote, "We are grateful for the opportunity to partner with the Richfield Rotary to ensure our students have access to books and resources that are culturally relevant to their lives."

Richfield Rotary's original plan was to present the dictionaries and books to each school as part of a faculty meeting, with an additional presentation to the school / district board of education. However, in light of the coronavirus pandemic, Rotary President Barbara Devlin will provide board members, administrators and staff with the link to a video presentation, along with written information about the project and Richfield Rotary, which is proud to support the literacy development of children as part of its commitment to serve the Richfield community.

Spanish-English Dictionary and Book Titles

Children's Visual Dictionary: Spanish-English. BES Publishing, 2014.

Brown, Monica, translated by Alicia Fontan, illustrated by Rafael Lopez. *My Name is Celia: The Life of Celia Cruz / Me llamo Celia: La vida de Celia Cruz.* Luna Rising Books, 2004.

Brown, Monica, translated by Adriana Dominguez, illustrated by Rafael Lopez. *Tito Puente, Mambo King / Tito Puente, Rey del Mambo.* HarperCollins Publishers, 2013.

Jules, Jacqueline, illustrated by Kim Smith. *Sofia Martinez: My Vida Loca.* Picture Window Books, 2016.

Jules, Jacqueline, illustrated by Miguel Benitez. *Zapato Power: Zoom! Zoom! Super Set.* Albert Whitman and Company, 2016.

Kranz, Linda, translated by Teresa M. Lawer. *Only One You / Nadie Como Tu*. Taylor Trade Publishing, 2019.

Krull, Kathleen, illustrated by Yuyi Morales. *Harvesting Hope: The Story of Cesar Chavez*. Houghton Mifflin Harcourt Publishing Company, 2003.

Mendez, Yamile Saied, illustrated by Jaime Kim. *Where Are You From?* HarperCollins Children's Books, 2019.

Morales, Yuyi. *Dreamers*. Neal Porter Books, 2018.

Reynoso, Naibe, illustrated by Jone Leal. *Be Bold! Be Brave! 11 Latinas who made U.S. History / Se Audaz, Se Valiente! 11 Latinas que hicieron historia en Estados Unidos*. Con Todo Press, 2019.

For More Information or Answers to Questions

Contact Barbara Devlin, President, Rotary Club of Richfield, richfieldrotary@gmail.com or go to <https://www.richfieldrotary.org/> or the Rotary Club of Richfield Facebook Page.



REVENUE GENERAL FUND

| REVENUE CATEGORIES | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 | YTD March 31, 2019 | YTD March 31, 2018 | YTD March 31, 2019 | YTD March 31, 2018 |
|------------------------------|----------------------|----------------------|-------------------|-------------------|--------------------|--------------------------|----------------------|-----------------------|-----------------------|--------------------|--------------------|
| | | | | | | | % of Budget Received | % of Actuals Received | % of Actuals Received | | |
| STATE | 46,142,115 | 46,183,093 | 44,607,274 | 45,707,241 | 28,375,894 | 17,331,347 | 62.1% | 62.1% | 60.8% | 28,672,847 | 28,042,671 |
| FEDERAL | 2,251,486 | 2,098,367 | 2,517,148 | 2,331,624 | (381) | 2,332,005 | 0.0% | 38.4% | 42.3% | 805,236 | 952,680 |
| PROPERTY TAXES | 13,100,376 | 16,524,053 | 18,205,157 | 18,205,157 | 17,949,429 | 255,728 | 98.6% | 89.9% | 46.7% | 14,860,453 | 6,122,672 |
| LOCAL (FEES, INTEREST, ETC.) | 1,593,961 | 1,617,985 | 1,313,443 | 1,340,744 | 952,863 | 387,881 | 71.1% | 61.2% | 59.0% | 989,783 | 940,979 |
| TOTALS | 63,087,938 | 66,423,498 | 66,643,022 | 67,584,766 | 47,277,805 | 20,306,961 | 70.0% | 68.2% | 57.2% | 45,328,319 | 36,059,002 |

EXPENDITURES GENERAL FUND

| OBJECT SERIES | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 | YTD March 31, 2019 | YTD March 31, 2018 | YTD March 31, 2019 | YTD March 31, 2018 |
|--------------------|----------------------|----------------------|-------------------|-------------------|--------------------|--------------------------|----------------------|-----------------------|-----------------------|--------------------|--------------------|
| | | | | | | | % of Budget Expended | % of Actuals Expended | % of Actuals Expended | | |
| SALARIES & WAGES | 35,160,099 | 37,176,269 | 37,899,182 | 37,689,481 | 23,222,086 | 14,467,395 | 61.6% | 63.3% | 62.1% | 23,524,375 | 21,837,389 |
| EMPLOYEE BENEFITS | 12,323,981 | 13,518,960 | 13,639,093 | 13,606,495 | 9,067,278 | 4,539,217 | 66.6% | 66.8% | 70.2% | 9,030,131 | 8,646,020 |
| PURCHASED SERVICES | 9,046,327 | 8,172,079 | 9,210,948 | 9,392,979 | 5,393,927 | 3,999,052 | 57.4% | 63.0% | 62.3% | 5,151,522 | 5,636,681 |
| SUPPLIES | 2,237,813 | 2,527,483 | 3,555,249 | 2,950,809 | 2,106,450 | 844,359 | 71.4% | 72.0% | 66.2% | 1,820,698 | 1,480,789 |
| EQUIPMENT | 2,319,661 | 2,581,571 | 1,971,269 | 2,176,821 | 1,928,653 | 248,168 | 88.6% | 85.2% | 79.3% | 2,198,558 | 1,840,094 |
| OTHER EXPENDITURES | 401,293 | 315,303 | 136,930 | 177,740 | 105,369 | 72,371 | 59.3% | 32.8% | 26.0% | 103,549 | 104,345 |
| TOTALS | 61,489,173 | 64,291,665 | 66,412,671 | 65,994,325 | 41,823,763 | 24,170,562 | 63.4% | 65.1% | 64.3% | 41,828,833 | 39,545,318 |

PROGRAM SERIES

| PROGRAM SERIES | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 | YTD March 31, 2019 | YTD March 31, 2018 | YTD March 31, 2019 | YTD March 31, 2018 |
|-----------------------------|----------------------|----------------------|-------------------|-------------------|--------------------|--------------------------|----------------------|-----------------------|-----------------------|--------------------|--------------------|
| | | | | | | | % of Budget Expended | % of Actuals Expended | % of Actuals Expended | | |
| SITE ADMINISTRATION | 1,869,485 | 1,853,501 | 1,914,365 | 2,041,369 | 1,550,057 | 491,312 | 75.9% | 74.4% | 73.1% | 1,378,841 | 1,367,373 |
| DISTRICT ADMINISTRATION | 821,301 | 836,390 | 860,810 | 870,152 | 609,401 | 260,751 | 70.0% | 71.5% | 71.9% | 597,842 | 590,850 |
| SUPPORT SERVICES | 2,282,535 | 2,138,022 | 2,048,377 | 1,975,507 | 1,920,449 | 55,058 | 97.2% | 83.5% | 83.5% | 1,784,421 | 1,904,851 |
| REGULAR INSTRUCTION | 25,535,479 | 27,939,635 | 27,910,903 | 28,067,670 | 16,340,991 | 11,726,679 | 58.2% | 59.3% | 60.0% | 16,564,243 | 15,331,552 |
| EXTRA-CURRICULAR ACTIVITIES | 1,166,534 | 1,240,925 | 1,470,260 | 1,402,627 | 956,895 | 445,732 | 68.2% | 70.9% | 71.5% | 879,949 | 833,726 |
| VOCATIONAL INSTRUCTION | 439,097 | 473,959 | 452,315 | 431,526 | 266,812 | 164,714 | 61.8% | 57.5% | 46.7% | 272,678 | 205,192 |
| SPECIAL EDUCATION | 11,823,369 | 12,130,842 | 12,829,441 | 12,357,734 | 7,687,145 | 4,670,589 | 62.2% | 62.6% | 62.1% | 7,594,719 | 7,338,074 |
| INSTRUCTIONAL SUPPORT | 4,179,137 | 4,549,255 | 5,011,990 | 4,925,444 | 3,641,766 | 1,283,678 | 73.9% | 80.9% | 72.4% | 3,680,050 | 3,024,827 |
| PUPIL SUPPORT SERVICES | 6,071,235 | 6,291,515 | 6,653,562 | 6,713,077 | 4,550,880 | 2,162,197 | 67.8% | 66.9% | 62.6% | 4,207,662 | 3,799,542 |
| FACILITIES | 7,067,161 | 6,614,346 | 6,985,648 | 6,977,219 | 4,071,713 | 2,905,506 | 58.4% | 70.2% | 68.3% | 4,645,153 | 4,824,517 |
| OTHER FINANCING USES | 233,841 | 223,275 | 275,000 | 232,000 | 227,654 | 4,346 | 98.1% | 100.0% | 138.9% | 223,275 | 324,814 |
| TOTALS | 61,489,173 | 64,291,665 | 66,412,671 | 65,994,325 | 41,823,763 | 24,170,562 | 63.4% | 65.1% | 64.3% | 41,828,833 | 39,545,318 |



ACTIVITY - OTHER FUNDS

| | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 % of Budget Received | YTD March 31, 2019 % of Actuals Received | YTD March 31, 2018 % of Actuals Received | YTD March 31, 2019 | YTD March 31, 2018 |
|--------------------------------|----------------------|----------------------|----------------|----------------|--------------------|--------------------------|--|---|---|--------------------|--------------------|
| REVENUE | | | | | | | | | | | |
| FOOD SERVICE | 2,768,890 | 2,838,335 | 2,838,000 | 2,854,000 | 1,671,342 | 1,182,658 | 58.6% | 61.8% | 62.7% | 1,753,695 | 1,734,919 |
| COMMUNITY EDUCATION | 2,155,483 | 1,942,646 | 2,173,728 | 2,110,277 | 1,716,598 | 393,679 | 81.3% | 82.1% | 76.0% | 1,594,210 | 1,639,198 |
| CONSTRUCTION FUND | 120,108,147 | 3,044,448 | 1,000,000 | 1,100,000 | 61,647 | 1,038,353 | 5.6% | 29.6% | 99.3% | 902,345 | 119,233,038 |
| DEBT SERVICE | 4,146,088 | 8,713,849 | 8,502,284 | 8,502,284 | 8,386,576 | 115,708 | 98.6% | 102.3% | 46.5% | 8,917,088 | 1,929,907 |
| TRUST | 60,368 | 48,199 | 46,500 | 46,500 | 44,993 | 1,507 | 96.8% | 85.7% | 83.4% | 41,317 | 50,339 |
| INTERNAL SERVICE - HEALTH INS. | 6,797,915 | 7,314,681 | 6,790,000 | 7,025,000 | 4,575,418 | 2,449,582 | 65.1% | 62.6% | 69.3% | 4,580,830 | 4,709,799 |
| INTERNAL SERVICE - DENTAL INS. | 505,962 | 534,362 | 519,750 | 531,000 | 339,428 | 191,572 | 63.9% | 62.9% | 65.5% | 336,365 | 331,543 |
| OPEB - IRREVOCABLE TRUST | 115,612 | 203,285 | 150,000 | 150,000 | (27,785) | 177,785 | -18.5% | 91.1% | -70.5% | 185,247 | (81,511) |
| OPEB DEBT SERVICE | 989,701 | 786,209 | 818,323 | 818,323 | 808,268 | 10,055 | 98.8% | 74.2% | 46.1% | 583,495 | 456,150 |

| | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 % of Budget Received | YTD March 31, 2019 % of Actuals Received | YTD March 31, 2018 % of Actuals Received | YTD March 31, 2019 | YTD March 31, 2018 |
|--------------------------------|----------------------|----------------------|----------------|----------------|--------------------|--------------------------|--|---|---|--------------------|--------------------|
| EXPENDITURES | | | | | | | | | | | |
| FOOD SERVICE | 2,694,977 | 2,736,818 | 2,592,341 | 2,838,588 | 1,980,118 | 858,470 | 69.8% | 67.7% | 64.8% | 1,852,226 | 1,747,491 |
| COMMUNITY EDUCATION | 1,691,956 | 1,888,985 | 2,168,010 | 1,961,978 | 1,409,419 | 552,559 | 71.8% | 62.4% | 63.3% | 1,178,798 | 1,071,314 |
| CONSTRUCTION FUND | 2,689,537 | 13,650,859 | 52,983,255 | 53,039,030 | 42,804,027 | 10,235,003 | 80.7% | 22.7% | 22.1% | 3,096,501 | 595,296 |
| DEBT SERVICE | 10,535,851 | 7,967,443 | 8,105,038 | 8,105,038 | 8,105,988 | (950) | 100.0% | 100.0% | 100.0% | 7,963,668 | 10,535,851 |
| TRUST | 48,713 | 41,908 | 46,500 | 46,500 | 47,551 | (1,051) | 102.3% | 100.0% | 99.9% | 41,909 | 48,650 |
| INTERNAL SERVICE - HEALTH INS. | 5,739,072 | 6,941,796 | 6,757,020 | 7,001,080 | 4,900,467 | 2,100,613 | 70.0% | 73.3% | 75.3% | 5,091,484 | 4,322,015 |
| INTERNAL SERVICE - DENTAL INS. | 518,742 | 529,293 | 539,049 | 528,000 | 418,652 | 109,348 | 79.3% | 75.7% | 77.1% | 400,837 | 399,738 |
| OPEB - IRREVOCABLE TRUST | 917,335 | 498,893 | 735,250 | 735,250 | - | 735,250 | 0.0% | 0.0% | 0.0% | - | - |
| OPEB DEBT SERVICE | 1,023,142 | 789,125 | 783,000 | 783,000 | 783,025 | (25) | 100.0% | 100.0% | 100.0% | 789,125 | 1,023,142 |

SUMMARY - ALL FUNDS

| | Actual June 30, 2018 | Actual June 30, 2019 | Adopted Budget | Revised Budget | YTD March 31, 2020 | Revised Budget Remaining | YTD March 31, 2020 % of Budget Received | YTD March 31, 2019 % of Actuals Received | YTD March 31, 2018 % of Actuals Received | YTD March 31, 2019 | YTD March 31, 2018 |
|-------------------|----------------------|----------------------|----------------|----------------|--------------------|--------------------------|--|---|---|--------------------|--------------------|
| SUMMARY | | | | | | | | | | | |
| REVENUE | 200,736,105 | 91,849,511 | 89,481,607 | 90,722,150 | 64,854,290 | 25,867,860 | 71.5% | 69.9% | 82.7% | 64,222,911 | 166,062,384 |
| EXPENDITURES | 87,348,498 | 99,336,785 | 141,122,134 | 141,032,789 | 102,273,010 | 38,759,779 | 72.5% | 62.7% | 70.7% | 62,243,381 | 61,790,020 |
| SPENDING VARIANCE | 113,387,607 | (7,487,275) | (51,640,527) | (50,310,639) | (37,418,720) | (12,891,919) | 74.4% | -26.4% | 92.0% | 1,979,530 | 104,272,364 |

| FUND | CHECK | DATE | VENDOR | TYPE | AMOUNT |
|------|---------|------------|-------------------------------------|------|------------|
| 01 | 297022 | 04/01/2020 | AMAZON.COM SYNCB/AMAZON | V | -5,665.53 |
| 01 | 297023 | 04/06/2020 | EASYPERMIT POSTAGE | V | -267.84 |
| 01 | 297024 | 04/01/2020 | H BROOKS AND COMPANY LLC | V | -4,511.16 |
| 01 | 297025 | 04/06/2020 | LIZBETH LARA HERNANDEZ | V | -450.00 |
| 01 | 297026 | 04/01/2020 | PAN O GOLD BAKING CO | V | -922.00 |
| 01 | 297027 | 04/01/2020 | TRIO SUPPLY COMPANY | V | -3,659.38 |
| 01 | 297031 | 04/01/2020 | UPPER LAKES FOODS | V | -36,993.89 |
| 01 | 297032 | 04/01/2020 | VSP VISION SERVICE PLAN | V | -1,612.62 |
| 01 | 297363 | 04/02/2020 | AMAZON.COM SYNCB/AMAZON | R | 5,665.53 |
| 01 | 297364 | 04/02/2020 | PURCHASE POWER | R | 267.84 |
| 01 | 297365 | 04/02/2020 | H BROOKS AND COMPANY LLC | R | 4,511.16 |
| 01 | 297366 | 04/02/2020 | LIZBETH LARA HERNANDEZ | R | 450.00 |
| 01 | 297367 | 04/02/2020 | PAN O GOLD BAKING CO | R | 922.00 |
| 01 | 297368 | 04/02/2020 | TRIO SUPPLY COMPANY | R | 3,659.38 |
| 01 | 297372 | 04/02/2020 | UPPER LAKES FOODS | R | 36,993.89 |
| 01 | 297373 | 04/02/2020 | VSP VISION SERVICE PLAN | R | 1,612.62 |
| 01 | 297374 | 04/02/2020 | ALL STATE COMMUNICATIONS INC | R | 4,950.00 |
| 01 | 297375 | 04/02/2020 | ARTEDUTC LLC | R | 1,474.00 |
| 01 | 297376 | 04/02/2020 | BIO CORPORATION | R | 339.77 |
| 01 | 297377 | 04/02/2020 | BUSINESS ESSENTIALS | R | 24.96 |
| 01 | 297378 | 04/02/2020 | CANON USA | R | 3,922.16 |
| 01 | 297379 | 04/02/2020 | CARLEX INC | R | 150.10 |
| 01 | 297380 | 04/02/2020 | CARQUEST AUTO PARTS | R | 746.11 |
| 01 | 297381 | 04/02/2020 | CHASKA PARKS & RECREATION | R | 215.00 |
| 01 | 297382 | 04/02/2020 | CHESS & STRATEGY GAME ASSOCIATION | R | 1,895.95 |
| 01 | 297383 | 04/02/2020 | CONTINENTAL RESEARCH CORP | R | 2,870.45 |
| 01 | 297384 | 04/02/2020 | ECOLAB INC | R | 948.63 |
| 01 | 297385 | 04/02/2020 | FIREFLY COMPUTERS, LLC | R | 8,450.00 |
| 01 | 297386 | 04/02/2020 | FIRST BOOK MARKETPLACE | R | 102.75 |
| 01 | 297387 | 04/02/2020 | WW GRAINGER INC | R | 64.24 |
| 01 | 297388 | 04/02/2020 | HILLYARD | R | 841.89 |
| 01 | 297389 | 04/02/2020 | INTERMEDIATE DISTRICT 287 | R | 156.00 |
| 01 | 297390 | 04/02/2020 | JAYTECH, INC | R | 18.52 |
| 01 | 297391 | 04/02/2020 | MADISON NATIONAL LIFE INS CO INC | R | 14,416.82 |
| 01 | 297392 | 04/02/2020 | MINNESOTA MEMORY, INC. | R | 1,701.49 |
| 01 | 297393 | 04/02/2020 | MINUTEMAN PRESS OF RICHFIELD | R | 1,621.71 |
| 01 | 297394 | 04/02/2020 | NAVIANCE | R | 3,137.52 |
| 01 | 297395 | 04/02/2020 | NCS PEARSON INC | R | 136.00 |
| 01 | 297396 | 04/02/2020 | NORMANDALE COMMUNITY COLLEGE | R | 72,225.00 |
| 01 | 297397 | 04/02/2020 | OPTIMIST CLUB OF RICHFIELD | R | 50.00 |
| 01 | 297398 | 04/02/2020 | RICHFIELD ICE ARENA | R | 6,585.00 |
| 01 | 297399 | 04/02/2020 | RUPP ANDERSON SQUIRES & WALDSPURGER | R | 2,029.36 |
| 01 | 297400 | 04/02/2020 | SHERWIN WILLIAMS CO | R | 288.72 |
| 01 | 297401 | 04/02/2020 | TAFFE SARAH ANN | R | 8,044.93 |
| 01 | 297402 | 04/02/2020 | ULINE | R | 226.13 |
| 01 | 297403 | 04/02/2020 | XCEL ENERGY | R | 1,803.95 |
| 01 | V609903 | 04/02/2020 | JAMES A GILLIGAN | R | 70.00 |
| 01 | V609904 | 04/02/2020 | DAVID M BOIE | R | 70.00 |
| 01 | V609905 | 04/02/2020 | PATRICK L BURRAGE | R | 70.00 |

| | | | | | |
|----|---------|------------|-----------------------------|---|--------|
| 01 | V609906 | 04/02/2020 | KATHERINE E CABIESES | R | 40.00 |
| 01 | V609907 | 04/02/2020 | MIRIAM A CASTRO SANJUAN | R | 40.00 |
| 01 | V609908 | 04/02/2020 | PHIL N CEDER | R | 40.00 |
| 01 | V609909 | 04/02/2020 | MARY L CLARKSON | R | 70.00 |
| 01 | V609910 | 04/02/2020 | TIA B CLASEN | R | 70.00 |
| 01 | V609911 | 04/02/2020 | JOHNNY R COOK | R | 70.00 |
| 01 | V609912 | 04/02/2020 | LATANYA R DANIELS | R | 70.00 |
| 01 | V609913 | 04/02/2020 | GEORGE A DENNIS | R | 35.00 |
| 01 | V609914 | 04/02/2020 | RYAN D FINKE | R | 70.00 |
| 01 | V609915 | 04/02/2020 | PETER J FITZPATRICK | R | 40.00 |
| 01 | V609916 | 04/02/2020 | STEVEN T FLUCAS | R | 70.00 |
| 01 | V609917 | 04/02/2020 | MICHAEL L FRANKENBERG | R | 70.00 |
| 01 | V609918 | 04/02/2020 | CHRISTINA M GONZALEZ | R | 70.00 |
| 01 | V609919 | 04/02/2020 | KYLE L GUSTAFSON | R | 40.00 |
| 01 | V609920 | 04/02/2020 | KEVIN D HARRIS | R | 40.00 |
| 01 | V609921 | 04/02/2020 | PAM A HAUPT | R | 70.00 |
| 01 | V609922 | 04/02/2020 | JAMES L HILL | R | 40.00 |
| 01 | V609923 | 04/02/2020 | CARLONDREA D HINES | R | 70.00 |
| 01 | V609924 | 04/02/2020 | JESSICA M HOFFMAN | R | 40.00 |
| 01 | V609925 | 04/02/2020 | CRAIG D HOLJE | R | 70.00 |
| 01 | V609926 | 04/02/2020 | MARY J IHLEN | R | 70.00 |
| 01 | V609927 | 04/02/2020 | CORY J KLINGE | R | 70.00 |
| 01 | V609928 | 04/02/2020 | DANIEL E KRETSINGER | R | 70.00 |
| 01 | V609929 | 04/02/2020 | ANOOP KUMAR | R | 40.00 |
| 01 | V609930 | 04/02/2020 | COLLEEN M MAHONEY | R | 70.00 |
| 01 | V609931 | 04/02/2020 | DANIEL P MCGINN | R | 40.00 |
| 01 | V609932 | 04/02/2020 | DOUG R MCMEEKIN | R | 70.00 |
| 01 | V609933 | 04/02/2020 | CAROLE R MCNAUGHTON-COMMERS | R | 70.00 |
| 01 | V609934 | 04/02/2020 | MARY PAT MESLER | R | 70.00 |
| 01 | V609935 | 04/02/2020 | KENT D MEYER | R | 70.00 |
| 01 | V609936 | 04/02/2020 | ERIN H NEILON | R | 40.00 |
| 01 | V609937 | 04/02/2020 | ROBERT G OLSON | R | 40.00 |
| 01 | V609938 | 04/02/2020 | DENNIS E PETERSON | R | 35.00 |
| 01 | V609939 | 04/02/2020 | RENEE C REED-KARSTENS | R | 40.00 |
| 01 | V609940 | 04/02/2020 | KEITH D RIEF | R | 40.00 |
| 01 | V609941 | 04/02/2020 | LEADRIANE L ROBY | R | 70.00 |
| 01 | V609942 | 04/02/2020 | TERESA L ROSEN | R | 70.00 |
| 01 | V609943 | 04/02/2020 | MAUREEN E RUHLAND | R | 40.00 |
| 01 | V609944 | 04/02/2020 | MARTA I SHAHSAVAND | R | 70.00 |
| 01 | V609945 | 04/02/2020 | NANCY J STACHEL | R | 70.00 |
| 01 | V609946 | 04/02/2020 | PATRICK M SURE | R | 40.00 |
| 01 | V609947 | 04/02/2020 | VLADIMIR S TOLEDO | R | 40.00 |
| 01 | V609948 | 04/02/2020 | IAN D TOLENTINO | R | 40.00 |
| 01 | V609949 | 04/02/2020 | STEVEN P UNOWSKY | R | 270.00 |
| 01 | V609950 | 04/02/2020 | STEPHEN C URBANSKI | R | 40.00 |
| 01 | V609951 | 04/02/2020 | CARRIE A VALA | R | 70.00 |
| 01 | V609952 | 04/02/2020 | JENNIFER K VALLEY | R | 70.00 |
| 01 | V609953 | 04/02/2020 | RYAN WAGNER | R | 40.00 |
| 01 | V609954 | 04/02/2020 | REBECCA S WALD | R | 40.00 |
| 01 | V609955 | 04/02/2020 | KASYA L WILLHITE | R | 70.00 |

| | | | | | |
|----|---------|------------|-------------------------------------|---|------------|
| 01 | V609956 | 04/02/2020 | AMY J WINTER AHSENMACHER | R | 70.00 |
| 01 | 297115 | 04/06/2020 | COMFORT INN GENEVA | V | -6,038.40 |
| 01 | 297324 | 04/07/2020 | KREMER SERVICES LLC | V | -15,380.57 |
| 01 | 297404 | 04/09/2020 | ALLIED PROFESSIONALS, INC. | R | 210.00 |
| 01 | 297405 | 04/09/2020 | BAUER BUILT INC | R | 704.04 |
| 01 | 297406 | 04/09/2020 | BAYADA | R | 1,560.00 |
| 01 | 297407 | 04/09/2020 | BRAMBILLA'S LEASE SYSTEMS, INC | R | 2,161.00 |
| 01 | 297408 | 04/09/2020 | BSN SPORTS, LLC | R | 390.00 |
| 01 | 297409 | 04/09/2020 | BUSINESS ESSENTIALS | R | 745.52 |
| 01 | 297410 | 04/09/2020 | CARMEN SEGURA GONZALEZ | R | 110.00 |
| 01 | 297411 | 04/09/2020 | CARQUEST AUTO PARTS | R | 96.46 |
| 01 | 297412 | 04/09/2020 | CATALYST BUYING GROUP LLC | R | 189.99 |
| 01 | 297413 | 04/09/2020 | CEP ART & DESIGN | R | 175.50 |
| 01 | 297414 | 04/09/2020 | CINTAS CORPORATION NO 2 | R | 402.08 |
| 01 | 297415 | 04/09/2020 | CITY OF RICHFIELD | R | 74,695.50 |
| 01 | 297416 | 04/09/2020 | COMCAST | R | 265.61 |
| 01 | 297417 | 04/09/2020 | COMCAST BUSINESS | R | 244.74 |
| 01 | 297418 | 04/09/2020 | CULLIGAN SOFT WATER | R | 9.50 |
| 01 | 297419 | 04/09/2020 | DICK BLICK COMPANY | R | 1,486.65 |
| 01 | 297420 | 04/09/2020 | DICKS LAKEVILLE SANITATION INC | R | 7,817.85 |
| 01 | 297421 | 04/09/2020 | DOOR SERVICE COMPANY OF THE TWIN CI | R | 597.00 |
| 01 | 297422 | 04/09/2020 | GOPHERMODS | R | 225.00 |
| 01 | 297423 | 04/09/2020 | WW GRAINGER INC | R | 65.01 |
| 01 | 297424 | 04/09/2020 | H&L MESABI COMPANY | R | 1,070.96 |
| 01 | 297425 | 04/09/2020 | HALL KIRK | R | 182.00 |
| 01 | 297426 | 04/09/2020 | HEART ZONES, INC | R | 153.72 |
| 01 | 297427 | 04/09/2020 | HILLYARD | R | 2,197.56 |
| 01 | 297428 | 04/09/2020 | IIX INSURANCE INFORMATION EXCHANGE | R | 70.20 |
| 01 | 297429 | 04/09/2020 | INGRAM LIBRARY SERVICES | R | 419.54 |
| 01 | 297430 | 04/09/2020 | INNOVATIVE OFFICE SOLUTIONS LLC | R | 154.82 |
| 01 | 297431 | 04/09/2020 | JAYTECH, INC | R | 4,953.51 |
| 01 | 297432 | 04/09/2020 | JENNIFER SHEPARDSON | R | 80.00 |
| 01 | 297433 | 04/09/2020 | JEREMIAH DALE-WOODS | R | 25.00 |
| 01 | 297434 | 04/09/2020 | JW PEPPER & SON INC | R | 83.95 |
| 01 | 297435 | 04/09/2020 | KAJEET, INC. | R | 7,053.48 |
| 01 | 297436 | 04/09/2020 | KINECT ENERGY INC | R | 505.00 |
| 01 | 297437 | 04/09/2020 | KREMER SERVICES LLC | R | 1,291.09 |
| 01 | 297438 | 04/09/2020 | LEARNING A-Z | R | 131.54 |
| 01 | 297439 | 04/09/2020 | LINKS TO LEARNING | R | 350.00 |
| 01 | 297440 | 04/09/2020 | LOFFLER COMPANIES | R | 14,295.13 |
| 01 | 297441 | 04/09/2020 | LUPIENT CHEVROLET | R | 187.26 |
| 01 | 297442 | 04/09/2020 | MESSERLI & KRAMER | R | 1,209.60 |
| 01 | 297443 | 04/09/2020 | METRO APPLIANCE RECYCLING | R | 2,183.70 |
| 01 | 297444 | 04/09/2020 | MIDWEST BUS PARTS INC | R | 121.77 |
| 01 | 297445 | 04/09/2020 | MISSY KVAMME | R | 91.00 |
| 01 | 297446 | 04/09/2020 | THE PROPHET CORPORATION | R | 466.83 |
| 01 | 297447 | 04/09/2020 | ALBIN ACQUISITION CORP | R | 97.00 |
| 01 | 297448 | 04/09/2020 | MULTILINGUAL WORD INC | R | 3,322.75 |
| 01 | 297449 | 04/09/2020 | NETWORK DESIGNS, INC. | R | 1,894.85 |
| 01 | 297450 | 04/09/2020 | NORTH CENTRAL BUS | R | 47.53 |

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|----|---------|------------|-----------------------------------|---|-----------|
| 01 | 297451 | 04/09/2020 | OCCUPATIONAL MEDICINE CONSULTANTS | R | 75.00 |
| 01 | 297452 | 04/09/2020 | PARALLEL TECHNOLOGIES, INC. | R | 1,108.98 |
| 01 | 297453 | 04/09/2020 | PUMP & METER SERVICE | R | 420.00 |
| 01 | 297454 | 04/09/2020 | RYAN JEANNIE M | R | 568.27 |
| 01 | 297455 | 04/09/2020 | RYKKEN ERIN | R | 182.00 |
| 01 | 297456 | 04/09/2020 | INDIGO SIGNWORKS, INC. | R | 213.50 |
| 01 | 297457 | 04/09/2020 | SNAPOLOGY OF MINNEAPOLIS | R | 256.00 |
| 01 | 297458 | 04/09/2020 | TEXTBOOK WAREHOUSE | R | 297.00 |
| 01 | 297459 | 04/09/2020 | TRIMARK | R | 4,345.26 |
| 01 | 297460 | 04/09/2020 | US DEPARTMENT OF EDUCATION AWG | R | 130.97 |
| 01 | 297461 | 04/09/2020 | VERIZON WIRELESS | R | 556.01 |
| 01 | 297462 | 04/09/2020 | VICTORIA LOPEZ GONZALEZ | R | 25.00 |
| 01 | 297463 | 04/09/2020 | VSP VISION SERVICE PLAN | R | 1,637.78 |
| 01 | 297464 | 04/09/2020 | WILSON HOPE | R | 182.00 |
| 01 | 297465 | 04/09/2020 | WORKS COMPUTING, LLC | R | 8,943.47 |
| 01 | 297466 | 04/09/2020 | WORLD FUEL SERVICES, INC. | R | 10,232.55 |
| 01 | 297467 | 04/09/2020 | XCEL ENERGY | R | 51,321.07 |
| 01 | V609957 | 04/09/2020 | KIMBERLY S DORAN | R | 87.08 |
| 01 | V609958 | 04/09/2020 | DONNAMARIE HARDY | R | 95.63 |
| 01 | V609959 | 04/09/2020 | JENNIFER K LEWIS | R | 255.73 |
| 01 | V609960 | 04/09/2020 | MAIA M MACK | R | 37.27 |
| 01 | V609961 | 04/09/2020 | MICHAEL A MANNING | R | 90.34 |
| 01 | V609962 | 04/09/2020 | JACQUELINE O NWAIWU | R | 111.80 |
| 01 | V609963 | 04/09/2020 | JAMES R PADDOCK | R | 31.78 |
| 01 | V609964 | 04/09/2020 | MAUREEN E RUHLAND | R | 22.08 |
| 01 | V609965 | 04/09/2020 | LU ANN N TAUER STONE | R | 58.65 |

| | | | | | |
|--|--|--|--|--|-------------------|
| TOTAL VOIDS, E-PAYS, CHECK REGISTER | | | | | 337,374.65 |
|--|--|--|--|--|-------------------|

Voids,E-PAY & Check RUNS FOR 04/20/2020 BOARD REPORTS

| BANK 05 | DATE | AMOUNT |
|--------------------------------|----------|-------------|
| VOID CHECK RUN 02/28/20 | | |
| CHECKS LOST BY THE USPS | 4/6/2020 | (54,082.42) |
| VOID-RHS CHICAGO TRIP CANCEL | 4/6/2020 | (6,038.40) |
| VOID-INS PAID REPAIR | 4/7/2020 | (15,380.57) |
| | | |
| E-PAY | 4/2/2020 | 3,280.00 |
| | 4/9/2020 | 790.36 |
| | | |
| CHECKS-RERUN FROM 2/28/20 | 4/2/2020 | 54,082.42 |
| | 4/2/2020 | 139,437.16 |
| | 4/9/2020 | 215,286.10 |

| | |
|---------------------------------------|-------------------|
| CHECK REGISTER BANK 05 TOTAL = | 337,374.65 |
|---------------------------------------|-------------------|

BREAKDOWN

| | |
|-----------|------------|
| 01-206-00 | 239,999.03 |
| 02-206-00 | 5,878.19 |
| 03-206-00 | 1,127.82 |
| 04-206-00 | 15,604.11 |
| 06-206-00 | 74,765.50 |
| 07-206-00 | - |
| 08-206-00 | - |
| 20-206-00 | - |
| 21-206-00 | - |
| 47-206-00 | - |
| 50-206-00 | - |

| | |
|--------------|-------------------|
| BANK TOTAL = | 337,374.65 |
|--------------|-------------------|

SUPERINTENDENT'S REPORT AND MINUTES

Regular Meeting of the Board of Education
Independent School District No. 280, Richfield, Minnesota

Richfield Public Schools *inspires* and *empowers* each individual to learn, grow and *excel*

Monday, April 20, 2020
7:00 p.m. School Board Meeting

CALL TO ORDER

The regular meeting of the Board of Education of ISD 280, Hennepin County, Richfield, Minnesota was held on Monday, April 20, 2020, via virtual meeting due to the current federal and state emergency declarations and guidance about limiting person-to-person contact due to the COVID-19 (coronavirus) pandemic. Chair Crystal Brakke called the Regular Board Meeting to order at 7:01 pm with the following school board members in attendance: Cole, Maleck, Pollis, Smisek, and Toensing.

Student Representatives Dayani Maceo Sandoval and Naomi Ferguson were also present.

Administrators present were Superintendent Unowsky, Asst. Superintendent Roby, Chief HR & Admin Officer Holje, Executive Director Clarkson and Director Gonzalez.

REVIEW AND APPROVAL OF THE AGENDA

Motion by Toensing, seconded by Cole, and unanimously carried, the Board of Education approved the agenda.

INFORMATION AND PROPOSALS -- NON-ACTION ITEMS

- A. Public Comment - None
- B. Superintendent Update
 - 1. Distance Learning and Coronavirus Update
 - 2. Special Education Child Count
 - 3. Vision Card C

CONSENT AGENDA

Motion by Pollis, seconded by Maleck, and unanimously carried, the Board of Education approved the consent agenda.

A. Routine Matters

1. Minutes of the regular meeting held April 6, 2020
2. General Disbursements as of April 15, 2020 for \$337,374.65.

B. Personnel Items

Certified Full Time Request to Extend Leave of Absence – Child Care
Elizabeth Winslow – Band Music – Senior High

Certified Full Time Resignations

Kelsey Kinsella – Special Education Autism Teacher – Centennial

Katelyn Klaus – Special Education LD Teacher – Middle School

Allison Weber – School Social Worker – Middle School

Certified Full Time Resignation Per Agreement

Lee Janson – Language Arts/Special Education LD – Senior High

Classified Management Team Resignation

Mary Ihlen – Assistant to the Superintendent - District

Classified Part Time Position for Employment – Facilities & Transportation

Manisha Sephus – 22.5 hr/wk Bus Driver – Garage

NEW BUSINESS

A. Renewal of Group Medical and Dental Coverage

Motioned by Cole, seconded by Maleck, and unanimously carried, the Board of Education approved the Renewal of Group Medical and Dental Coverage.

B. Richfield Middle School Change Order #001

Motioned by Maleck, seconded by Toensing, and unanimously carried, the Board of Education approved Change Order #001 for Richfield Middle School.

C. Richfield STEM School Change Order #019

Motioned by Cole, seconded by Maleck, and unanimously carried, the Board of Education approved Change Order #019 for Richfield STEM School.

D. Centennial Elementary School Change Order #002

Motioned by Maleck, seconded by Smisek, and unanimously carried, the Board of Education approved Change Order #002 for Centennial Elementary School.

E. Richfield Dual Language School Change Orders #017, #018, #019, #020, #021, #022, #023, #024

Motioned by Pollis, seconded by Maleck, and unanimously carried, the Board of Education approved Change Orders #017, #018, #019, #020, #021, #022, #023, #024 for Richfield Dual Language School.

F. Temporary Waiver of Board Policy 521, Section IV, Service Requirement

Motioned by Maleck, seconded by Cole, and unanimously carried, the Board of Education approved the Temporary Waiver of Board Policy 521, Section IV, Service Requirement.

G. Donations

Motion by Maleck, seconded by Smisek, and unanimously carried, the Board of Education accepts the donations with gratitude.

VI. ADVANCE PLANNING

A. Legislative Update

B. Information and Questions from Board: Appreciation for the ongoing work of our district. Consider adding more meetings in the summer if necessary. Project Oversight meetings occurring and construction is working to get ahead of schedule.

C. Future Meeting Dates

5-04-20 7:00 p.m. Regular Board Meeting

5-18-20 7:00 p.m. Regular Board Meeting – Public Comment

D. Suggested/Future Agenda Items: Strategic Planning Update, Website Update Preview

ADJOURN REGULAR MEETING

Board Chair Brakke adjourned the meeting at 9:01 p.m.

| FUND | CHECK | DATE | VENDOR | TYPE | AMOUNT |
|------|----------|------------|-------------------------------------|------|-----------|
| 01 | V2000607 | 04/03/2020 | P-CARD BAIRD LISA | R | 3,403.87 |
| 01 | V2000608 | 04/03/2020 | P-CARD BRUNNER PATTI | R | 2,752.65 |
| 01 | V2000609 | 04/03/2020 | P-CARD BURT EMILY | R | 108.09 |
| 01 | V2000610 | 04/03/2020 | P-CARD BURT STEPHANIE | R | 690.55 |
| 01 | V2000611 | 04/03/2020 | P-CARD CARUSO MATTHEW | R | 1,163.42 |
| 01 | V2000612 | 04/03/2020 | P-CARD FINDLEY LAMPKIN MELISSA | R | 51.99 |
| 01 | V2000613 | 04/03/2020 | P-CARD FINKE RYAN | R | 20.00 |
| 01 | V2000614 | 04/03/2020 | P-CARD FLUCAS STEVEN | R | 2,473.56 |
| 01 | V2000615 | 04/03/2020 | P-CARD GACEK SARAH | R | 622.48 |
| 01 | V2000616 | 04/03/2020 | P-CARD GARCIA DIANA | R | 356.46 |
| 01 | V2000617 | 04/03/2020 | P-CARD GEURINK AREND | R | 1,290.75 |
| 01 | V2000618 | 04/03/2020 | P-CARD GULLICKSON KEVIN | R | 51.85 |
| 01 | V2000619 | 04/03/2020 | P-CARD HAUPT PAM | R | 1,907.09 |
| 01 | V2000620 | 04/03/2020 | P-CARD HINES CARLONDREA | R | 792.99 |
| 01 | V2000621 | 04/03/2020 | P-CARD KRETSINGER DAN | R | 1,985.98 |
| 01 | V2000622 | 04/03/2020 | P-CARD LANZENDORFER TERRI | R | 4,555.96 |
| 01 | V2000623 | 04/03/2020 | P-CARD LEWIS JENNIFER | R | 311.76 |
| 01 | V2000624 | 04/03/2020 | P-CARD MACE CHRISTI JO | R | 659.20 |
| 01 | V2000625 | 04/03/2020 | P-CARD MAHONEY COLLEEN | R | 582.72 |
| 01 | V2000626 | 04/03/2020 | P-CARD MARYN ANGELA | R | 3,180.12 |
| 01 | V2000627 | 04/03/2020 | P-CARD MCGINN DAN | R | 1,158.44 |
| 01 | V2000628 | 04/03/2020 | P-CARD MCNAUGHTON COMMERS CAROLE | R | 287.43 |
| 01 | V2000629 | 04/03/2020 | P-CARD POMERLEAU DORIS | R | 2,200.26 |
| 01 | V2000630 | 04/03/2020 | P-CARD SHAHSAVAND MARTA | R | 949.03 |
| 01 | V2000631 | 04/03/2020 | P-CARD VALLEY JENNIFER | R | 398.43 |
| 01 | V2000632 | 04/03/2020 | P-CARD WINTER AMY | R | 4,220.04 |
| 01 | V2000633 | 04/03/2020 | P-CARD ZEHNPFENNIG ELIZABETH | R | 65.00 |
| 01 | 297470 | 04/16/2020 | AMAZON.COM SYNCB/AMAZON | R | 4,642.05 |
| 01 | 297471 | 04/16/2020 | ALEJANDRA SEGURA CAUDANA | R | 41.00 |
| 01 | 297472 | 04/16/2020 | AMPLIFIED IT LLC | R | 1,277.10 |
| 01 | 297473 | 04/16/2020 | ANA MACEO | R | 91.00 |
| 01 | 297474 | 04/16/2020 | ANDREW HUYNH | R | 40.00 |
| 01 | 297475 | 04/16/2020 | ANEL OCAMPO SAVCEDO | R | 25.00 |
| 01 | 297476 | 04/16/2020 | ANTONIA ESCANDON GADEA | R | 31.00 |
| 01 | 297477 | 04/16/2020 | ARVIG ENTERPRISES INC | R | 1,360.90 |
| 01 | 297478 | 04/16/2020 | BARBARA BUSSEN | R | 59.00 |
| 01 | 297479 | 04/16/2020 | BAYADA | R | 2,055.00 |
| 01 | 297480 | 04/16/2020 | BETHELIHEM YESGATE | R | 25.00 |
| 01 | 297481 | 04/16/2020 | BLUE CROSS BLUE SHIELD OF MINNESOTA | R | 2,445.00 |
| 01 | 297482 | 04/16/2020 | BLUML LAUREN | R | 50.00 |
| 01 | 297483 | 04/16/2020 | BRINK'S INCORPORATED | R | 1,230.64 |
| 01 | 297484 | 04/16/2020 | BSN SPORTS, LLC | R | 4,410.00 |
| 01 | 297485 | 04/16/2020 | CARQUEST AUTO PARTS | R | 161.11 |
| 01 | 297486 | 04/16/2020 | CENTURYLINK | R | 110.24 |
| 01 | 297487 | 04/16/2020 | CINTAS CORPORATION NO 2 | R | 91.70 |
| 01 | 297488 | 04/16/2020 | CITY OF RICHFIELD | R | 12,954.01 |
| 01 | 297489 | 04/16/2020 | COMCAST BUSINESS | R | 529.74 |
| 01 | 297490 | 04/16/2020 | CONNIE MAUER | R | 120.00 |
| 01 | 297491 | 04/16/2020 | CRAWFORD AUGUSTINE | R | 91.00 |

| | | | | | |
|----|--------|------------|-----------------------------------|---|------------|
| 01 | 297492 | 04/16/2020 | CUB FOODS | R | 81.16 |
| 01 | 297493 | 04/16/2020 | DARK KNIGHT SOLUTIONS, LLC | R | 350.00 |
| 01 | 297494 | 04/16/2020 | DENNIS MERELTE | R | 91.00 |
| 01 | 297495 | 04/16/2020 | DIGITAL INSURANCE LLC | R | 5,220.00 |
| 01 | 297496 | 04/16/2020 | DOMINGUEZ PEDRO | R | 91.00 |
| 01 | 297497 | 04/16/2020 | DREAMBOX LEARNING | R | 400.00 |
| 01 | 297498 | 04/16/2020 | EDUCATORS BENEFIT CONSULTANTS LLC | R | 426.99 |
| 01 | 297499 | 04/16/2020 | ELECTA CALDWELL | R | 80.00 |
| 01 | 297500 | 04/16/2020 | ELIZABETH BROWN | R | 91.00 |
| 01 | 297501 | 04/16/2020 | ELOISA VERSTRAETE | R | 182.00 |
| 01 | 297502 | 04/16/2020 | FAIRCON SERVICE COMPANY | R | 1,245.00 |
| 01 | 297503 | 04/16/2020 | FALIS AHMED | R | 25.00 |
| 01 | 297504 | 04/16/2020 | FORD WASHINGTON, ALYCIA | R | 40.00 |
| 01 | 297505 | 04/16/2020 | GEORGIA MARTIN | R | 91.00 |
| 01 | 297506 | 04/16/2020 | GIBBS STACEY | R | 364.00 |
| 01 | 297507 | 04/16/2020 | GREG OR LUIZA PETERSON | R | 65.00 |
| 01 | 297508 | 04/16/2020 | GROTH MUSIC COMPANY | R | 461.16 |
| 01 | 297509 | 04/16/2020 | H BROOKS AND COMPANY LLC | R | 2,526.67 |
| 01 | 297510 | 04/16/2020 | HARTMAN STEPHANIE | R | 32.50 |
| 01 | 297511 | 04/16/2020 | HILE CAMDEN | R | 182.00 |
| 01 | 297512 | 04/16/2020 | HILLYARD | R | 1,699.85 |
| 01 | 297513 | 04/16/2020 | HOGLUND BUS CO INC | R | 121.30 |
| 01 | 297514 | 04/16/2020 | HONDA FINANCIAL SERVICES | R | 256.00 |
| 01 | 297515 | 04/16/2020 | INNOVATIVE OFFICE SOLUTIONS LLC | R | 648.16 |
| 01 | 297516 | 04/16/2020 | INTERMEDIATE DISTRICT 287 | R | 128,108.76 |
| 01 | 297517 | 04/16/2020 | INTERSTATE ALL BATTERY CENTER | R | 47.95 |
| 01 | 297518 | 04/16/2020 | JOEL CAREY | R | 182.00 |
| 01 | 297519 | 04/16/2020 | LOFFLER | R | 1,225.09 |
| 01 | 297520 | 04/16/2020 | MAHOWALD STACIE | R | 27.90 |
| 01 | 297521 | 04/16/2020 | MATRIX COMMUNICATIONS INC | R | 27,646.79 |
| 01 | 297522 | 04/16/2020 | MCNAMARA PATRICK | R | 132.00 |
| 01 | 297523 | 04/16/2020 | MELINA AGULAR | R | 182.00 |
| 01 | 297524 | 04/16/2020 | MELSSSEN JAMES | R | 182.00 |
| 01 | 297525 | 04/16/2020 | MESFIN ABEGAZ | R | 46.00 |
| 01 | 297526 | 04/16/2020 | MONA LOFTON | R | 25.00 |
| 01 | 297527 | 04/16/2020 | MULTILINGUAL WORD INC | R | 5,847.50 |
| 01 | 297528 | 04/16/2020 | PAN O GOLD BAKING CO | R | 388.05 |
| 01 | 297529 | 04/16/2020 | PREMIER LIGHTING INC | R | 34,518.31 |
| 01 | 297530 | 04/16/2020 | PREMIUM WATERS INC | R | 26.00 |
| 01 | 297531 | 04/16/2020 | PRESTWICK HOUSE INC | R | 268.73 |
| 01 | 297532 | 04/16/2020 | PRO ED INC | R | 159.00 |
| 01 | 297533 | 04/16/2020 | RICHFIELD READY | R | 150.00 |
| 01 | 297534 | 04/16/2020 | SCHMITT MUSIC CREDIT | R | 200.90 |
| 01 | 297535 | 04/16/2020 | SCHOOL SERVICE EMPLOYEES UNION | R | 8,688.41 |
| 01 | 297536 | 04/16/2020 | TRIO SUPPLY COMPANY | R | 2,425.48 |
| 01 | 297537 | 04/16/2020 | UNITED HEALTHCARE | R | 159.60 |
| 01 | 297538 | 04/16/2020 | UNITED HEALTHCARE INSURANCE CO | R | 479.54 |
| 01 | 297540 | 04/16/2020 | UPPER LAKES FOODS | R | 33,136.62 |
| 01 | 297541 | 04/16/2020 | LIGHTNING PRINTING, INC | R | 911.77 |
| 01 | 297542 | 04/23/2020 | ALL FURNITURE INC | R | 12,612.82 |

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|----|--------|------------|-------------------------------------|---|--------------|
| 01 | 297543 | 04/23/2020 | BRAUN INTERTEC CORP | R | 4,407.00 |
| 01 | 297544 | 04/23/2020 | CEL PUBLIC RELATIONS, INC. | R | 2,103.75 |
| 01 | 297545 | 04/23/2020 | CITY OF RICHFIELD | R | 2,762.00 |
| 01 | 297546 | 04/23/2020 | CORVAL CONSTRUCTION | R | 107,066.83 |
| 01 | 297547 | 04/23/2020 | EBERT CONSTRUCTION | R | 137,790.32 |
| 01 | 297548 | 04/23/2020 | ICS CONSULTING, INC. | R | 77,743.87 |
| 01 | 297549 | 04/23/2020 | INNOVATIVE OFFICE SOLUTIONS LLC | R | 11,395.74 |
| 01 | 297550 | 04/23/2020 | LLOYD'S CONSTRUCTION SERVICES, INC. | R | 8,450.00 |
| 01 | 297551 | 04/23/2020 | LS BLACK CONSTRUCTORS, INC. | R | 1,139,099.72 |
| 01 | 297552 | 04/23/2020 | MID MINNESOTA STORAGE | R | 180.00 |
| 01 | 297553 | 04/23/2020 | SHAW-LUNDQUIST ASSOCIATES, INC. | R | 1,043,435.01 |
| 01 | 297554 | 04/23/2020 | TITAN ENVIROMENTAL, INC. | R | 39,397.97 |
| 01 | 297555 | 04/23/2020 | WOLD ARCHITECTS AND ENGINEERS | R | 78,302.63 |
| 01 | 297556 | 04/23/2020 | NASCO | R | 61.50 |
| 01 | 297557 | 04/23/2020 | BLUE CROSS BLUE SHIELD OF MINNESOTA | R | 8,960.00 |
| 01 | 297558 | 04/23/2020 | BLUML LAUREN | R | 50.00 |
| 01 | 297559 | 04/23/2020 | BSI MECHANICAL, INC. | R | 471.00 |
| 01 | 297560 | 04/23/2020 | CANON USA | R | 4,038.49 |
| 01 | 297561 | 04/23/2020 | CAPTIVATE MEDIA & CONSULTING | R | 1,240.00 |
| 01 | 297562 | 04/23/2020 | CARLSON PRINTING COMPANY | R | 196.00 |
| 01 | 297563 | 04/23/2020 | CEDAR SMALL ENGINE | R | 530.78 |
| 01 | 297564 | 04/23/2020 | CHERYL DONALDSON | R | 63.00 |
| 01 | 297565 | 04/23/2020 | CINTAS CORPORATION NO 2 | R | 109.34 |
| 01 | 297566 | 04/23/2020 | CITY OF RICHFIELD | R | 450.00 |
| 01 | 297567 | 04/23/2020 | CITY OF RICHFIELD | R | 2,832.13 |
| 01 | 297568 | 04/23/2020 | COMPAS | R | 1,000.00 |
| 01 | 297569 | 04/23/2020 | DARRYL WALETZKO LLC | R | 6,100.00 |
| 01 | 297570 | 04/23/2020 | ECM PUBLISHERS INC | R | 196.35 |
| 01 | 297571 | 04/23/2020 | ECOLAB INC | R | 276.37 |
| 01 | 297572 | 04/23/2020 | ETTEL & FRANZ ROOFING CO | R | 623.00 |
| 01 | 297573 | 04/23/2020 | FASTENAL INDUSTRIAL | R | 29.01 |
| 01 | 297574 | 04/23/2020 | FIREFLY COMPUTERS, LLC | R | 4,794.00 |
| 01 | 297575 | 04/23/2020 | FURTHER | R | 5,508.00 |
| 01 | 297576 | 04/23/2020 | GALLUP ORGANIZATION | R | 6,912.00 |
| 01 | 297577 | 04/23/2020 | GROUP MEDICAREBLUE RX | R | 6,665.00 |
| 01 | 297578 | 04/23/2020 | GSSC-GENERAL SECURITY SERVICE | R | 1,247.40 |
| 01 | 297579 | 04/23/2020 | HAWKINS INC | R | 2,359.37 |
| 01 | 297580 | 04/23/2020 | HERITAGE CRYSTAL CLEAN INC | R | 359.31 |
| 01 | 297581 | 04/23/2020 | HILLYARD | R | 239.19 |
| 01 | 297582 | 04/23/2020 | HR SIMPLIFIED INC. | R | 815.00 |
| 01 | 297583 | 04/23/2020 | INTEGRATED FIRE & SECURITY INC | R | 1,317.50 |
| 01 | 297584 | 04/23/2020 | INTERMEDIATE DISTRICT 287 | R | 110,302.52 |
| 01 | 297585 | 04/23/2020 | JANET OLFELT | R | 87.00 |
| 01 | 297586 | 04/23/2020 | JUNK MASTERS LLC | R | 475.00 |
| 01 | 297587 | 04/23/2020 | KINECT ENERGY INC | R | 40,494.05 |
| 01 | 297588 | 04/23/2020 | MARY DEVINE | R | 25.00 |
| 01 | 297589 | 04/23/2020 | MATH LEARNING CENTER | R | 31,472.98 |
| 01 | 297590 | 04/23/2020 | METRO WEST CONFERENCE | R | 1,000.00 |
| 01 | 297591 | 04/23/2020 | METROPOLITAN MECHANICAL CONTRACTOI | R | 2,630.89 |
| 01 | 297592 | 04/23/2020 | MINNESOTA STATE HIGH SCHOOL LEAGUE | R | 93.50 |

| | | | | | |
|----|---------|------------|--------------------------------|---|-----------|
| 01 | 297593 | 04/23/2020 | NORTHEAST METRO ISD 916 | R | 4,713.72 |
| 01 | 297594 | 04/23/2020 | PAPCO, INC. | R | 1,007.00 |
| 01 | 297595 | 04/23/2020 | PREMIER LIGHTING INC | R | 9,080.22 |
| 01 | 297596 | 04/23/2020 | PUMP & METER SERVICE | R | 1,288.17 |
| 01 | 297597 | 04/23/2020 | RICHFIELD BOYS SWIM & DIVE | R | 420.00 |
| 01 | 297598 | 04/23/2020 | RICHFIELD FUN CLUB | R | 3,060.00 |
| 01 | 297599 | 04/23/2020 | RICHFIELD READY | R | 50.00 |
| 01 | 297600 | 04/23/2020 | SCHOOL SERVICE EMPLOYEES UNION | R | 8,531.16 |
| 01 | 297601 | 04/23/2020 | SEPTRAN STUDENT TRANSPORTATION | R | 11,660.00 |
| 01 | 297602 | 04/23/2020 | SHERWIN WILLIAMS CO | R | 186.12 |
| 01 | 297603 | 04/23/2020 | PARK ADAM TRANSPORTATION | R | 8,107.46 |
| 01 | 297604 | 04/23/2020 | STATE SUPPLY COMPANY | R | 799.19 |
| 01 | 297605 | 04/23/2020 | TAMI BLOCK | R | 39.00 |
| 01 | 297606 | 04/23/2020 | TRANSPORTATION PLUS, INC. | R | 7,108.00 |
| 01 | 297607 | 04/23/2020 | TWIN CITY GARAGE DOOR | R | 530.00 |
| 01 | 297608 | 04/23/2020 | US DEPARTMENT OF EDUCATION AWG | R | 130.97 |
| 01 | 297609 | 04/23/2020 | VELOCITY DRAIN SERVICES INC | R | 935.00 |
| 01 | 297610 | 04/23/2020 | XCEL ENERGY | R | 1,270.56 |
| 01 | 297611 | 04/23/2020 | TRANSFINDER CORPORATION | R | 3,300.00 |
| 01 | V609966 | 04/23/2020 | KATHERINE E CABIESES | R | 29.90 |
| 01 | V609967 | 04/23/2020 | MICHAEL E JAEGER | R | 437.44 |
| 01 | V609968 | 04/23/2020 | DOUG R MCMEEKIN | R | 276.00 |
| 01 | V609969 | 04/23/2020 | SCOTT R NELSON | R | 29.00 |
| 01 | V609970 | 04/23/2020 | KELCI A PETERSON | R | 108.80 |
| 01 | V609971 | 04/23/2020 | VICKI P SELLS | R | 45.00 |

| | | | | |
|--|--|--|--|---------------------|
| P-CARD, CHECK & E-PAY TOTAL | | | | 3,299,931.85 |
|--|--|--|--|---------------------|

Voids,E-PAY & Check RUNS FOR 05/04/2020 BOARD REPORTS

| BANK 05 | DATE | AMOUNT |
|---------------------------|-----------|--------------|
| Reports from 4/16-4/29/20 | | |
| P-CARD (paid 4/3/2020) | 4/22/2020 | 36,240.12 |
| CHECKS | 4/16/2020 | 291,776.68 |
| | 4/23/2020 | 306,241.25 |
| Construction Checks | 4/23/2020 | 2,664,747.66 |
| E-PAY | 4/23/2020 | 926.14 |

| | |
|---------------------------------------|---------------------|
| CHECK REGISTER BANK 05 TOTAL = | 3,299,931.85 |
|---------------------------------------|---------------------|

BREAKDOWN

| | |
|-----------|--------------|
| 01-206-00 | 540,820.72 |
| 02-206-00 | 45,729.33 |
| 03-206-00 | 34,573.60 |
| 04-206-00 | 7,413.04 |
| 06-206-00 | 2,664,747.66 |
| 07-206-00 | - |
| 08-206-00 | - |
| 20-206-00 | 5,080.94 |
| 21-206-00 | 1,566.56 |
| 47-206-00 | - |
| 50-206-00 | - |

| | |
|---------------------|---------------------|
| BANK TOTAL = | 3,299,931.85 |
|---------------------|---------------------|

RICHFIELD PUBLIC SCHOOLS

Investment Holdings as of
April 27, 2020

| Description | Matures | Rate | Cost | General Operating | Agency (Scholarships) | 2018A Bond | 2018B Bond | OPEB Bond |
|--|----------|-------|--------------|-------------------|-----------------------|--------------|------------|-----------|
| FARMERS AND MERCHANTS UNION B | 07/27/20 | 2.39% | 242,600.00 | 242,600.00 | - | - | - | - |
| PEOPLE'S UNITED BANK, NATIONAL AS | 07/27/20 | 2.32% | 2,757,400.00 | 2,757,400.00 | - | - | - | - |
| EAGLEBANK | 08/24/20 | 1.96% | 245,100.00 | 245,100.00 | - | - | - | - |
| STATE BANK OF NEW RICHLAND | 08/24/20 | 1.69% | 245,800.00 | 245,800.00 | - | - | - | - |
| SAFRA NATIONAL BANK | 09/10/20 | 1.68% | 245,289.14 | 245,289.14 | - | - | - | - |
| THIRD COAST BANK, SSB | 09/17/20 | 1.82% | 245,100.00 | 245,100.00 | - | - | - | - |
| NEW OMNI BANK N.A. | 09/17/20 | 1.80% | 245,200.00 | 245,200.00 | - | - | - | - |
| ELGA CREDIT UNION | 09/17/20 | 1.82% | 245,100.00 | 245,100.00 | - | - | - | - |
| VERITEX COMMUNITY BANK | 09/17/20 | 1.66% | 245,600.00 | 245,600.00 | - | - | - | - |
| WESTERN ALLIANCE BANK - C | 12/17/20 | 1.92% | 528,500.00 | 528,500.00 | - | - | - | - |
| BANK 7 | 12/17/20 | 2.23% | 242,300.00 | 242,300.00 | - | - | - | - |
| LATINO COMMUNITY CREDIT UNION | 12/17/20 | 2.10% | 242,700.00 | 242,700.00 | - | - | - | - |
| FIRST NATIONAL BANK / THE FIRST, N | 12/17/20 | 1.98% | 243,200.00 | 243,200.00 | - | - | - | - |
| EAST BOSTON SAVINGS BANK | 12/17/20 | 1.93% | 243,300.00 | 243,300.00 | - | - | - | - |
| FORESIGHT BANK | 01/27/21 | 2.56% | 237,500.00 | 237,500.00 | - | - | - | - |
| ASSOCIATED BANK, NA - C | 01/27/21 | 2.61% | 1,000,000.00 | 1,000,000.00 | - | - | - | - |
| MECHANICS SAVINGS, A DIVISION OF I | 01/27/21 | 2.56% | 237,500.00 | 237,500.00 | - | - | - | - |
| FIRST INTERNET BANK OF INDIANA | 02/04/21 | 1.85% | 243,300.00 | 243,300.00 | - | - | - | - |
| TBK BANK, SSB / THE NATIONAL BANK | 02/04/21 | 1.75% | 243,600.00 | 243,600.00 | - | - | - | - |
| FIELDPOINT PRIVATE BANK & TRUST | 02/18/21 | 1.55% | 246,100.00 | 246,100.00 | - | - | - | - |
| GRANITE COMMUNITY BANK / FIRST N | 02/18/21 | 1.53% | 246,200.00 | 246,200.00 | - | - | - | - |
| CITADEL FCU | 02/18/21 | 1.63% | 245,900.00 | 245,900.00 | - | - | - | - |
| CITY NATL BK - BEV HILLS | 02/25/21 | 1.55% | 245,241.26 | 245,241.26 | - | - | - | - |
| Capital One, National Association Cert | 08/16/21 | 2.10% | 160,000.00 | - | 160,000.00 | - | - | - |
| WISCONSIN-D-BABS | 05/01/20 | 2.27% | 563,497.00 | - | - | 563,497.00 | - | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 05/21/20 | 2.26% | 1,500,000.00 | - | - | 1,500,000.00 | - | - |
| MN TRUST TERM SERIES | 05/26/20 | 0.82% | 4,000,000.00 | - | - | 4,000,000.00 | - | - |
| TEXAS CAPITAL BANK | 06/01/20 | 2.48% | 243,800.00 | - | - | 243,800.00 | - | - |
| SONABANK | 06/01/20 | 2.64% | 243,400.00 | - | - | 243,400.00 | - | - |
| DAVENPORT-B-REF-TXBL | 06/01/20 | 2.35% | 263,533.40 | - | - | 263,533.40 | - | - |
| Salt Lake City Corp | 06/15/20 | 2.35% | 248,137.50 | - | - | 248,137.50 | - | - |
| FANNIE MAE | 06/22/20 | 2.28% | 1,474,126.30 | - | - | 1,474,126.30 | - | - |

RICHFIELD PUBLIC SCHOOLS

Investment Holdings as of
April 27, 2020

| Description | Matures | Rate | Cost | General Operating | Agency (Scholarships) | 2018A Bond | 2018B Bond | OPEB Bond |
|----------------------------------|----------|-------|--------------|-------------------|-----------------------|--------------|------------|-----------|
| PENTAGON FEDERAL CREDIT UNION (1 | 06/25/20 | 2.28% | 2,250,000.00 | - | - | 2,250,000.00 | - | - |
| SUFFOLK CO-A-BANS | 06/26/20 | 2.26% | 1,005,170.00 | - | - | 1,005,170.00 | - | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 07/24/20 | 2.30% | 2,500,000.00 | - | - | 2,500,000.00 | - | - |
| BMO HARRIS BANK, NA | 08/25/20 | 2.30% | 2,500,000.00 | - | - | 2,500,000.00 | - | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 08/25/20 | 2.32% | 2,500,000.00 | - | - | 2,500,000.00 | - | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 09/25/20 | 2.33% | 1,500,000.00 | - | - | 1,500,000.00 | - | - |
| BMO HARRIS BANK, NA | 09/25/20 | 2.31% | 1,500,000.00 | - | - | 1,500,000.00 | - | - |
| ASSOCIATED BANK, NA - C | 09/25/20 | 2.50% | 519,100.00 | - | - | 519,100.00 | - | - |
| SOUTHERN STATES BANK | 09/25/20 | 2.54% | 240,500.00 | - | - | 240,500.00 | - | - |
| PREMIER BANK | 09/25/20 | 2.57% | 240,400.00 | - | - | 240,400.00 | - | - |
| NYC | 10/01/20 | 2.41% | 1,040,450.00 | - | - | 1,040,450.00 | - | - |
| WESTCHESTER CO-A-REF | 10/15/20 | 2.45% | 148,305.00 | - | - | 148,305.00 | - | - |
| BMO HARRIS BANK, NA | 10/23/20 | 2.37% | 2,000,000.00 | - | - | 2,000,000.00 | - | - |
| NEW YORK NY | 11/01/20 | 2.43% | 1,313,141.25 | - | - | 1,313,141.25 | - | - |
| BMO HARRIS BANK, NA | 11/25/20 | 2.37% | 1,500,000.00 | - | - | 1,500,000.00 | - | - |
| WHEATON PK-D-REF-TXBL | 12/30/20 | 2.69% | 513,567.60 | - | - | 513,567.60 | - | - |
| LAKE ETC SD #118-REF | 01/01/21 | 2.79% | 400,700.00 | - | - | 400,700.00 | - | - |
| US TREASURY N/B | 01/15/21 | 2.32% | 495,683.59 | - | - | 495,683.59 | - | - |
| ASSOCIATED BANK, NA - C | 01/25/21 | 2.66% | 500,000.00 | - | - | 500,000.00 | - | - |
| COLLIN CO-B-REF-TXBL | 02/15/21 | 2.43% | 260,982.50 | - | - | 260,982.50 | - | - |
| County of El Paso TX | 02/15/21 | 2.37% | 794,768.00 | - | - | 794,768.00 | - | - |
| ASSOCIATED BANK, NA - C | 02/25/21 | 2.50% | 1,000,000.00 | - | - | 1,000,000.00 | - | - |
| FINANCIAL FEDERAL BANK | 02/25/21 | 2.65% | 237,100.00 | - | - | 237,100.00 | - | - |
| ASSOCIATED BANK, NA (N) | 02/25/21 | 2.67% | 237,100.00 | - | - | 237,100.00 | - | - |
| HOUSTON-B-TXBL | 03/01/21 | 2.43% | 555,861.60 | - | - | 555,861.60 | - | - |
| State of Maryland | 03/15/21 | 2.38% | 501,430.00 | - | - | 501,430.00 | - | - |
| ASSOCIATED BANK, NA - C | 04/23/21 | 2.67% | 500,000.00 | - | - | 500,000.00 | - | - |
| US TREASURY N/B | 05/15/21 | 2.36% | 1,023,164.05 | - | - | 1,023,164.05 | - | - |
| State of Arkansas | 06/01/21 | 2.43% | 1,520,460.00 | - | - | 1,520,460.00 | - | - |
| MEMPHIS-C-BABS | 07/01/21 | 2.68% | 312,489.00 | - | - | 312,489.00 | - | - |
| FEDERAL HOME LOAN BANK | 07/14/21 | 2.40% | 959,446.61 | - | - | 959,446.61 | - | - |
| FEDERAL HOME LOAN BANK | 07/14/21 | 2.40% | 479,723.30 | - | - | 479,723.30 | - | - |

RICHFIELD PUBLIC SCHOOLS

Investment Holdings as of
April 27, 2020

| Description | Matures | Rate | Cost | General Operating | Agency (Scholarships) | 2018A Bond | 2018B Bond | OPEB Bond |
|------------------------------------|----------|-------|--------------|-------------------|-----------------------|------------|--------------|------------|
| State of Hawaii | 08/01/21 | 2.45% | 357,371.00 | - | - | 357,371.00 | - | - |
| US TREASURY N/B | 08/31/21 | 2.40% | 493,398.44 | - | - | 493,398.44 | - | - |
| FANNIE MAE | 10/07/21 | 2.45% | 481,788.31 | - | - | 481,788.31 | - | - |
| City & County of Honolulu HI | 11/01/21 | 2.55% | 497,605.00 | - | - | 497,605.00 | - | - |
| BMO HARRIS BANK, NA | 05/21/20 | 2.24% | 1,250,000.00 | - | - | - | 1,250,000.00 | - |
| MN TRUST TERM SERIES | 05/26/20 | 0.82% | 2,000,000.00 | - | - | - | 2,000,000.00 | - |
| SCHAUMBURG B&TC / ADVANTAGE N | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| BEVERLY BANK & TRUST CO, NA- WIN1 | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| LAKE FOREST B&T CO. N.A. - WINTRUS | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| TOWN BANK - WINTRUST | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| OLD PLANK TRAIL COMMUNITY BANK | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| ST. CHARLES B&TC - WINTRUST | 06/25/20 | 2.30% | 236,700.00 | - | - | - | 236,700.00 | - |
| US TREASURY N/B | 07/15/20 | 2.25% | 491,503.91 | - | - | - | 491,503.91 | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 07/24/20 | 2.30% | 1,000,000.00 | - | - | - | 1,000,000.00 | - |
| MN TRUST TERM SERIES | 07/24/20 | 1.54% | 3,000,000.00 | - | - | - | 3,000,000.00 | - |
| PENTAGON FEDERAL CREDIT UNION (1 | 08/25/20 | 2.32% | 1,000,000.00 | - | - | - | 1,000,000.00 | - |
| BMO HARRIS BANK, NA | 08/25/20 | 2.30% | 1,000,000.00 | - | - | - | 1,000,000.00 | - |
| BMO HARRIS BANK, NA | 09/25/20 | 2.36% | 1,250,000.00 | - | - | - | 1,250,000.00 | - |
| BMO HARRIS BANK, NA | 10/23/20 | 2.31% | 1,000,000.00 | - | - | - | 1,000,000.00 | - |
| PACIFIC WESTERN BANK | 04/23/21 | 3.19% | 233,400.00 | - | - | - | 233,400.00 | - |
| CIBC BANK USA / PRIVATE BANK - MI | 08/25/21 | 2.69% | 234,000.00 | - | - | - | 234,000.00 | - |
| FIRST NATIONAL BANK | 08/25/21 | 2.78% | 233,500.00 | - | - | - | 233,500.00 | - |
| GREAT MIDWEST BANK | 08/25/21 | 2.68% | 120,000.00 | - | - | - | 120,000.00 | - |
| SOUTHSIDE BANK | 05/19/20 | 1.21% | 238,300.00 | - | - | - | - | 238,300.00 |
| PREFERRED BANK | 08/31/20 | 2.55% | 240,500.00 | - | - | - | - | 240,500.00 |
| CORPORATE ONE FEDERAL CREDIT UN | 08/31/20 | 2.60% | 240,300.00 | - | - | - | - | 240,300.00 |
| State of California | 10/01/20 | 2.28% | 725,355.25 | - | - | - | - | 725,355.25 |
| MAINSTREET BANK | 10/13/20 | 1.67% | 237,400.00 | - | - | - | - | 237,400.00 |
| KS STATEBANK / KANSAS STATE BANK | 10/13/20 | 1.86% | 235,800.00 | - | - | - | - | 235,800.00 |
| KEMBA FINANCIAL FCU | 10/13/20 | 1.75% | 236,900.00 | - | - | - | - | 236,900.00 |
| MERRICK BANK | 10/19/20 | 2.90% | 92,000.00 | - | - | - | - | 92,000.00 |
| PRIME ALLIANCE BANK | 10/19/20 | 2.99% | 208,000.00 | - | - | - | - | 208,000.00 |

RICHFIELD PUBLIC SCHOOLS

Investment Holdings as of
April 27, 2020

| Description | Matures | Rate | Cost | General Operating | Agency (Scholarships) | 2018A Bond | 2018B Bond | OPEB Bond |
|-------------------------------|----------|-------|----------------------|---------------------|-----------------------|----------------------|----------------------|---------------------|
| SECURITY STATE BANK | 10/30/20 | 1.79% | 236,600.00 | - | - | - | - | 236,600.00 |
| FIRST CENTRAL BANK MCCOOK | 10/30/20 | 1.81% | 236,200.00 | - | - | - | - | 236,200.00 |
| GREAT MIDWEST BANK | 12/18/20 | 1.91% | 115,000.00 | - | - | - | - | 115,000.00 |
| CFG BANK | 04/01/21 | 1.74% | 243,500.00 | - | - | - | - | 243,500.00 |
| IOWA VLY IA CMNTY CLG | 06/01/21 | 1.55% | 587,258.10 | - | - | - | - | 587,258.10 |
| OXFORD-C-REF | 08/01/21 | 1.70% | 300,516.00 | - | - | - | - | 300,516.00 |
| T BANK, NA | 10/12/21 | 1.51% | 100,000.00 | - | - | - | - | 100,000.00 |
| Bank OZK | 02/28/22 | 2.65% | 230,100.00 | - | - | - | - | 230,100.00 |
| TULSA CO ISD #3-TXBL | 04/01/22 | 2.58% | 693,178.90 | - | - | - | - | 693,178.90 |
| HONOLULU-E-TXBL | 10/01/22 | 1.61% | 282,931.00 | - | - | - | - | 282,931.00 |
| HONOLULU CITY and CNTY | 10/01/22 | 1.58% | 965,371.30 | - | - | - | - | 965,371.30 |
| TEXAS ST-C-REF-TXBL | 10/01/22 | 1.61% | 784,606.90 | - | - | - | - | 784,606.90 |
| HAWAII-FA-TXBL | 10/01/23 | 1.62% | 882,359.50 | - | - | - | - | 882,359.50 |
| Total Investments Held | | | 73,083,510.71 | 9,162,530.40 | 160,000.00 | 41,416,199.45 | 14,232,603.91 | 8,112,176.95 |

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

Subject: PERSONNEL ITEMS
(Recommended by Superintendent)

That the Board of Education approve the following personnel items:

Management Team Resignation

Leadriane Roby – Assistant Superintendent

Certified Full Time Resignations

Brenton Parson – English/Language Arts – Richfield High School

Certified Full Time Staff Reductions

Angela Schnobrich – Reading Specialist – Richfield Middle School

Classified Part Time Resignation - Paraprofessional

Cristela Cruz – Para Clerical – Sheridan Hills

Classified Part Time Retirement - Facilities and Transportation

Jim Spitzack – Bus Driver

OLD BUSINESS – FOR REVIEW

Agenda Item V.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

Subject: Policy 502 Resident and Nonresident Student Enrollment

502.1 New Student Registration Requirements

~~502.2 Power of Attorney, Delegation of Parental Authority~~

~~502.3 Application for Enrollment, School District Enrollment Options Program~~

~~502.4 Interdistrict Transfers and Nonresident Agreement~~

(Recommended by the Superintendent)

A third read of Policy 502. Guideline 502.2 was eliminated as it is a state form and not necessary for our board guidelines; Guidelines 502.3 and 502.4 were eliminated because Section V. Non-Resident Enrollment through Interdistrict Transfer no longer applies due to Open Enrollment and the requirements of Achievement and Integration.

Attachments

Policy 502 – Third Read – Redlined

Policy 502.1 Guidelines – New Student Registration Requirements - Original

2. Administrative Guidelines 502.2 is a sample form that may be used by a non-resident parent to assign parental authority and power of attorney for a school-age child to a resident of the school district. The form affirms that the child is residing in the district for the purpose of receiving care and support, and not for the primary purpose of attending school in the district. Upon submission of the form, the child may be enrolled as a resident of the district.

IV. NONRESIDENT STUDENT ENROLLMENT UNDER THE ENROLLMENT OPTIONS PROGRAM

A. This section outlines the application and exclusion procedures for the Enrollment Options Program established by Minn. Stat. § 124D.03.

B. Eligibility - Applications for enrollment under the Enrollment Options (Open Enrollment) Law will be approved provided that acceptance of the application will not exceed the capacity of a program, [excluding special education services](#), class, grade level, or school building, as established by school board resolution in accordance with standards outlined in Section C1 below.

C. Standards

1. The following standards *may* be used in determining whether to accept or reject an application for open enrollment:

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

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

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- a. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one half inches in length, at school or a school function;
 - b. possessing or using an illegal drug at school or a school function;
 - c. selling or soliciting the sale of a controlled substance while at school or a school function; or
 - d. committing a third degree assault involving assaulting another and inflicting substantial bodily harm.
3. Standards that may not be used for rejection of application. The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:
2. The school district *may not* use the following standards in determining whether to accept or reject an application for open enrollment;
- a. previous academic achievement of a student;
 - b. athletic or extracurricular ability of a student;
 - c. disabling conditions of a student;
 - d. a student's proficiency in the English language;
 - e. the student's district of residence except where the district of residence is directly included in an enrollment options strategy included in an approved achievement and integration program; or
 - f. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section IV.CE. of this policy.

- D. **Application** - The student and parent or guardian must complete and submit the MDEan Application for Enrollment, which is located here: <https://education.mn.gov/MDE/fam/open/>, the application documents are either:
- ~~School District Enrollment Options-General Statewide Enrollment Options~~ Application for K-12 and Early Childhood Special Education OR
 - ~~Statewide Enrollment Options Application for State-funded Voluntary Pre-Kindergarten (VPK) or School Readiness Plus (SRP) Application Program~~ developed by the Minnesota Department of Children, Families and Learning, appended as Administrative Guidelines 502.3.
 - _____

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2 **E. K-12 Lotteries**
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4 If a school district has more applications than available seats at a specific
5 grade level, it must hold an impartial lottery following the January 15
6 deadline to determine which students will receive seats. The district must
7 give priority to enrolling siblings of currently enrolled students, students
8 whose applications are related to an approved integration and achievement
9 plan, children of the school district's staff, and students residing in that part
10 of a municipality (a statutory or home rule charter city or town) where:

- 11
12 1. The student's resident district does not operate a school building;
13 2. The municipality is located partially or fully within the boundaries of at
14 least five school districts;
15 3. The nonresident district in which the student seeks to enroll operates
16 one or more school buildings within the municipality; and,
17 4. No other nonresident, independent, special, or common school district
18 operates a school building within the municipality.

19
20 The process for the school district lottery must be established by school
21 board policy and posted on the school district's website.

22
23 A lottery process is used to create equitable opportunities for student
24 placement in Richfield's three and four year old preschool programs. An
25 early childhood lottery will be conducted annually and placement will be
26 determined based on program availability and eligibility requirements set
27 by the Minnesota Department of Education when applicable. The district
28 will communicate the early childhood lottery process and timelines
29 annually in the fall community education catalog and on the district
30 website.

31
32
33 **F. Exclusion**
34

- 35 1. Administrator's initial determination. If a school district administrator
36 knows or has reason to believe that an applicant has engaged in
37 conduct that has or could subject the applicant to expulsion or
38 exclusion under law or school district policy, the administrator will
39 transmit the application to the superintendent with a
40 recommendation of whether exclusion proceedings should be
41 initiated.
42
43 2. Superintendent's review. The superintendent may make further
44 inquiries. If the superintendent determines that the applicant should
45 be admitted, he or she will notify the applicant and the school board
46 chair. If the superintendent determines that the applicant should be
47 excluded, the superintendent will notify the applicant and determine
48 whether the applicant wishes to continue the application process.

Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

FG. Termination of Enrollment

1. The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minn. Stat. § 260C.007 Subd. 19, and the student’s case has been referred to juvenile court. A “habitual truant” is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days [in a school year](#) if the child is in elementary school or for one or more class periods on seven school days [in a school year](#) if the child is in middle school, junior high school or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days [in a school year](#) and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.
2. The school district may also terminate the enrollment of a nonresident student over 16 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

V. NON-RESIDENT ENROLLMENT THROUGH INTERDISTRICT TRANSFER

~~**A. Consideration of Individual Requests** - It shall be the policy of the Board of that each request for interdistrict transfer be considered on an individual basis, and that approval of each request be subject to concurrence by the other school district involved and satisfaction of the criteria listed in Section II of this policy.~~

~~**B. Criteria for Consideration in Approving or Disapproving Interdistrict Transfer Requests**~~

- ~~1. Availability of enrollment space within a school building.~~
- ~~2. Availability of enrollment space within a grade level, class, or program, when staffing cannot be adjusted accordingly.~~
- ~~3. Administrative determination that such a transfer will not adversely affect the educational program of the student and/or the school to which the transfer is being requested.~~

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4. For students transferring into the district, willingness of the parent or guardian to accept sole responsibility for transportation to the border of the Richfield Public Schools district.
5. Willingness of the parent or guardian and the student to adhere to school district and building policies, procedures and practices, including specified school hours and behavioral expectations.
6. Any other reasons that the Board believes are relevant to an individual transfer request.

C. Approval and Renewal of Interdistrict Transfers

1. Requests for approval of interdistrict transfers will be considered individually by the superintendent or designee. Initial approval shall be for one year.
2. Interdistrict transfer requests may be renewed annually without reapplication upon review by the superintendent or designee based on the criteria listed in Section V-B above.
3. Administrative Guidelines 502.4 outlines interdistrict transfer procedures to give effect to this policy and to ensure that students and parents are informed. The procedures shall be designed and administered in such a way as to ensure compliance with applicable state and federal laws prohibiting discrimination.

VI. OTHER ENROLLMENT OF NONRESIDENT STUDENTS

- A. Grade 11 - 12 Enrollment** - In accordance with Minn. Stat. § 124D.08. Subd. 3, students who move after completing the tenth grade at Richfield High School may apply for an interdistrict transfer and graduate with their class. Approval of the resident district is not required.
- B.** A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notices shall include the facts upon which the belief is based and notice to the parents of their opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.
- C.** Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a

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1 district, who is identified as homeless, and whose parent or legal guardian
2 moves to another district, or who is placed in foster care in another school
3 district, may continue to enroll in the nonresident district without the
4 approval of the board of the nonresident district. The approval of the board
5 of the student's resident district is not required.
6

7 **D.** Students moving into the district prior to October 1, may apply for an
8 interdistrict transfer to begin the year in Richfield prior to their move. If the
9 resident district does not approve the agreement, the student(s) will still be
10 allowed to begin the year on a tuition free basis. The same applies to
11 students moving out of Richfield after April 30 who wish to complete the
12 school year at Richfield.

13
14 **E.C. High School Graduation Incentives Program** - Requests for enrollment
15 in the Richfield Public Schools or another public school district as part of the
16 High School Graduation Incentives Program shall be approved or
17 disapproved in accordance with the provisions of Minn. Stat. § 124D.68.
18

19 **F.D. Nonresident attendance on a tuition basis** - Nonresident students who
20 wish to attend the Richfield Public Schools apart from the provisions of this
21 or other district policy shall pay tuition as established annually by the Board
22 of Education. Such tuition charge shall be based on the total maintenance
23 cost per pupil unit, exclusive of transportation, or the previous school year
24 plus an assessment for capital outlay and debt service based on actual
25 costs per pupil unit for these items in the previous school year.
26

27
28 **VII. ENROLLMENT IN ALL-DAY KINDERGARTEN**

29
30 ~~If there is space to accommodate additional students in All-Day Kindergarten after~~
31 ~~all resident students who request participation have been enrolled, priority~~
32 ~~consideration for admission will be given to non-resident sons and daughters of~~
33 ~~employees, in order of application.~~
34

35
36 **VIII. ENROLLMENT IN SCHOOLS AND PROGRAMS OPERATED BY CONSORTIA**

37
38 Access of resident and nonresident students to schools and programs operated by
39 consortia is governed by policies established by or laws applicable to each
40 consortium. Such policies and laws are referenced at the end of this policy.
41

42
43 *Legal References:* Minn. Stat. §124D.03, Subds. 3, 4, 6 and 7 (Enrollment Options
44 Program)
45 Minn. Stat. § 124D.68 (High School Graduation Incentives
46 Program)
47 Minn. Stat. § 121A.40 to 121A.56 (The Pupil Fair Dismissal Act
48 of 1974)

1 Minn. Stat. §260C.007, Subd. 19 (Habitual Truant)
2 Op. Minn. Atty. Gen. No. 169-f (August 13, 1986)
3 Minn. Stat. § 124D.08 (Agreements between School Boards;
4 Enrollment Exceptions
5
6 *Cross References:* Board Policy 501 (Initial Entrance to School)
7 Board Policy 503 (Foreign Students)
8 Board Policy 541 (Student Behavior)
9 West Metro Education Program Joint Board Policy 509 (Student
10 Enrollment Policies and Procedures)
11
12
13 ADOPTED BY THE BOARD OF EDUCATION: August 17, 1987
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15 REVIEWED BY THE BOARD OF EDUCATION: March 4, 2013
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17 REVISED BY THE BOARD OF EDUCATION: April 1, 1996, June 15, 1998, September
18 18, 2000, March 6, 2006, May 1, 2006; February 19, 2008
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RICHFIELD PUBLIC SCHOOLS

**SAMPLE
NEW STUDENT REGISTRATION REQUIREMENTS**

Richfield Senior High School
7001 Harriet Ave. S.
Richfield, MN 55423
Telephone: (612)798-6120 Fax #: (612)798-6117

NEW STUDENT REGISTRATION REQUIREMENTS

NOTE: Registration at Richfield High School is by appointment only.

To make your transfer to Richfield High School as pleasant as possible and to register you in appropriate classes, the Richfield High School guidance office requires that you provide us with essential records. On the day of your appointment to register at Richfield High School, you need to bring with you or have your previous school send to the Richfield High School guidance office prior to your registration, the following records:

1. **COPY OF BIRTH CERTIFICATE OR OTHER RELIABLE PROOF OF THE STUDENT'S IDENTITY AND AGE.**
2. **MINNESOTA BASIC STANDARDS TEST SCORES (GRADE 8 IN 2004-05 OR EARLIER) OR MCA II/GRAD (GRADE 8 IN 2005-06 AND AFTER) IN READING, MATH AND WRITING.**
3. **TRANSCRIPT FROM ALL PREVIOUS SCHOOLS**, including credits and grades earned in previous courses and standardized test scores. (If a transcript is not available, bring all of your high school report cards.)
4. **IEP AND INFORMATION OF SPECIAL EDUCATION SERVICES YOU HAVE RECEIVED OR FOR WHICH YOU MAY QUALIFY.**
5. **HEALTH RECORD** – Students enrolling in grades 9-12 need to provide dates of immunizations before registering for classes. The minimum requirement is MMR (2), DPT (3) or Td (3) - one of which must have been given since the age of 11 years unless the student received a Td booster after the age of 7. If the student has received the Td booster between the ages 7 and 11, he/she is then required to have another booster 10 years later. Each student must also have a record of at least 3 polio immunizations.
6. **STUDENT WITHDRAWAL FORM** – If you are enrolling at Richfield High School at any time other than the beginning of the school year, we need courses in progress at your previous school and grades in these courses at the time of withdrawal.

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- 7. **RESIDENCY VERIFICATION** – All new residents enrolling students are asked to verify residency within the Richfield School District in any of the ways listed in Administrative Guidelines 502.2, *Notice to Parents / Guardians of Incoming Students*.

- 8. **INTERDISTRICT TRANSFER OR OPEN ENROLLMENT** -- If you are living in another school district and wish to enroll at Richfield, you must apply for permission to attend Richfield High School through your resident district. Verification of approval will be sent to the office of the Richfield superintendent. After obtaining permission, you must make an appointment with the Richfield High School principal for final approval prior to making your appointment for registration at Richfield High School. At the time of the appointment you must have a parent or guardian with you and bring all the above information.

- 9. **VERIFICATION OF ASSIGNED GUARDIAN** - If you do not live with your parents but live with another adult or adults whose residence is within the Richfield attendance boundaries, your parents must present a signed, notarized statement that they have transferred parental authority to the Richfield resident(s), and the Richfield resident(s) must present a signed statement accepting the delegation of parental authority. A sample Power of Attorney / Delegation of Parental Authority Form is provided for this purpose.

Dated: August 17, 1987
Reviewed: March 4, 2013
Revised: April 1, 1996, June 15, 1998, September 18, 2000, March 6, 2006

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NOTICE TO PARENTS/GUARDIANS OF INCOMING STUDENTS

Minnesota Statutes §120A.20 provides that admission to a public school is free to any person meeting age requirements who resides within the district which operates the school. M.S. §124D.03 also allows a free public education for non-resident students whose attendance is approved under various enrollment options.

Per pupil funding is received only for students who are enrolled in accordance with these laws. Thus, it is necessary for the school district to ensure that newly enrolled students are either residents of the district or non-residents whose attendance is approved via a non-resident attendance agreement or through one of the state's enrollment option plans.

Proof of Residency

New residents enrolling students are asked to verify residency within the Richfield School District in any one of the following ways:

- Signed purchase agreement for a home
- Signed lease agreement
- If the parent/guardian is living in but not leasing space owned by a district resident, a letter from the district resident verifying the living arrangement.
- Driver's license
- Voter's registration card
- Change of address notice obtained through the post office listing a new address within the attendance boundaries of the Richfield Public Schools
- Utility bills to the parent/guardian
- Bank statements
- Bills for good or services mailed to parent/guardian
- Other evidence offering proof that the parent/guardian has moved out of a prior residence and into the Richfield School District.

Note: In accordance with M.S. §120A.20, Subd. 2, the Richfield Public Schools will not deny free admission to a homeless person of school age solely because the school district cannot determine that the person is a resident of the school district.

Non-Resident Attendance Agreement

If you are not a resident of the Richfield School District but would like your child to attend the Richfield Public Schools on a tuition-free basis, you must apply for permission to attend the Richfield Schools through your resident district. For further information regarding enrollment options and guidance on the application process, call Judy Allen in the District Office, 798-6062.

OLD BUSINESS – FOR REVIEW

Agenda Item V.B.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

Subject: Policy 612 Curriculum Development

(Recommended by the Superintendent)

A second read of Policy 612 and updated guidelines.

Attachments

Policy 612 - Original

MSBA 603 – 2019

Policy 612 Comparison to MSBA Policy 603 – redlined

Guideline 612.1 – Original

Updated Guidelines – Curriculum Approval and Adoption Process

Updated Guidelines – Flowchart for Curriculum Adoption

RICHFIELD PUBLIC SCHOOLS
CURRICULUM DECISION MAKING
CONTINUOUS IMPROVEMENT

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the district's education program. Curriculum and educational program improvement can be done through modification, new course or program offerings, updated alignment of content with academic standards or program reduction and elimination.

III. RESPONSIBILITY

- A. The superintendent shall be responsible for curriculum development; for determining the most effective way of conducting research on the school district's curriculum needs; and for establishing a long range curriculum development program.
- B. Board affirmed academic standards, and related curriculum, instruction and assessments shall provide direction for teaching, learning and assessment.
- C. The District Curriculum Advisory Committee shall assist in the process to review curriculum, instruction and assessment, report to the public, and develop plans for improvement in the district.
- D. The program improvement process will be utilized to ensure the following needs are addressed:
 - 1. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
 - 2. Provide for articulation of courses of study from kindergarten through grade twelve.
 - 3. Identify key concepts, processes and content (high academic standards) for each subject and grade level.
 - 4. Identify minimum learning objectives (foundations) for each course and at each grade level.
 - 5. Identify both formative and summative assessment/evaluation for each course and grade level.
 - 6. Provide a program for regular, systematic monitoring of student progress.

- 1 7. Provide for specific, particular and special needs of all members of the
- 2 student community.
- 3 8. Integrate required and elective course standards in the scope and
- 4 sequence of the district curriculum.
- 5 9. Meet all requirements of Minnesota State Rule and Law.
- 6
- 7 E. The Director of Teaching and Learning shall be responsible for curriculum and
- 8 program review and development. The director shall keep the school board
- 9 informed of all state-mandated curriculum changes, recommend discretionary
- 10 changes, and periodically present recommended modifications for school
- 11 board review and affirmation.
- 12
- 13 F. District academic program modifications, additions or reductions shall be
- 14 affirmed by the school board. Pilots, special projects and minor adjustments
- 15 will be reviewed by the District Curriculum Advisory Committee and may be
- 16 done with approval from the Superintendent.
- 17
- 18 G. The review and development process will be completed through a multi-year
- 19 Continuous Improvement Cycle as described in Appendices A, B, and C and
- 20 addresses the following:
- 21 1. Articulation of achievement expectations and content from kindergarten
- 22 through grade 12.
- 23 2. Consideration for specific, particular and special needs of all members of
- 24 the student community including, diversity of Race, culture, language, ability
- 25 and gender.
- 26 3. Identification of learning outcomes and academic standards for each
- 27 course and grade level.
- 28 4. Describe appropriate student work and course rigor to meet objectives.
- 29 5. Provide for continuous monitoring and evaluation of programs for the
- 30 purpose of meeting school district objectives and State of Minnesota and
- 31 Federal requirements.
- 32
- 33 H. Minor program adjustments, pilots and special projects shall:
- 34 1. Demonstrate need, purpose and intended value
- 35 2. Identify objectives or learner outcomes of the project or pilot and an
- 36 action plan, which includes a plan to communicate changes with
- 37 students, parents and colleagues as appropriate.
- 38 3. Identify funding sources.
- 39 4. Summarize analysis of data related to need, intended outcomes and
- 40 impact on the following:
- 41 a. Finance
- 42 b. Staffing
- 43 c. Facilities
- 44 d. Students
- 45 e. Time
- 46 f. District Curriculum
- 47 g. District Programs
- 48
- 49 I. Program and curriculum reductions shall address the following:
- 50 1. Rationale for reduction or elimination of an articulated course.

2. Required standards addressed in the course and other opportunities for students to complete the necessary standards for graduation.
3. A transition process for course elimination.

Legal References: Minn. Stat. 120B.10 (Improving Instruction and Curriculum)
Minn. Stat. 120B.11 (School District Process)
Minn. Rule 3500.0550 (Inclusive Educational Program)
Minn. Rule Parts 3501.0010 – 3501.0180 (Graduation Standards Reading and Mathematics)
Minn. Rule Parts 3501.0200 – 3501.0290 (Graduation Standards Written Composition)
Minn. Rule Parts 3501.0505-0550 (Graduation Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Graduation Standards for mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Graduation Standards – Arts)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation Required Assessment for Diploma)
20_U.S.C. 6301.et seq. (No Child Left Behind Act)

Cross References: Board Policy 601 (Curriculum and Instruction Goals)
Board Policy 610 (Selection and Reevaluation of Instructional Resources)
Board Policy 611 (Provision for Alternative Instruction)

ADOPTED BY THE BOARD OF EDUCATION: November 2, 1998

AMENDED BY THE BOARD OF EDUCATION: March 21, 2005

AMENDED BY THE BOARD OF EDUCATION: February 7, 2011

Adopted: _____

MSBA/MASA Model Policy 603

Orig. 1995

Revised: _____

Rev. 2019

603 CURRICULUM DEVELOPMENT

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

I. PURPOSE

The purpose of this policy is to 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, and shall provide translation to the extent appropriate and practicable. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.
- 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 applicable requirements of the Minnesota Department of Education and federal law.
- D. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified. See Minn. Stat. § 120B.12, Subd. 2.
- E. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments 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.
- F. 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.
- G. 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. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment)
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)
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)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

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)

RICHFIELD PUBLIC SCHOOLS

Adopted: MSBA/MASA Model Policy 603
Orig. 1995
Revised: Rev. 2019

603 CURRICULUM DECISION-MAKING DEVELOPMENT
CONTINUOUS IMPROVEMENT

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the district's education program. Curriculum and educational program improvement can be done through modification, new course or program offerings, updated alignment of content with academic standards or program reduction and elimination. education program of the school district.

III. RESPONSIBILITY

A. 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 for 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. Board affirmed academic standards, and related curriculum, instruction and assessments shall provide direction for teaching, learning and assessment.

C. The District Curriculum Advisory Committee shall assist in the process to review curriculum, instruction and assessment, report to the public, and develop plans for improvement in the district.

The program improvement process will be utilized to ensure 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, and shall provide translation to the extent appropriate

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and practicable. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.

D. C. Within the ongoing process of curriculum development, the following needs shall be addressed:

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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.

4. 3. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.

~~2. Provide for articulation of courses of study from kindergarten through grade twelve.~~

~~3. Identify key concepts, processes and content (high academic standards) for each subject and grade level.~~

~~4. Identify minimum learning objectives (foundations) for each course and at each grade level.~~

~~5. Identify both formative and summative assessment/evaluation for each course and grade level.~~

6. 4. Provide a program for regular, systematic ongoing monitoring of student progress.

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7. 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.

8. 7. Integrate required and elective course standards in the scope and sequence of the district curriculum.

9. 8. Meet all applicable requirements of the Minnesota State Department of Education and law federal law.

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D. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified. See Minn. Stat. § 120B.12, Subd. 2.

E. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments 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. The Director of Teaching and Learning shall be responsible for curriculum and program review and

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~~development. The director shall keep § 120A.20, Subd. 1(c). A student's plan under this section shall continue while the student is enrolled.~~

~~E. F. The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, recommend as well as recommended discretionary changes, and for periodically presentpresenting recommended modifications for school board review and affirmation.~~

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~~F. District academic program modifications, additions or reductions shall be affirmed by the school board. Pilots, special projects and minor adjustments will be reviewed by the District Curriculum Advisory Committee and may be done with approval from the Superintendent.~~

~~G. G. The reviewsuperintendent shall have discretionary authority to develop guidelines and development process will be completed through a multi-year Continuous Improvement Cycle as described in Appendices A, B, and C and addresses the following:~~

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- ~~1. Articulation of achievement expectations and content from kindergarten through grade 12.~~
- ~~2. Consideration for specific, particular and special needs of all members of the student community including, diversity of Race, culture, language, ability and gender.~~
- ~~3. Identification of learning outcomes and academic standards for each course and grade level.~~
- ~~4. Describe appropriate student work and course rigor to meet objectives.~~
- ~~5. Provide for continuous monitoring and evaluation of programs for the purpose of meeting directives to implement school district objectives and State of Minnesota and Federal requirements.~~

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~~H. Minor program adjustments, pilots and special projects shall:~~

- ~~1. Demonstrate need, purpose and intended value~~
- ~~2. Identify objectives or learner outcomes of the project or pilot and an action plan, which includes a plan to communicate changes with students, parents and colleagues as appropriate.~~
- ~~3. Identify funding sources.~~
- ~~4. Summarize analysis of data related board policy relating to need, intended outcomes and impact on the following:

 - ~~a. Finance~~
 - ~~b. Staffing~~
 - ~~c. Facilities~~
 - ~~d. Students~~
 - ~~e. Time~~
 - ~~f. District Curriculum~~
 - ~~g. District Programs~~~~

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~~I. Program and curriculum reductions shall address the following:~~

- ~~1. Rationale for reduction or elimination of an articulated course.~~
- ~~2. Required standards addressed in the course and other opportunities for students to complete the necessary standards for graduation.~~

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~~3. A transition process for course elimination development.~~

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Legal References: Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
~~Minn. Stat. § 120B.11 (School District Process)~~
~~Minn. Rule Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)~~

Section 600
Educational Program

Board Policy 612
page 4

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Minn. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment)

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Minn. Rules Part 3500.0550 (Inclusive Educational Program)

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Minn. Rules Parts 3501.0010-0640-3501.0180 (Graduation Standards Reading and Mathematics)

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Minn. Rule Parts 3501.0200-3501.0290 (Graduation Standards Written Composition)

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Minn. Rule Parts 3501.0505-0550 (Graduation 0655 (Academic Standards for Language Arts)

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

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

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

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Minn. Rules Parts 3501.1000-3501.1190 (Graduation Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)

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Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)

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

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Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

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20 U.S.C. § 6301, et seq. (No Child Left Behind (Every Student Succeeds Act))

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Cross References: Board MSBA/MASA Model Policy 601 (Curriculum and Instruction Goals)

Board Policy 610 (Selection and Reevaluation of 604 (Instructional Resources Curriculum))

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Board MSBA/MASA Model Policy 611 (Provision for 605 (Alternative Instruction Programs))

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ADOPTED BY THE BOARD OF EDUCATION: November 2, 1998

AMENDED BY THE BOARD OF EDUCATION: March 21, 2005

AMENDED BY THE BOARD OF EDUCATION: February 7, 2011

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)

Section 600
Educational Program

Board Policy 612
page 5

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MSBA/MASA Model Policy 620 (Credit for Learning)
MSBA/MASA Model Policy 623 (Mandatory Summer School Instruction)

APPENDIX A

RICHFIELD PUBLIC SCHOOLS

Education Program Improvement Process

A process for continuous improvement addresses each subject and education program on a scheduled review cycle. Representative teachers participate in the full review process with frequent communications with grade level colleagues. The District Curriculum Advisory Committee endorses recommendations before they are presented to the Board of Education.

Year 1: Program Review, Evaluation and Design

- Investigate the effectiveness of our current programming and services (may include both self-study and external assessment).
- Analyze current program in comparison to trends in effective practice related to systems, structures, staffing, instructional design, content, and pedagogy
- Define issues requiring attention and pursue causal relationships
- Revisit program mission, beliefs, characteristics, improvement goals and related action plan
- Confirm what students must know and be able to do related to key concepts, ideas, processes and events (academic standards and benchmarks)
- Determine instructional sequence and grade level/course foundations (essential learning
- Identify or design criteria for materials selection
- Determine staffing requirements, instructional materials, training, technology and equipment needed for full implementation
- Describe how revised programs, services and strategies will “look” in practice
- Determine measures of program effectiveness
- Determine professional development required
- Submit recommendations with 3 year implementation plan to District Curriculum Advisory Committee

Year 2: Implementation

- **Determine how student achievement will be measured (common assessments)**
- Clarify grade level foundations
- Provide professional development and unit design opportunities
- Work with administrators to develop measures of school level implementation
- Communicate changes (what students must know and be able to do and how opportunities to learn will look)
- Monitor implementation for obstacles and unexpected needs
- Phase in additional equipment and materials as indicated in 3 year plan
- Convene to examine student work against program expectations
- Adjust as appropriate

Year 3: Continue Implementation

- Focus on student work and other measures of achievement
- Analyze effectiveness of programming for sub populations
- Continue targeted professional development
- Phase in additional professional development, equipment and materials (including technology) as indicated in 3 year improvement plan
- Monitor for full implementation with attention to technology
- Monitor for effectiveness and manageability
- Make appropriate adjustments

Year 4: Assess Implementation

- Resources purchased
- Training provided/participation
- Assessment data collected

Year 5: Mini Audit**Quality of implementation****Consistency/variation of implementation**

- Preliminary results (Achievement data and implementation measures)
- Unintended consequences
- Unexpected needs
- Environmental changes
- Perception data/manageability
- Recommended improvements

Year 6: Implement recommended adjustments**Year 7: Monitor and support implementation and effectiveness****Year 8: Study Trends in Effective Practice****Year 9: Prepare for full, year 1 review**

- Confirm K-12 committee members
- Analyze data to determine program effectiveness, strengths, areas for improvement, and obstacles to achievement
- Complete Survey of Enacted Curriculum
- Describe current program
- Summarize trends in effective practice

**RICHFIELD PUBLIC SCHOOLS
EDUCATION PROGRAM CONTINUOUS IMPROVEMENT SCHEDULE**

| | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 |
|---|--|--|--|--|--|--|--|--|--|
| Review Phase (yr 1) | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA | Math Art Music |
| Early Implementation (yr 2) | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA |
| Implementation (yr 3) | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL | ALP |
| Assess Implementation (yr 4) | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL |
| Mini Audit (yr 5) | ESL | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented |
| Implement Recommended Improvements (yr 6) | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services | Physical Education Health |
| Monitor and Support implementation (yr 7) | Physical Education Health | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages | Social Studies Media Services |
| Program Evaluation (yr 8) | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech | Language Arts World Languages |
| Prepare for Review Phase (yr 9) | Language Arts World Languages | Social Studies Media Services | Physical Education Health | Gifted and Talented | ESL | ALP | FACS Bus. Ed DECA | Math Art Music | Science Industrial Tech |

APPENDIX B

RICHFIELD PUBLIC SCHOOLS

CURRICULUM DESIGN AND DECISION MAKING ASSUMPTIONS

As a result of the academic program and course improvement process, committee review and unit design process and small group work and reflection, Richfield Public Schools curriculum is...

Meaningful: the curriculum emphasizes the active construction of meaning so that all students find purpose in their studies.

Gender Fair: The curriculum represents contributions by and roles open to both women and men.

Inclusive: The curriculum seeks an understanding and appreciation of the wide range of contributions by and roles open to individuals with disabilities.

Multicultural: The curriculum seeks an understanding of and appreciation for historic and contemporary contributions of and is responsive to the Racial and cultural diversity of our nation, state and community so that students develop a sense of pride in their own heritage and respect for that of others.

Technological: The curriculum uses technology throughout the delivery system, examines the influence of technology on students' lives, and gives students the skills they need to use technology to accomplish their own purposes.

Socially responsibility: The curriculum develops in students a sense of social responsibility so that they become aware of their obligations and duties as citizens in a democracy and are sensitive to needs beyond their own.

Reflective: the curriculum fosters in students the skills and attitudes of reflection so that they are able to think critically, creatively and affirmatively.

Holistic: The curriculum gives appropriate emphasis to all the significant aspects of growth and all the types of human intelligence, helping students see the connections between the separate subjects, between the content and themselves and between the content and their environment.

Global: The curriculum develops in students an awareness of global interdependence in all aspects of life, including the environment and the economy.

Open-ended: the curriculum is open-ended in two ways: it is open to revisions and continued refinement; and it provides open access to all students, so that students are not tracked into dead-ends.

Goal-based: The curriculum focuses on significant goals, so that students develop the critical skills and acquire the knowledge they need for effective lifelong learning and full functioning as citizens in a changing society.

APPENDIX C

RICHFIELD PUBLIC SCHOOLS

CURRICULUM DESIGN PROCESS

Work Flow for Curriculum Design

Consistent with research on how learning occurs, standards based teaching and learning requires several layers of work, each of which is clearly aligned with the academic standards. Students, teachers, parents and other stakeholders can describe what must be learned and why and how it is assessed. Students engage in conversations about what makes quality work and are able to take increasing responsibility for their own learning.

This work is completed by the K-12 curriculum review team which includes classroom, ESL and Special Education teachers, TOSAs and administrators. It is then shared across grade levels, with the Management Team, the District Curriculum Advisory Committee, and finally, the Board of Education. Based on analysis of national and state standards and test specifications, current practice and research, write...

Academic Standard: What must the students know and be able to do? What processes must they understand and engage in?

Benchmarks: What elements of the standard must they know and be able to do this year?

Enduring Understanding: What is the big “aha” against this standard? In the students’ language, “What difference does this learning make?” “I can...”, “I know when...”, “I make connections between...”

Key Concepts and Ideas: What content is essential to achieve the enduring understanding?

Critical Skills and Vocabulary: With what skills and vocabulary must students become proficient to successfully access and apply the key concepts and ideas?

Common Instructional Experiences: What instructional experiences, *Habits of Mind*, strategies and resources best support achievement of the academic standard?

Common Assessments: How will the learning be measured and to what extent must the content and processes be mastered? What evidence counts? How can we make sure that evaluation is unbiased, consistent and timely? How will learning be reported?

Instructional Calendar: Key concepts and ideas, critical skills and vocabulary, common instructional experiences and common assessments are written into instructional blocks to ensure targeted differentiation. What must each student ACCOMPLISH during this period of time? How will they/you know?

Following the design team process described above, individuals and/or groups use the work completed to inform development of...

Unit and Course Design: How can the learning be organized? What concepts, ideas and processes support each other or are naturally connected? Should the learning be sequenced chronologically? By topic? Thematically? **At this time, consideration is made for cultural, racial, disability, gender, language and socio-economic relevance and balance.**

Lesson Design in 4 Stages 1) Identify desired results; 2) Determine acceptable evidence; 3) Plan learning experiences and instruction; 4) Reflect on student response to learning experiences and refine:

Learning Objective: What do you want the student to know and be able to do?

- Assessment/Quality Indicators: How will the student describe, monitor, recognize, and demonstrate success/quality?
- What will the STUDENTS do that has a strong effect on learning?
- What learning strategy will be employed?
- What role will technology play?
- In what activities will the students engage?
- Where is student choice advantageous?
- What habits of mind can be developed by or are critical to successful completion of assigned activities?
- What instructional equipment and materials are required? Differentiated?

Evaluation of Student Work/Results: Collegial analysis of student work products is used to inform instructional decisions.

Lesson Evaluation: Reflects on the following questions...

Who was successful?

Who was not?

Where there any surprises?

Disappointments?

Who responded well?

Who responded poorly?

What revisions do you recommend?

Appendix Dated: February 7, 2011

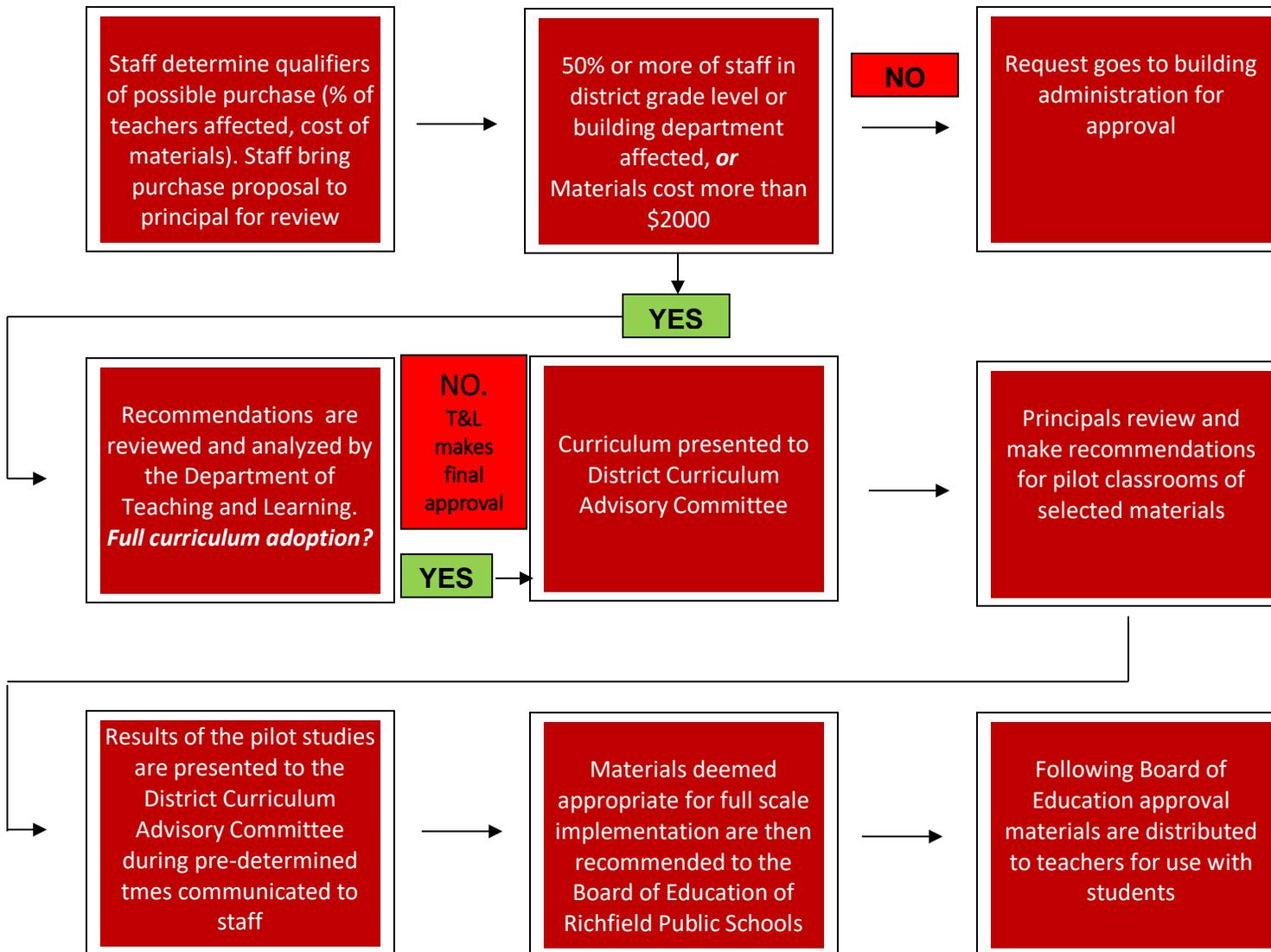
Richfield Public Schools
DRAFT Curriculum Approval and Adoption Process *(updated 9/15)*

1. Teachers, counselors, principals, community members, and/or parents/guardians identify a curricular need for a specific grade level or course, and bring to their building administration for review. If 50 percent or more of the staff at a district grade level or building level department (secondary) are affected by this curricular need, **or** if the total cost of the materials requested is more than \$2,000, the process moves forward to the District Curriculum Advisory Committee (see steps below). If less than 50% of the staff at a grade level or department are affected by this curricular need, **or** the total cost of the materials is less than \$2,000, the request goes to the building administration for approval.
2. The individual or group presents the suggested material, with a rationale for inclusion of the material, to the District Curriculum Advisory Committee (DCAC) at a regularly scheduled committee meeting. The committee reviews the material and either recommends that it continue in the approval process (if it meets a need, replaces or supplements an older, outdated resource) or that it is eliminated from the process. The District Curriculum Advisory Committee presents their recommendations to the Department of Teaching and Learning.
3. Materials recommended by DCAC are reviewed and analyzed by the Department of Teaching and Learning under the Direction of the Assistant Superintendent and Executive Director of Special Services. If the materials do **not** represent a full curriculum adoption, the Department of Teaching and Learning makes final approval. Decisions are then communicated in writing to the individual or group presenting the materials for approval.
4. If the request represents a full curriculum adoption, during a regularly scheduled adoption cycle, the Department of Teaching and Learning intentionally seeks representative teachers', administrators' and staff input and feedback during this step. The representative committee determines the quality of the suggested materials, the alignment to Minnesota State Academic Standards, and alignment to district Strategic Plan.
5. Full curriculum adoption materials vetted through DCAC and the Department of Teaching and Learning are made available to principals and/or instructional leadership teams for their review. Principals make recommendations for pilot classrooms of selected materials.
6. Results of the pilot studies are presented to the District Curriculum Advisory Committee and Department of Teaching and Learning during pre-determined times, not to exceed two times per year, which are set by the committee and communicated to staff by the DCAC chair. Materials deemed appropriate for full scale implementation are then recommended to the Board of Education for Richfield Public Schools.
7. During a regularly scheduled School Board meeting, a representative of the Department of Teaching and Learning requests approval of the recommended materials.
8. Following Board of Education approval, materials are ordered by the district, and are distributed to teachers for use with students. Ongoing professional development is provided and supported by the Department of Teaching and Learning. Principals monitor implementation of recommended materials.

Richfield Public Schools Curriculum Approval and Adoption Process

Created September 3, 2015

This chart shows the major steps of the curriculum approval and adoption process.



OLD BUSINESS – FOR REVIEW

Agenda Item V.C.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

Subject: Policy 404 – Drug and Alcohol Testing

(Recommended by the Superintendent)

A second read of Policy 404 and forms.

Attachments

Policy 404 - Original

MSBA 416

MSBA 416 Attachments

Policy 404 and Attachments – Redlined

RICHFIELD PUBLIC SCHOOLS
DRUG AND ALCOHOL TESTING

I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school

1 district property. Employees under the influence of alcohol are prohibited from
2 entering or remaining on school district property.

- 3
4 E. Any employee who violates this section shall be subject to discipline which
5 includes, but is not limited to, immediate suspension without pay and immediate
6 discharge.
7

8 **III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL**
9 **BUS DRIVERS AND OTHER POSITIONS REQUIRING A COMMERCIAL**
10 **DRIVERS LICENSE**

11
12 A. General Statement of Policy

13
14 All persons subject to commercial driver's license requirements shall be tested for
15 alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and
16 phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol
17 or drugs shall be subject to disciplinary action, which may include termination of
18 employment.
19

20 B. Definitions

- 21
22 1. "Actual Knowledge" means actual knowledge by the school district that a
23 driver has used alcohol or controlled substances based on: (a) direct
24 observation of the employee's use (not observation of behavior sufficient to
25 warrant reasonable suspicion testing); (b) information provided by a
26 previous employer; (c) a traffic citation; or (d) an employee's admission,
27 except when made in connection with a qualified employee self-admission
28 program.
29
30 2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other
31 than an Evidential Breath Testing Device (EBT), that is approved by the
32 National Highway Traffic Safety Administration and placed on its
33 Conforming Products List for such devices.
34
35 3. "Breath Alcohol Technician" (BAT) means an individual who instructs and
36 assists individuals in the alcohol testing process and who operates the EBT.
37
38 4. "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed
39 to transport 16 or more passengers, including the driver.
40
41 5. "Designated Employer Representative" (DER) means a designated school
42 district representative authorized to take immediate action to remove
43 employees from safety-sensitive duties, to make required decisions in the
44 testing and evaluation process, and to receive test results and other
45 communications for the school district.
46
47 6. "Department of Transportation" (DOT) means United States Department of
48 Transportation.
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7. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
 8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
 9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
 10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.
 11. “Safety-sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles,

1 servicing, repairing, obtaining assistance to repair, or remaining in
2 attendance during the repair of a disabled vehicle.

3
4 12. “Screening Test Technician” (STT) means anyone who instructs and assists
5 individuals in the alcohol testing process and operates an ASD.

6
7 13. “Stand Down” means to temporarily remove an employee from performing
8 safety-sensitive functions after a laboratory reports a confirmed positive, an
9 adulterated, or a substituted test result but before the MRO completes the
10 verification process.

11
12 14. “Substance Abuse Professional” (SAP) means a qualified person who
13 evaluates employees who have violated a DOT drug and alcohol regulation
14 and makes recommendations concerning education, treatment, follow-up
15 testing, and aftercare.

16
17 C. Policy and Educational Materials

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19
20 1. The school district shall provide a copy of this policy and procedures to
21 each driver prior to the start of its alcohol and drug testing program and to
22 each driver subsequently hired or transferred into a position requiring
23 driving of a CMV.

24
25 2. The school district shall provide to each driver information concerning the
26 effects of alcohol and controlled substances use on an individual’s health,
27 work, and personal life; signs and symptoms of an alcohol or drug problem;
28 and available methods of intervening when an alcohol or drug problem is
29 suspected, including confrontation, referral to an employee assistance
30 program, and/or referral to management.

31
32 3. The school district shall provide written notice to representatives of
33 employee organizations that the information described above is available.

34
35 4. The school district shall require each driver to sign a statement certifying
36 that he or she has received a copy of the policy and materials. This statement
37 should be in the form of Attachment A to this policy. The school district
38 will maintain the original signed certificate and will provide a copy to the
39 driver if the driver so requests.

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42 D. Alcohol and Controlled Substances Testing Program Manager

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44
45 1. The program manager will coordinate the implementation, direction, and
46 administration of the alcohol and controlled substances testing policy for
47 bus drivers. The program manager is the principal contact for the collection
48 site, the testing laboratory, the MRO, the BAT, the SAP, and the person

1 submitting to the test. Employee questions concerning this policy shall be
2 directed to the program manager.

- 3
4 2. The school district shall designate a program manager and provide written
5 notice of the designation to each driver along with this policy.
6

7 E. Specific Prohibitions for Drivers
8
9

10 1. Alcohol Concentration. No driver shall report for duty or remain on duty
11 requiring the performance of safety-sensitive functions while having an
12 alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04
13 will be taken out of service and will be subject to evaluation by a
14 professional and retesting at the driver's expense.
15

16 2. Alcohol Possession. No driver shall be on duty or operate a CMV while the
17 driver possesses alcohol.
18

19 3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive
20 functions.
21

22 4. Pre-Duty Use. No driver shall perform safety-sensitive functions within
23 four (4) hours after using alcohol.
24

25 5. Use Following an Accident. No driver required to take a post-accident test
26 shall use alcohol for eight (8) hours following the accident, or until he or
27 she undergoes a post-accident alcohol test, whichever occurs first.
28

29 6. Refusal to Submit to a Required Test. No driver shall refuse to submit to
30 an alcohol or controlled substances test required by post-accident, random,
31 reasonable suspicion, return-to-duty, or follow-up testing requirements. A
32 verified adulterated or substituted drug test shall be considered a refusal to
33 test.
34

35 7. Use of Controlled Substances. No driver shall report for duty or remain on
36 duty requiring the performance of safety-sensitive functions when the driver
37 uses any controlled substance, except when the use is pursuant to
38 instructions (which have been presented to the school district) from a
39 licensed physician who has advised the driver that the substance does not
40 adversely affect the driver's ability to safely operate a CMV.
41

42 8. Positive, Adulterated, or Substituted Test for Controlled Substance. No
43 driver shall report for duty, remain on duty, or perform a safety-sensitive
44 function if the driver tests positive for controlled substances or has
45 adulterated or substituted a test specimen for controlled substances.
46

47 9. General Prohibition. Drivers are also subject to the general policies and
48 procedures of the school district which prohibit the possession, transfer,
49 sale, exchange, reporting to work under the influence of drugs or alcohol,

1 and consumption of drugs or alcohol while at work or while on school
2 district premises or operating any school district vehicle, machinery, or
3 equipment.
4

5 F. Other Alcohol-Related Conduct
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7

8 No driver found to have an alcohol concentration of 0.02 or greater but less than
9 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours
10 following administration of the test. The school district will not take any action
11 under this policy other than removal from safety-sensitive functions based solely
12 on test results showing an alcohol concentration of less than 0.04 but may take
13 action otherwise consistent with law and policy of the school district.
14

15 G. Prescription Drugs
16

17 A driver shall inform his or her supervisor if at any time the driver is using a
18 controlled substance pursuant to a physician's prescription. The physician's
19 instructions shall be presented to the school district upon request. Use of a
20 prescription drug shall be allowed if the physician has advised the driver that the
21 prescribed drug will not adversely affect the driver's ability to safely operate a
22 CMV.
23

24 H. Testing Requirements
25

26 1. Pre-Employment Testing
27
28

29 a. A driver applicant shall undergo testing for alcohol and controlled
30 substances before the first time the driver performs safety-sensitive
31 functions for the school district.
32

33
34 b. Tests shall be conducted only after the applicant has received a
35 conditional offer of employment.
36

37 c. In order to be hired, the applicant must test negative and must sign
38 an agreement in the form of Attachment B to this policy, authorizing
39 former employers to release to the school district all information on
40 the applicant's alcohol tests with results of blood alcohol
41 concentration of 0.04 or higher, or verified positive results for
42 controlled substances, [including medical cannabis](#), or refusals to be
43 tested (including verified adulterated or substituted drug test
44 results), or any other violations of DOT agency drug and alcohol
45 testing regulations, or, if the applicant violated the testing
46 regulations, documentation of the applicant's successful completion
47 of DOT return-to-duty requirements (including follow-up tests),
48 within the preceding two (2) years.
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d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.

b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.

c. Drivers should be tested for controlled substances no later than thirty-two (32) hours after the accident.

d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.

e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.

f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

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

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- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.

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- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

- 5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.

- 6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

- 7. Refusal to Submit and Attendant Consequences
 - a. A driver or driver applicant may refuse to submit to drug and alcohol testing.

 - b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.

 - c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.

 - d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

- 1 e. Drivers or driver applicants who refuse to submit to required testing
2 will be required to sign Attachment C to this policy.
3

4 I. Testing Procedures
5

6 1. Drug Testing
7

- 8
9 a. Drug testing is conducted by analyzing a donor’s urine specimen.
10 Split urine samples will be collected in accordance with federal
11 regulations. The donor will provide a urine sample at a designated
12 collection site. The collection site personnel will then pour the
13 sample into two sample bottles, labeled “primary” and “split,” seal
14 the specimen bottles, complete the chain of custody form, and
15 prepare the specimen bottles for shipment to the testing laboratory
16 for analysis. The specimen preparation shall be conducted in sight
17 of the donor.
18

- 19 b. If the donor is unable to provide the appropriate quantity of urine,
20 the collection site person shall instruct the individual to drink up to
21 forty (40) ounces of fluid distributed reasonably through a period of
22 up to three (3) hours to attempt to provide a sample. If the individual
23 is still unable to provide a complete sample, the test shall be
24 discontinued and the school district notified. The DER shall refer
25 the donor for a medical evaluation to determine if the donor’s
26 inability to provide a specimen is genuine or constitutes a refusal to
27 test. For pre-employment testing, the school district may elect to
28 not have a referral made, and revoke the employment offer.
29

- 30 c. Drug test results are reported directly to the MRO by the testing
31 laboratory. The MRO reports the results to the DER. If the results
32 are negative, the school district is informed and no further action is
33 necessary. If the test result is confirmed positive, adulterated,
34 substituted, or invalid, the MRO shall give the donor an opportunity
35 to discuss the test result. The MRO will contact the donor directly,
36 on a confidential basis, to determine whether the donor wishes to
37 discuss the test result. The MRO shall notify each donor that the
38 donor has seventy-two (72) hours from the time of notification in
39 which to request a test of the split specimen at the donor’s expense.
40 No split specimen testing is done for an invalid result.
41

- 42 d. If the donor requests an analysis of the split specimen within
43 seventy-two (72) hours of having been informed of a confirmed
44 positive test, the MRO shall direct, in writing, the laboratory to
45 provide the split specimen to another Department of Health and
46 Human Services – SAMHSA certified laboratory for analysis. If the
47 donor has not contacted the MRO within seventy-two (72) hours,
48 the donor may present the MRO information documenting that
49 serious illness, injury, inability to contact the MRO, lack of actual

1 notice of the confirmed positive test, or other circumstances
2 unavoidably prevented the donor from timely making contact. If the
3 MRO concludes that a legitimate explanation for the donor's failure
4 to contact him/her within seventy-two (72) hours exists, the MRO
5 shall direct the analysis of the split specimen. The MRO will review
6 the confirmed positive test result to determine whether an acceptable
7 medical reason for the positive result exists. The MRO shall
8 confirm and report a positive test result to the DER and the
9 employee when no legitimate medical reason for a positive test
10 result as received from the testing laboratory exists.

11
12 e. If, after making reasonable efforts and documenting those efforts,
13 the MRO is unable to reach the donor directly, the MRO must
14 contact the DER who will direct the donor to contact the MRO. If
15 the DER is unable to contact the donor, the donor will be suspended
16 from performing safety-sensitive functions.

17
18 f. The MRO may confirm the test as a positive without having
19 communicated directly with the donor about the test results under
20 the following circumstances:

21
22 (1) The donor expressly declines the opportunity to discuss the
23 test results;

24
25 (2) The donor has not contacted the MRO within seventy-two
26 (72) hours of being instructed to do so by the DER; or

27
28 (3) The MRO and the DER, after making and documenting all
29 reasonable efforts, have not been able to contact the donor
30 within ten (10) days of the date the confirmed test result was
31 received from the laboratory.

32
33 2. Alcohol Testing

34
35
36 a. The federal alcohol testing regulations require testing to be
37 administered by a BAT using an EBT or an STT using an ASD.
38 EBTs and ASDs can be used for screening tests but only EBTs can
39 be used for confirmation tests.

40
41 b. Any test result less than 0.02 alcohol concentration is considered a
42 "negative" test.

43
44 c. If the donor is unable to provide sufficient saliva for an ASD, the
45 DER will immediately arrange to use an EBT. If the donor attempts
46 and fails to provide an adequate amount of breath, the school district
47 will direct the donor to obtain a written evaluation from a licensed
48 physician to determine if the donor's inability to provide a breath
49 sample is genuine or constitutes a refusal to test.

1
2 d. If the screening test results show alcohol concentration of 0.02 or
3 higher, a confirmatory test conducted on an EBT will be required to
4 be performed between fifteen (15) and thirty (30) minutes after the
5 completion of the screening test.
6

7 e. Alcohol tests are reported directly to the DER.
8

9 J. Driver/Driver Applicant Rights
10

11 1. All drivers and driver applicants subject to the controlled substances testing
12 provisions of this policy who receive a confirmed positive test result for the
13 use of controlled substances have the right to request, at the driver's or
14 driver applicant's expense, a confirming retest of the split urine sample. If
15 the confirming retest is negative, no adverse action will be taken against the
16 driver, and a driver applicant will be considered for employment.
17

18
19 2. The school district will not discharge a driver who, for the first time,
20 receives a confirmed positive drug or alcohol test UNLESS:
21

22 a. The school district has first given the employee an opportunity to
23 participate in, at the employee's own expense or pursuant to
24 coverage under an employee benefit plan, either a drug or alcohol
25 counseling or rehabilitation program, whichever is more
26 appropriate, as determined by the school district after consultation
27 with the SAP; and
28

29 b. The employee refuses to participate in the recommended program,
30 or fails to successfully complete the program as evidenced by
31 withdrawal before its completion or by a positive test result on a
32 confirmatory test after completion of the program.
33

34 c. This limitation on employee discharge does not bar discharge of an
35 employee for reasons independent of the first confirmed positive test
36 result.
37

38 K. Testing Laboratory
39

40 The testing laboratory for controlled substances will be **Quest Diagnostics**, which
41 is a laboratory certified by the Department of Health and Human Services –
42 SAMHSA to perform controlled substances testing pursuant to federal regulations.
43

44 L. Confidentiality of Test Results
45

46 All alcohol and controlled substances test results and required records of the drug
47 and alcohol testing program are considered confidential information under federal
48 law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13.
49 Any information concerning the individual's test results and records shall not be

1 released without written permission of the individual, except as provided for by
2 regulation or law.

3
4 M. Recordkeeping Requirements and Retention of Records

5
6 1. The school district shall keep and maintain records in accordance with the
7 federal regulations in a secure location with controlled access.

8
9
10 2. The required records shall be retained for the following minimum periods:

11
12 Basic records 5 years

13
14 “Basic records” includes records of: (a) alcohol test results with
15 concentration of 0.02 or greater; (b) verified positive drug test
16 results; (c) refusals to submit to required tests (including substituted
17 or adulterated drug test results); (d) SAP reports; (e) all follow-up
18 tests and schedules for follow-up tests; (f) calibration
19 documentation; (g) administration of the testing programs; and (h)
20 each annual calendar year summary.

21
22 Information obtained from previous employers 3 years

23 Collection records 2 years

24 Negative and cancelled drug tests 1 year

25 Alcohol tests with less than 0.02 concentration 1 year

26 Education and training records indefinite

27
28 “Education and training records” must be maintained while the
29 individuals perform the functions which require training and for the
30 two (2) years after ceasing to perform those functions.

31
32 N. Training

33
34 The school district shall ensure all persons designated to supervise drivers receive
35 training. The designated employees shall receive at least sixty (60) minutes of
36 training on alcohol misuse and at least sixty (60) minutes of training on controlled
37 substances use. The training shall include physical, behavioral, speech, and
38 performance indicators of probable misuse of alcohol and use of controlled
39 substances. The training will be used by the supervisors to make determinations of
40 reasonable suspicion.

41
42 O. Consequences of Prohibited Conduct and Enforcement

43
44 1. Removal. The school district shall remove a driver who has engaged in
45 prohibited conduct from safety-sensitive functions. A driver shall not be
46 permitted to return to safety-sensitive functions until and unless the return-
47 to-duty requirements of federal DOT regulations have been completed.

48
49 2. Referral, Evaluation, and Treatment

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- a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
- b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.
- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory

1 testing, drivers fall within the definition of “other employees” covered by Section
2 IV. of this policy.
3
4

5 **IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**
6

7 The school district may request or require drug and alcohol testing for other school district
8 personnel, i.e., employees who are not school bus drivers, positions requiring a commercial
9 driver’s license, or job applicants for such positions. The school district does not have a
10 legal duty to request or require any employee or job applicant to undergo drug and alcohol
11 testing as authorized in this policy, except for school bus drivers and other drivers of CMVs
12 who are subject to federally mandated testing. (See Section III. of this policy.) If a school
13 bus driver is requested or required to submit to drug or alcohol testing beyond that
14 mandated by federal law, the provisions of Section IV. of this policy will be applicable to
15 such testing.
16

17 A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or
18 Required:
19

20 1. General Limitations
21

- 22 a. The school district will not request or require an employee or job
23 applicant whose position does not require a commercial driver’s
24 license to undergo drug or alcohol testing, unless the testing is done
25 pursuant to this drug and alcohol testing policy; and is conducted by
26 a testing laboratory which participates in one of the programs listed
27 in Minn. Stat. § 181.953, Subd. 1.
28
29 b. The school district will not request or require an employee or job
30 applicant whose position does not require a commercial driver’s
31 license to undergo drug and alcohol testing on an arbitrary and
32 capricious basis.
33

34 2. Job Applicant Testing
35

36 The school district may request or require any job applicant whose position
37 does not require a commercial driver’s license to undergo drug and alcohol
38 testing, provided a job offer has been made to the applicant and the same
39 test is requested or required of all job applicants conditionally offered
40 employment for that position. If a job applicant has received a job offer
41 which is contingent on the applicant’s passing drug and alcohol testing, the
42 school district may not withdraw the offer based on a positive test result
43 from an initial screening test that has not been verified by a confirmatory
44 test. In the event the job offer is subsequently withdrawn, the school district
45 shall notify the job applicant of the reason for its action.
46

47 3. Random Testing
48

1 The school district may request or require employees to undergo drug and
2 alcohol testing on a random selection basis only if they are employed in
3 safety-sensitive positions.
4

5 4. Reasonable Suspicion Testing
6

7 The school district may request or require any employee to undergo drug
8 and alcohol testing if the school district has a reasonable suspicion that the
9 employee:

- 10
11 a. is under the influence of drugs or alcohol;
12
13 b. has violated the school district's written work rules prohibiting the
14 use, possession, sale, or transfer of drugs or alcohol while the
15 employee is working or while the employee is on the school
16 district's premises or operating the school district's vehicles,
17 machinery, or equipment;
18
19 c. has sustained a personal injury, as that term is defined in Minn. Stat.
20 § 176.011, Subd. 16, or has caused another employee to sustain a
21 personal injury; or
22
23 d. has caused a work-related accident or was operating or helping to
24 operate machinery, equipment, or vehicles involved in a work-
25 related accident.
26

27 5. Treatment Program Testing
28

29 The school district may request or require any employee to undergo drug
30 and alcohol testing if the employee has been referred by the school district
31 for chemical dependency treatment or evaluation or is participating in a
32 chemical dependency treatment program under an employee benefit plan,
33 in which case the employee may be requested or required to undergo drug
34 and alcohol testing without prior notice during the evaluation or treatment
35 period and for a period of up to two (2) years following completion of any
36 prescribed chemical dependency treatment program.
37

38 6. Routine Physical Examination Testing
39

40 The school district may request or require any employee to undergo drug
41 and alcohol testing as part of a routine physical examination provided the
42 drug or alcohol test is requested or required no more than once annually and
43 the employee has been given at least two weeks' written notice that a drug
44 or alcohol test may be requested or required as part of the physical
45 examination.
46

47 B. No Legal Duty to Test
48

1 The school district does not have a legal duty to request or require any employee or
2 job applicant whose position does not require a commercial driver's license to
3 undergo drug and alcohol testing.
4

5 C. Definitions
6

- 7 1. "Drug" means a controlled substance as defined in Minnesota Statutes.
8
- 9 2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol
10 test" mean analysis of a body component sample according to the standards
11 established under one of the programs listed in Minn. Stat. § 181.953, Subd.
12 1, for the purpose of measuring the presence or absence of drugs, alcohol,
13 or their metabolites in the sample tested.
14
- 15 3. "Other Employees" means any persons, independent contractors, or persons
16 working for an independent contractor who perform services for the school
17 district for compensation, either full time or part time, in whatever form,
18 except for persons whose positions require a commercial driver's license,
19 and includes both professional and nonprofessional personnel. Persons
20 whose positions require a commercial driver's license are primarily
21 governed by the provisions of the school district's drug and alcohol testing
22 policy relating to school bus drivers (Section III.). To the extent that the
23 drug and alcohol testing of persons whose positions require a commercial
24 driver's license is not mandated by federal law and regulations, such testing
25 shall be governed by Section IV. of this policy and the drivers shall fall
26 within this definition of "other employees."
27
- 28 4. "Job applicant" means a person, independent contractor, or person working
29 for an independent contractor who applies to become an employee of the
30 school district in a position that does not require a commercial driver's
31 license, and includes a person who has received a job offer made contingent
32 on the person's passing drug or alcohol testing. Job applicants for positions
33 requiring a commercial driver's license are governed by the provisions of
34 the school district's drug and alcohol testing policy relating to school bus
35 drivers (Section III.).
36
- 37 5. "Positive test result" means a finding of the presence of drugs, alcohol, or
38 their metabolites in the sample tested in levels at or above the threshold
39 detection levels contained in the standards of one of the programs listed in
40 Minn. Stat. § 181.953, Subd. 1.
41
- 42 6. "Random selection basis" means a mechanism for selection of employees
43 that:
 - 44 a. results in an equal probability that any employee from a group of
45 employees subject to the selection mechanism will be selected; and
46
 - 47 b. does not give the school district discretion to waive the selection of
48 any employee selected under the mechanism.
49

- 1
2 7. “Reasonable suspicion” means a basis for forming a belief based on specific
3 facts and rational inferences drawn from those facts.
4
5 8. “Safety-sensitive position” means a job, including any supervisory or
6 management position, in which an impairment caused by drug or alcohol
7 usage would threaten the health or safety of any person.
8

9 D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and
10 Consequences of Such Refusal

11
12 1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol
13 Testing

14
15 Any employee or job applicant whose position does not require a
16 commercial driver’s license has the right to refuse drug and alcohol testing
17 subject to the provisions contained in Paragraphs 2. and 3. of this Section
18 D.
19

20 2. Consequences of an Employee’s Refusal to Undergo Drug and Alcohol
21 Testing

22
23 Any employee in a position that does not require a commercial driver’s
24 license who refuses to undergo drug and alcohol testing in the circumstances
25 set out in the Random Testing, Reasonable Suspicion Testing, and
26 Treatment Program Testing provisions of this policy may be subject to
27 disciplinary action, up to and including immediate discharge.
28

29 3. Consequences of a Job Applicant’s Refusal to Undergo Drug and Alcohol
30 Testing

31
32 Any job applicant for a position which does not require a commercial
33 driver’s license who refuses to undergo drug and alcohol testing pursuant to
34 the Job Applicant Testing provision of this policy shall not be employed.
35

36 E. Reliability and Fairness Safeguards

37
38 1. Pretest Notice

39
40 Before requesting an employee or job applicant whose position does not
41 require a commercial driver’s license to undergo drug or alcohol testing, the
42 school district shall provide the employee or job applicant with a Pretest
43 Notice in the form of Attachment D to this policy on which to acknowledge
44 that the employee or job applicant has received the school district’s drug
45 and alcohol testing policy.
46

47 2. Notice of Test Results
48

1 Within three (3) working days after receipt of a test result report from the
2 testing laboratory, the school district shall inform in writing an employee or
3 job applicant who has undergone drug or alcohol testing of a negative test
4 result on an initial screening test or of a negative or positive test result on a
5 confirmatory test.
6

7 3. Notice of and Right to Test Result Report
8

9 Within three (3) working days after receipt of a test result report from the
10 testing laboratory, the school district shall inform in writing, an employee
11 or job applicant who has undergone drug or alcohol testing of the employee
12 or job applicant's right to request and receive from the school district a copy
13 of the test result report on any drug or alcohol test.
14

15 4. Notice of and Right to Explain Positive Test Result
16

17 a. If an employee or job applicant has a positive test result on a
18 confirmatory test, the school district shall provide him or her with
19 notice of the test results and, at the same time, written notice of the
20 right to explain the results and to submit additional information.
21

22 b. The school district may request that the employee or job applicant
23 indicate any over-the-counter or prescription medication that the
24 individual is currently taking or has recently taken and any other
25 information relevant to the reliability of, or explanation for, a
26 positive test result.
27

28 c. Within three (3) working days after notice of a positive test result on
29 a confirmatory test, an employee or job applicant may submit
30 information (in addition to any information already submitted) to the
31 school district to explain that result.
32

33 5. Notice of and Right to Request Confirmatory Retests
34

35 a. If an employee or job applicant has a positive test result on a
36 confirmatory test, the school district shall provide him or her with
37 notice of the test results and, at the same time, written notice of the
38 right to request a confirmatory retest of the original sample at his or
39 her expense.
40

41 b. An employee or job applicant may request a confirmatory retest of
42 the original sample at his or her own expense after notice of a
43 positive test result on a confirmatory test. Within five (5) working
44 days after notice of the confirmatory test result, the employee or job
45 applicant shall notify the school district in writing of his or her
46 intention to obtain a confirmatory retest. Within three (3) working
47 days after receipt of the notice, the school district shall notify the
48 original testing laboratory that the employee or job applicant has
49 requested the laboratory to conduct the confirmatory retest or to

1 transfer the sample to another laboratory licensed under Minn. Stat.
2 § 181.953, Subd. 1 to conduct the confirmatory retest. The original
3 testing laboratory shall ensure that appropriate chain-of-custody
4 procedures are followed during transfer of the sample to the other
5 laboratory. The confirmatory retest must use the same drug or
6 alcohol threshold detection levels as used in the original
7 confirmatory test. If the confirmatory retest does not confirm the
8 original positive test result, no adverse personnel action based on the
9 original confirmatory test may be taken against the employee or job
10 applicant.

- 11
12 6. If an employee or job applicant has a positive test result on a confirmatory
13 test, the school district, at the time of providing notice of the test results,
14 shall also provide written notice to inform him or her of other rights
15 provided under Sections F. or G., below, whichever is applicable.

16
17 Attachments E and F to this policy provide the Notices described in
18 Paragraphs 2. through 6. of this Section E.

19
20 F. Discharge and Discipline of Employees Whose Positions Do Not Require a
21 Commercial Driver's License

- 22
23 1. The school district may not discharge, discipline, discriminate against,
24 request, or require rehabilitation of an employee on the basis of a positive
25 test result from an initial screening test that has not been verified by a
26 confirmatory test.
27
28 2. In the case of a positive test result on a confirmatory test, the employee shall
29 be subject to discipline which includes, but is not limited to, immediate
30 suspension without pay and immediate discharge, pursuant to the provisions
31 of this policy.
32
33 3. The school district may not discharge an employee for whom a positive test
34 result on a confirmatory test was the first such result for the employee on a
35 drug or alcohol test requested by the school district, unless the following
36 conditions have been met:
37
38 a. The school district has first given the employee an opportunity to
39 participate in, at the employee's own expense or pursuant to
40 coverage under an employee benefit plan, either a drug or alcohol
41 counseling or rehabilitation program, whichever is more
42 appropriate, as determined by the school district after consultation
43 with a certified chemical abuse counselor or a physician trained in
44 the diagnosis and treatment of chemical dependency; and
45
46 b. The employee has either refused to participate in the counseling or
47 rehabilitation program or has failed to successfully complete the
48 program, as evidenced by withdrawal from the program before its

1 completion or by a positive test result on a confirmatory test after
2 completion of the program.

- 3
- 4 4. Notwithstanding Paragraph 1., the school district may temporarily suspend
5 the tested employee or transfer that employee to another position at the same
6 rate of pay pending the outcome of the confirmatory test and, if requested,
7 the confirmatory retest, provided the school district believes that it is
8 reasonably necessary to protect the health or safety of the employee, co-
9 employees or the public. An employee who has been suspended without
10 pay must be reinstated with back pay if the outcome of the confirmatory test
11 or requested confirmatory retest is negative.
- 12
- 13 5. The school district may not discharge, discipline, discriminate against,
14 request, or require rehabilitation of an employee on the basis of medical
15 history information revealed to the school district, unless the employee was
16 under an affirmative duty to provide the information before, upon or after
17 hire.
- 18
- 19 6. An employee must be given access to information in his or her personnel
20 file relating to positive test result reports and other information acquired in
21 the drug and alcohol testing process and conclusions drawn from and
22 actions taken based on the reports or other acquired information.

23

24 G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a
25 Commercial Driver's License

26

27 If a job applicant has received a job offer made contingent on the applicant's
28 passing drug and alcohol testing, the school district may not withdraw the offer
29 based on a positive test result from an initial screening test that has not been verified
30 by a confirmatory test. In the case of a positive test result on a confirmatory test,
31 the school district may withdraw the job offer.

32

33 H. Chain-of-Custody Procedures

34

35 The school district has established its own reliable chain-of-custody procedures to
36 ensure proper record keeping, handling, labeling, and identification of the samples
37 to be tested. The procedures require the following:

- 38
- 39 1. Possession of a sample must be traceable to the employee from whom the
40 sample is collected, from the time the sample is collected through the time
41 the sample is delivered to the laboratory;
- 42
- 43 2. The sample must always be in the possession of, must always be in view of,
44 or must be placed in a secure area by a person authorized to handle the
45 sample;
- 46
- 47 3. A sample must be accompanied by a written chain-of-custody record; and
- 48

- 1 4. Individuals relinquishing or accepting possession of the sample must record
2 the time the possession of the sample was transferred and must sign and
3 date the chain-of-custody record at the time of transfer.
4

5 I. Privacy, Confidentiality and Privilege Safeguards
6

7 1. Privacy Limitations
8

9 A laboratory may only disclose to the school district test result data
10 regarding the presence or absence of drugs, alcohol or their metabolites in
11 a sample tested.
12

13 2. Confidentiality Limitations
14

15 With respect to employees and job applicants, test result reports and other
16 information acquired in the drug or alcohol testing process are private data
17 on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not
18 be disclosed by the school district or laboratory to another employer or to a
19 third-party individual, governmental agency, or private organization
20 without the written consent of the employee or job applicant tested.
21

22 3. Exceptions to Privacy and Confidentiality Disclosure Limitations
23

24 Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on
25 a confirmatory test may be: (1) used in an arbitration proceeding pursuant
26 to a collective bargaining agreement, an administrative hearing under Minn.
27 Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding,
28 provided that information is relevant to the hearing or proceeding; (2)
29 disclosed to any federal agency or other unit of the United States
30 government as required under federal law, regulation or order, or in
31 accordance with compliance requirements of a federal government contract;
32 and (3) disclosed to a substance abuse treatment facility for the purpose of
33 evaluation or treatment of the employee.
34

35 4. Privilege
36

37 Positive test results from the school district drug or alcohol testing program
38 may not be used as evidence in a criminal action against the employee or
39 job applicant tested.
40

41 J. Notice of Testing Policy to Affected Employees
42

43 The school district shall provide written notice of this drug and alcohol testing
44 policy to all affected employees upon adoption of the policy, to a previously non-
45 affected employee upon transfer to an affected position under the policy, and to a
46 job applicant upon hire and before any testing of the applicant if the job offer is
47 made contingent on the applicant's passing drug and alcohol testing. Affected
48 employees and applicants will acknowledge receipt of this written notice in the
49 form of Attachment G to this policy.

1
2 **V. POSTING**
3

4 The school district shall post notice in an appropriate and conspicuous location on its
5 premises that it has adopted a drug and alcohol testing policy and that copies of the policy
6 are available for inspection during regular business hours by its employees or job applicants
7 in its personnel office or other suitable locations.
8
9

10 **Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
11 Minn. Stat. Ch. 43A (State Personnel Management)
12 Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the
13 Workplace)
14 Minn. Stat. § 221.031 (Motor Carrier Rules)
15 49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of
16 1991)
17 49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
18 49 C.F.R. Parts 40 and 382 (Department of Transportation Rules
19 Implementing Omnibus Transportation Employee Testing Act of 1991)
20

21 **Cross-References:** Board Policy 104 - Drug-Free Workplace/Drug-Free School
22 *Board Policy 110 – Chemical Use/Abuse*
23 *Board Policy 412 – Public and Private Personnel Data*
24

25
26 *Cross Reference:*
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33 ADOPTED BY THE BOARD OF EDUCATION: September 5, 1995
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35 AMENDED BY THE BOARD OF EDUCATION: November 6, 2000, November 15,
36 2004. August 13, 2012
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Attachment A

(TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD)

— PRETEST NOTICE —

I, _____, the undersigned employee/job applicant of Independent School District No. 280, Richfield, Minnesota ("School District") do hereby acknowledge that I have been provided a copy of the School District's Drug and Alcohol Testing Policy.

Date: _____

Signature of Employee/Job Applicant

Attachment B

(TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD)

— POST TEST NOTICE —

I am currently taking or have recently taken:

_____ no over-the-counter or prescription medications; or

_____ the following over-the-counter or prescription medications:

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

Date: _____

Signature of Employee/Job Applicant

Attachment C

**WAIVER AND CONSENT TO SUBMIT
TO DRUG AND ALCOHOL TESTING**

I hereby agree to submit to drug or alcohol testing on a random basis as required by my employer, Independent School District No. 280. I understand that such testing may include any method of analysis at my employer's discretion, including intoxilyzer (breath-testing), blood test, or urine test, and may occur at any time without prior notice to me. I understand that I have certain rights under state law regarding drug and alcohol testing and I have been provided a copy of the law applicable to those rights and have had an opportunity to review it. I hereby waive all of my rights regarding employer drug and alcohol testing under state law including, but not limited to, the right to written notice of drug and alcohol testing pursuant to a school district policy and confirmatory retest. I understand that a positive drug or alcohol test will subject me to discipline which includes, but is not limited to, immediate suspension without pay or immediate discharge, pursuant to the provisions of this policy. I specifically acknowledge that this waiver and consent is completely voluntary and no school district official has coerced me in any manner.

Dated: _____
Name

Dated: _____
Witness

Adopted: _____

MSBA/MASA Model Policy 416

Orig. 1995

Revised: _____

Rev. 2015

416 DRUG AND ALCOHOL TESTING

[Note: Drug and Alcohol Testing of school bus drivers and applicants is mandatory under federal law. The mandatory testing is described under Part III. of the policy. Testing of other employees or testing of school bus drivers beyond that mandated by federal law is optional but can be done under state law only if a policy containing provisions such as the provisions of Part IV. of this policy are adopted. To preserve the right to request or require school district employees who are not bus drivers and applicants to undergo drug and/or alcohol testing or to require bus drivers to submit to testing that is not federally mandated, a school district should adopt Part IV. as part of its drug and alcohol testing policy.]

I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not

medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.

3. “Breath Alcohol Technician” (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. “Commercial Motor Vehicle” (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.
5. “Designated Employer Representative” (DER) means a designated school district representative authorized to take immediate action to remove employees from safety-sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.
6. “Department of Transportation” (DOT) means United States Department of Transportation.
7. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the

certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

11. "Safety-sensitive functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
12. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. "Stand Down" means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.
14. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

[Note: The federal regulations require that school districts provide materials to bus drivers explaining the school district's policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers. 49 C.F.R. § 382.601. Almost all of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of this Section C.]

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.

2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

[Note: The federal regulations require a school district to obtain a signed statement from each driver certifying that he or she has received a copy of these materials. 49 C.F.R. § 382.601(d). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]

D. Alcohol and Controlled Substances Testing Program Manager

[Note: School districts are required by the federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation. 49 C.F.R. § 382.601(b)(1).]

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

[Note: The specific prohibitions for drivers are contained, in large part, in 49 C.F.R. §§ 382.201-382.215.]

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.

2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

[Note: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations. 49 C.F.R. § 382.505.]

No driver found to have an alcohol concentration of 0.02 or greater but less than

0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policy of the school district.

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.

H. Testing Requirements

1. Pre-Employment Testing

[Note: 49 C.F.R. § 382.301 details the requirements for pre-employment testing.]

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.

[Note: A school district is permitted, but not required, to conduct pre-employment testing for the use of alcohol. If a school district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-

up tests), within the preceding two (2) years.

[Note: The federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible. 49 C.F.R. § 382.413 and 49 C.F.R. § 40.25. If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

[Note: 49 C.F.R. § 382.303 governs post-accident testing of drivers.]

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled

substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

[Note: 49 C.F.R. § 382.305 governs random testing of drivers.]

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

[Note: The Federal Highway Administration (FHWA) lowered the random alcohol selection and testing rate from 25% of the average number of driver positions to 10% in 1998 and evaluates this minimum percentage each year. School districts can elect to stay at 25% (or a higher percentage) if they do not want to monitor the minimum annual percentage rate set by the FHWA. The random controlled substances selection and testing rate has remained at 50% each year and has not been lowered to 25% as is possible under the regulations.]

- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

[Note: 49 C.F.R. § 382.307 governs reasonable suspicion testing of drivers.]

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

[Note: 49 C.F.R. §§ 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]

5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.

[Note: 49 C.F.R. §§ 382.311, 40.307, and 40.309 govern follow-up testing.]

6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled

substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

[Note: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 C.F.R. §§ 40.191, 40.261, and 382.211. They are more specifically addressed in 49 C.F.R. §§ 382.501-382.507 and in 49 U.S.C. § 521(b).]

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

[Note: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. 49 C.F.R. § 40.45.]

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated

collection site. The collection site personnel will then pour the sample into two sample bottles, labeled “primary” and “split,” seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.

- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor’s inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor’s expense. No split specimen testing is done for an invalid result.
- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor’s failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test

result as received from the testing laboratory exists.

- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

[Note: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 C.F.R. § 40.225]

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.

- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

- 1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver's or driver applicant's expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

[Note: The limitation on discharge in Paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minn. Stat. § 221.031, Subd. 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the school district's legal counsel is recommended.]

- 2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [***name, address, telephone number***], which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

[Note: The federal recordkeeping requirements for school districts are detailed in the federal regulations 49 C.F.R. §§ 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver's license as part of its Alcohol & Drugs: DOT Compliance Manual.]

2. The required records shall be retained for the following minimum periods:

| | |
|---------------|---------|
| Basic records | 5 years |
|---------------|---------|

“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

| | |
|---|------------|
| Information obtained from previous employers | 3 years |
| Collection records | 2 years |
| Negative and cancelled drug tests | 1 year |
| Alcohol tests with less than 0.02 concentration | 1 year |
| Education and training records | indefinite |

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and

performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

[Note: Subparagraphs b. and c., below, are based on the provisions of 49 C.F.R. § 40.289.]

b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

[Note: School districts are not required to comply with state law governing drug and alcohol testing when the individuals are subject to the federal laws and regulations (i.e., bus drivers). If a school district, after consultation with legal counsel, chooses to comply voluntarily with these requirements, Subparagraph b., above, can be modified as follows:

b. The school district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the school district may choose, but is not required, to provide an SAP evaluation or any subsequent recommended education or treatment.]

c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

d. Drivers who engage in prohibited conduct also are required to

comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

[Note: When the testing of drivers complies with federal testing requirements and procedures, school districts clearly are exempt from the state drug and alcohol testing requirements in Minn. Stat. §§ 181.950-181.957. See Minn. Stat. § 221.031, Subd. 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Job Applicant Testing

The school district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer which is contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the school district shall notify the job applicant of the reason for its action.

3. Random Testing

The school district may request or require employees to undergo drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

4. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the

employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;

- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

5. Treatment Program Testing

The school district may request or require any employee to undergo drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

6. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

B. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

- 1. "Drug" means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
- 2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of

drugs, alcohol, or their metabolites in the sample tested.

3. “Other Employees” means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver’s license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver’s license are primarily governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver’s license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of “other employees.”
4. “Job applicant” means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver’s license, and includes a person who has received a job offer made contingent on the person’s passing drug or alcohol testing. Job applicants for positions requiring a commercial driver’s license are governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.).
5. “Positive test result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
6. “Random selection basis” means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
7. “Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
8. “Safety-sensitive position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of this Section D.

2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant's Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver's license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee

or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
- b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same

drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform him or her of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the

same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view

of, or must be placed in a secure area by a person authorized to handle the sample;

3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing

policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment G to this policy.

V. POSTING

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

ATTACHMENTS TO DRUG AND ALCOHOL TESTING POLICY

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

- Attachment A is a “Driver Acknowledgment–Drug and Alcohol Testing Policy Materials” form which should be used to document receipt of the policy and other materials by drivers and driver applicants. It is referred to in Article III., Section C., Paragraph 4. of the policy.
- Attachment B is a “Bus Driver or Driver Applicant–Authorization to Release Information” form. It is referred to in Article III., Section H., Paragraph 1. of the policy.
- Attachment C is a “Bus Driver or Driver Applicant–Refusal to Submit to Testing” form. It is referred to in Article III., Section H., Paragraph 7. of the policy.

Attachments D through G are to be used in conjunction with drug and alcohol testing of non-bus drivers and applicants.

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

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— DRIVER ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY AND MATERIALS

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

The District's policy was provided to me:

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

I also received materials concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected.

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

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— BUS DRIVER OR DRIVER APPLICANT —

AUTHORIZATION TO RELEASE INFORMATION

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

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

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

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

Employee Signature: _____ Date: _____

Section I-A.

School District Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

Section I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

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

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

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

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

Section II-B.

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

Title: _____

Phone #: _____

Date: _____

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**— BUS DRIVER OR DRIVER APPLICANT —
REFUSAL TO SUBMIT TO TESTING**

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

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

[An applicant who fails to appear for a preemployment test, who leaves the testing site before the preemployment testing process commences, or who does not provide a urine specimen because he or she left before it commences, is not deemed to have refused to submit to testing.]

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

Date: _____

Time: _____

Signature of Employee/Applicant

Supervisor: _____

Supervisor's Signature

Comments: _____

Employee refusal to sign

Supervisor's Initials: _____

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— PRETEST NOTICE —

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

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

[Employee Name]
[Employee Address]

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

NOTICE OF TEST RESULTS AND VARIOUS RIGHTS

Test Results:

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

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

Test Result Report:

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

Right to Explain Positive Test Result:

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

Right to Request Confirmatory Retests:

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

Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your intention to obtain a confirmatory retest.

Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against you.

Other Rights:

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

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

- b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
3. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.
5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

If a job applicant for a position that does not require a commercial driver's license has received a job offer made contingent on the applicant passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

EXPLANATION OF POSITIVE TEST RESULT

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

I am currently taking or have recently taken:

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

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

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

**— ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY**

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

The District's policy was provided to me:

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

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

RICHFIELD PUBLIC SCHOOLS

DRUG AND ALCOHOL TESTING

I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, **including medical cannabis, regardless of whether it has been prescribed for the employee,** is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, **including medical cannabis, regardless of whether it has been prescribed for the employee,** is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored

program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

- E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER POSITIONS REQUIRING A COMMERCIAL DRIVERS LICENSE

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means a designated school district representative authorized to take immediate action to remove employees from safety-sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.

6. “Department of Transportation” (DOT) means United States Department of Transportation.
7. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

11. “Safety-sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
12. “Screening Test Technician” (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. “Stand Down” means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.
14. “Substance Abuse Professional” (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of **Attachment A** to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

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1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. **Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.**

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, **including medical cannabis**, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policy of the school district.

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. **Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.**

H. Testing Requirements

1. Pre-Employment Testing

- a. A driver applicant shall undergo testing for alcohol and controlled substances, **including medical cannabis**, before the first time the driver performs safety-sensitive functions for the school district.
- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign an agreement in the form of **Attachment B to** this policy, authorizing

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former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, **including medical cannabis**, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, **including medical cannabis**, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to

administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.
- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, **including medical cannabis**, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, **including medical cannabis**, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, **including medical cannabis**, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's

appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.

- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
 - d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.
5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.
6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.
7. Refusal to Submit and Attendant Consequences
 - a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
 - b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would

test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.

- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign **Attachment C** to this policy.

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I. Testing Procedures

1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated,

substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.
2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by

withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.

- c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be **Quest Diagnostics**, which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

- 1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

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

Basic records 5 years

“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

| | |
|---|------------|
| Information obtained from previous employers | 3 years |
| Collection records | 2 years |
| Negative and cancelled drug tests | 1 year |
| Alcohol tests with less than 0.02 concentration | 1 year |
| Education and training records | indefinite |

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.
2. Referral, Evaluation, and Treatment
 - a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
 - b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP’s evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.
 - c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
 - d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.
3. Disciplinary Action
 - a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform

or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.

- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers, positions requiring a commercial driver's license, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by

a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Job Applicant Testing

The school district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer which is contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the school district shall notify the job applicant of the reason for its action.

3. Random Testing

The school district may request or require employees to undergo drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

4. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

5. Treatment Program Testing

The school district may request or require any employee to undergo drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

6. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

B. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes, **including medical cannabis**, regardless of enrollment in the state registry program.
2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial

driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."

4. "Job applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.).
 5. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
 6. "Random selection basis" means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
 7. "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
 8. "Safety-sensitive position" means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.
- D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal
1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of this Section D.
 2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant's Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver's license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of **Attachment D** to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing policy.

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2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.

- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
 - c. **The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.**
 - d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.
5. Notice of and Right to Request Confirmatory Retests
- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
 - b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.
6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform him or her of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

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F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the

employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.

6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of **Attachment G** to this policy.

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V. **POSTING**

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy

are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
- Cross-References:** Board Policy 104 - Drug-Free Workplace/Drug-Free School
Board Policy 110 – Chemical Use/Abuse
Board Policy 412 – Public and Private Personnel Data

ADOPTED BY THE BOARD OF EDUCATION: September 5, 1995

AMENDED BY THE BOARD OF EDUCATION: November 6, 2000, November 15, 2004. August 13, 2012

Attachment A

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— DRIVER ACKNOWLEDGMENT —

DRUG AND ALCOHOL TESTING POLICY AND MATERIALS

I have received a copy of the Drug and Alcohol Testing Policy of Independent School District No. 280, Richfield, Minnesota and have read it in its entirety. I understand that I am subject to the provisions of Article III of the policy, entitled Drug and Alcohol Testing for Bus Drivers, because the position involves operating a commercial motor vehicle and requires a commercial driver's license.

The District's policy was provided to me:

_____ Upon adoption of the policy. (employee).

_____ Upon my hire. (job applicant/new employee).

_____ After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing. (job applicant).

I also received materials concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected.

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

Dated: _____

_____ Signature of Employee/Applicant

_____ Typed or Printed Name

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Attachment B

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]
—BUS DRIVER OR DRIVER APPLICANT—

AUTHORIZATION TO RELEASE INFORMATION

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

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

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

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

Employee Signature: _____

Date: _____

Section I-A.

School District Name: _____

Address: _____

Phone #: _____

Fax #: _____

Designated Employer Representative: _____

Section I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

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

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

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

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

Section II-B.

Name of person providing information in Section II-A:

Title:

Phone #:

Date:

Attachment C

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

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

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

Failing to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so;

Failing to remain at the testing site until the testing process is complete;

Failing to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test;

Failing to permit the observation or monitoring of any provision of a specimen in the case of a directly observed or monitored collection in a drug test;

Failing to provide a sufficient breath specimen or sufficient amount of urine when directed and it has been determined that there was no adequate medical explanation for the failure;

Failing or declining to take a second test as directed;

Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) or the Designated Employer Representative (DER);

Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process, failing to wash hands after being directed to do so by the collector, failing to sign the certification on the form;

Failing to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process;

Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;

Admitting to the collector or MRO that the driver adulterated or substituted the specimen; or

Having a verified adulterated or substituted test as reported by the MRO.

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[An applicant who fails to appear for a preemployment test, who leaves the testing site before the preemployment testing process commences, or who does not provide a urine specimen because he or she left before it commences, is not deemed to have refused to submit to testing.]

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

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Date:

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Time:

Signature of Employee/Applicant

Supervisor:

Supervisor's Signature

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Comments:

Employee refusal to sign

Supervisor's Initials:

Attachment DA
(TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD)
— PRETEST NOTICE —

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I, _____, the undersigned employee/job applicant of Independent School District No. 280, Richfield, Minnesota ("School District") do hereby acknowledge that I have been provided a copy of the School District's Drug and Alcohol Testing Policy.

I hereby agree to submit to drug or alcohol testing on a random basis as required by my employer, Independent School District No. 280. I understand that such testing may include any method of analysis at my employer's discretion, including intoxilyzer (breath-testing), blood test, or urine test, and may occur at any time without prior notice to me. I understand that I have certain rights under state law regarding drug and alcohol testing and I have been provided a copy of the law applicable to those rights and have had an opportunity to review it. I hereby waive all of my rights regarding employer drug and alcohol testing under state law including, but not limited to, the right to written notice of drug and alcohol testing pursuant to a school district policy and confirmatory retest. I understand that a positive drug or alcohol test will subject me to discipline which includes, but is not limited to, immediate suspension without pay or immediate discharge, pursuant to the provisions of this policy.

I specifically acknowledge that this waiver and consent is completely voluntary and no school district official has coerced me in any manner.

Date: _____ Signature of Employee/Job Applicant

Typed or Printed Name

Dated: _____
Witness

Attachment **FB**

(TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD)

— EXPLANATION OF POSITIVE TEST NOTICE —

I the undersigned employee/job applicant of Independent School District No. 280, Richfield, Minnesota acknowledge receipt of a Notice of Test Results and Various Rights. This includes my right to explain the positive result on a confirmatory test.

I am currently taking or have recently taken:

_____ no over-the-counter or prescription medications; or

_____ the following over-the-counter or prescription medications:

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

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

Attachment C

WAIVER AND CONSENT TO SUBMIT
TO DRUG AND ALCOHOL TESTING

I hereby agree to submit to drug or alcohol testing on a random basis as required by my employer, Independent School District No. 280. I understand that such testing may include any method of analysis at my employer's discretion, including intoxilyzer (breath-testing), blood test, or urine test, and may occur at any time without prior notice to me. I understand that I have certain rights under state law regarding drug and alcohol testing and I have been provided a copy of the law applicable to those rights and have had an opportunity to review it. I hereby waive all of my rights regarding employer drug and alcohol testing under state law including, but not limited to, the right to written notice of drug and alcohol testing pursuant to a school district policy and confirmatory retest. I understand that a positive drug or alcohol test will subject me to discipline which includes, but is not limited to, immediate suspension without pay or immediate discharge, pursuant to the provisions of this policy.

I specifically acknowledge that this waiver and consent is completely voluntary and no school district official has coerced me in any manner.

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Dated: _____
_____ Name

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Dated: _____
_____ Witness

Attachment E

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

[Employee Name]
[Employee Address]

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

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NOTICE OF TEST RESULTS AND VARIOUS RIGHTS

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Test Results:

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Independent School District No. 280, Richfield, Minnesota has received the test result report from the testing laboratory:

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

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Test Result Report:

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

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Right to Explain Positive Test Result:

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

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Right to Request Confirmatory Retests:

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

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Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your intention to obtain a confirmatory retest.

Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against you.

Other Rights:

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

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:

a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.

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3. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.

5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

If a job applicant for a position that does not require a commercial driver's license has received a job offer made contingent on the applicant passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

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Attachment G

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD] —

ACKNOWLEDGMENT — DRUG AND ALCOHOL TESTING POLICY

I have received a copy of the Drug and Alcohol Testing Policy of Independent School District No.280 ,Richfield, Minnesota and have read it in its entirety.

The District's policy was provided to me:

Upon adoption of the policy. (employee).

Upon my hire. (job applicant/new employee).

After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing. (job applicant).

Dated: _____ Signature of Employee/Applicant

Typed or Printed Name

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OLD BUSINESS - FOR REVIEW

Agenda Item V.D.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

**Subject: Policy 112 Wellness, 112.1 Administrative Guidelines and
112.2 Administrative Guidelines - Wellness-Nutrition Services Operations and
Meal Charges**

(Recommended by the Superintendent)

A third read of Policy 112 and updated guidelines.

Attachments

Policy 112 Wellness – Third Read

Policy 112.1 Administrative Guidelines

Administrative Guidelines 112.2 - Third Draft

RICHFIELD PUBLIC SCHOOLS

WELLNESS

I. PURPOSE

The purpose of this policy is to assure a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

II. GENERAL STATEMENT OF POLICY

- A. The School Board recognizes that nutrition and physical activity are essential components of the educational process and that good health fosters student attendance and education. Therefore, students shall be provided access to healthy foods and opportunities to be physically active in order to learn, grow and excel. ~~grow, learn, and thrive.~~
- B. The school environment should promote students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The School Board recognizes that nutrition promotion and education, physical activity, and other school-based activities that promote student wellness are essential components of the educational process and that good health fosters student attendance and academic performance.
- D. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- E. The District will establish goals for nutrition education and promotion; physical education and activity; and will establish connections between nutrition education, school meal programs, schoolyard gardens and related community services to foster lifelong habits of healthy eating and physical activity.
- F. The School Board endorses and the school district adheres to the USDA nutrition guidelines to promote student health and to prevent and reduce childhood obesity, eating disorders and chronic disease.
- G. The school district encourages the involvement of parents, students, representatives of the school food authority, teachers, school health professionals, the school board, school administrators, and the general public in the development, implementation, and periodic review and update of the school district's wellness policy.
- H. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic,

1 and cultural diversity of the student body in meal planning; and will
2 provide clean, safe, and pleasant setting and adequate time for students
3 to eat.
4

5 I. The District will inform and update the public (including parents, students,
6 and others in the community) about the content and implementation of the
7 District Wellness policy in accordance with policy guidelines.
8

9 J. The Chief HR and Administrative Officer has responsibility to ensure that
10 each school complies with the District Wellness Policy. The Wellness
11 Policy will be measured periodically on the extent to which school are in
12 compliance, the progress made in attaining nutrition and physical activity
13 goals, and the extent to which the District Wellness policy compares to
14 model Wellness policies. The results of this assessment will be made
15 available to the School Board and the public.
16

17 **III. Legal References**

18
19 7 U.S.C. § 5341 (Establishment of Dietary Guidelines)
20 7 C.F.R. § 210.10 (School Lunch Program Regulations)
21 7 C.F.R. § 220.8 (School Breakfast Program Regulations)
22 42 U.S.C. § 1771 et seq. (Child Nutrition Act of 1966)
23 42 U.S.C. § 1751 et seq. (National School Lunch Act)
24 42 U.S.C. § 1758b (Local School Wellness Policy)
25 Minn. Stat. §121A.215 (Local School District Wellness Policy)
26

27 ADOPTED BY THE BOARD OF EDUCATION: April 3, 2006

28 REVIEWED BY THE BOARD OF EDUCATION: May 18, 2015, June 12, 2017

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RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

WELLNESS

NUTRITION AND ENVIRONMENTAL GUIDELINES

The Administrative Guidelines outlined within this document are intended to create a school environment that protects and promotes the health of our students. Our commitment is to provide nutrition education and regular physical activity, as well as access to nutritious foods for all students.

I. USDA SCHOOL MEALS AND SNACKS

School meals will include a variety of healthy choices while accommodating special dietary needs and ethnic and cultural food preferences. All schools shall participate in the USDA school breakfast and school lunch programs. Schools eligible for the Fruit and Vegetable program will apply to implement this program. The schools will make every effort to eliminate any social stigma attached to, and prevent the over-identification of, students who are eligible for free and reduced-priced meals. Food and nutrition services will utilize electronic identification and payment systems and promote the availability of school meals to all students. The schools will also make every effort to eliminate any social stigma attached to negative meal balance. Under no circumstances shall any student be turned away from a USDA meal. Under no circumstances shall any student receive restricted choice related to USDA meal options provided to students.

A. USDA Standards for Meals and Food Service Staff

- All foods and beverages made available on campus (including concessions, school stores, a la carte cafeteria items, etc.) during the school day shall be consistent with the current USDA Dietary Guidelines for Americans and applicable federal rules and regulations.
- The Director of Food and Nutrition Services shall ensure that all reimbursable meals meet nutrition standards mandated by the USDA, as well as any additional state nutrition standards that go beyond USDA requirements;
 1. All such items shall be appropriate to the school setting.
 2. In the event a written complaint is filed regarding the approval or disapproval of any item, the School Board Superintendent or designee and the Director, after review, shall make the final determination.

1
2 The Director of Food and Nutrition Services shall be responsible for the school
3 district's food service program. Duties shall include monitoring nutrition guidelines
4 and procedures for the selection of foods and beverages made available on
5 campus to ensure food and beverage choices are consistent with current USDA
6 Dietary Guidelines for Americans. The school meal programs will be administered
7 by a dietician or nutritionist with school meal experience. If the district does not
8 employ staff with this expertise, consultants will be used. The schools shall
9 provide the opportunity for continuing professional development for all food and
10 nutrition service personnel. All food and nutrition service staff will be provided
11 training on USDA meal plans/reimbursable meals so they can properly advise
12 students as to the meal components they may/must take, as well as cooking
13 techniques, recipe implementation, sanitation, and food safety;

14
15 All menus will be reviewed by the Director of Food and Nutrition. When this is not
16 feasible, sample USDA menus or USDA software for menu review may be used.

17
18 The schools shall make every effort to provide students with sufficient time to eat
19 after sitting down for school meals and will schedule meal periods at appropriate
20 times during the school day.

21
22 **B. Meal Environment**

- 23
- 24 • Meals will be served in a clean and pleasant setting and under appropriate
25 supervision. Rules for safe behavior will be consistently enforced.
 - 26
 - 27 • The High School is a limited open campus. It is a closed campus, meaning
28 students are not permitted to leave the school grounds during the school, to
29 all 9th and 10th graders. Students in 11th and 12th grades may apply to be
30 eligible to leave the campus during the day and may be approved based on
31 parent approval and qualifying standards determined at the high school level.
 - 32
 - 33 • Schools will make every effort to provide students with sufficient time to eat
34 after sitting down (approximately 20 minutes) for school meals and will
35 schedule meal periods at appropriate times during the school day.
 - 36
 - 37 • The elementary schools, grades K-5, are encouraged to schedule recess time
38 before lunch when possible.
 - 39
 - 40 • Tutoring, club, or organizational meetings or activities will not be scheduled
41 during mealtimes, unless students may eat during such activities.
 - 42
 - 43 • The schools shall work to provide students access to hand washing or hand
44 sanitizing before they eat meals or snacks and teachers, food and nutrition
45 and school staff will remind students to make use of them.
 - 46
 - 47 • Information on the nutritional content and ingredients of meals will be found
48 on menus, in school newsletters and/or the district web-site.

1 Parents/guardians and students will be informed that information is available
2 and information shall be kept up-to-date.

3
4 **C. Meal Promotion**

- 5
6 • Participation in school meal programs will be promoted. Parents/guardians
7 will be notified of the availability of the breakfast, lunch and summer food
8 programs and will be encouraged to determine eligibility for reduced or free
9 meals. The District will, to the extent possible, arrange bus schedules and
10 utilize methods to serve school breakfasts that encourage participation,
11 including serving breakfast in the cafeteria or “grab-and-go” breakfast in the
12 classroom.
13
14 • Foods served as part of the Before and Aftercare (childcare) programs run by
15 the school must meet USDA standards if they are reimbursable under a
16 school meals program. Otherwise they must meet the nutrition standards for
17 competitive foods (see Part B). Foods served as part of the Before and
18 Aftercare (child care) programs run by an outside organization (e.g., YMCA)
19 must meet the district’s nutrition standards for competitive foods.
20

21
22 **II. FOOD AND BEVERAGES OUTSIDE REIMBURSABLE MEALS**

23
24 **A. Competitive Foods and Beverages**

25
26 All foods and beverages *sold* on school grounds to students outside of
27 reimbursable school meals are considered “*competitive foods*.” Competitive foods
28 include items sold a la carte in the cafeteria, from vending machines, school stores
29 and for in-school fundraisers during the school day*.

30
31 *All* competitive foods must comply with the USDA Smart Snacks in School
32 standards (See Wellness Attachment), as well as all applicable state standards.
33 Foods *served* as part of the Before and Aftercare (child care) programs and clubs
34 must also comply with these nutrition standards *unless* they are reimbursable
35 under USDA school meals program, in which case they must comply with all
36 applicable USDA standards.
37

38 Competition for food sales with the School Lunch Program is prohibited by the
39 School District’s participation in the federal school lunch program. Competition of
40 non-nutritious food sales with the School Lunch Program during the school day is
41 prohibited. The school principal shall regulate the hours of operation of any
42 vending machine, school store or concession stands. The food and beverage
43 products dispensed by vending machines or concession stands operated on
44 campus outside the regular school day shall strive to provide nutritious
45 substitutions for high sugar and fat content items as evaluated by the Food and
46 Nutrition Services Director.
47

48 The schools shall encourage all students to make age appropriate, healthy
49 selections of foods and beverages, including those sold individually outside the

1 reimbursable school meal programs, and after school, such as through vending
2 machines, fundraising events, concession stands, and student stores.

3
4 *School day is defined by the USDA as the period from midnight before, to 30
5 minutes after the end of the official school day.

6
7 **B. Other Foods and Beverages Made Available to Students**

8
9 Student wellness will be a consideration for all foods served to students on the
10 school campus, including those foods provided through:

- 11
12 1. Celebrations and parties. Food and beverages will not be part of classroom
13 celebrations, parties or student birthday recognition events. The District will
14 make available to parents a list of non-food celebration ideas.
15
16 2. Any classroom snacks will follow USDA Smart Snacks in School guidelines.
17

18 **C. Rewards and Incentives**

19
20 The use of food or beverages as a reward should follow USDA Smart Snacks in
21 School Guidelines (unless this practice is allowed by a student's individual
22 education plan or behavior intervention plan) and will not withhold food or
23 beverage as a punishment.
24

25 **D. Fundraising**

26
27 The sale or distribution of food and beverage products by individuals for
28 consumption during the school day, as a fund raising activity, shall follow
29 USDA Smart Snacks in School Guidelines. However, preorders for distribution
30 and consumption after school may be allowed at the discretion of the school
31 principal. Non-food fundraising is promoted and activities that promote physical
32 activity are encouraged. The District will make available to parents and teachers
33 a list of healthy fundraising ideas.
34

35 **E. Access to Drinking Water**

- 36
37 • Students and school staff members will have access to free, safe, fresh
38 drinking water at all times throughout the school day. Water jugs and cups
39 will be available in the cafeteria if water fountains are not present,
40 Supervisory staff will facilitate access to water in the cafeteria. Students will
41 be allowed to bring drinking water from home into the classroom.
42
43 • Water will be promoted as a substitute for sugar-sweetened beverages
44 (SSBs). The District prohibits the selling of food and beverages containing
45 caffeine and non-nutritive sweeteners to elementary and-middle and high
46 school students.
47
48 • School staff will be encouraged to model drinking water consumption.
49

- Maintenance will be performed on all water fountains regularly to ensure that hygiene standards for drinking fountains, water jugs, hydration stations, water jets, and other methods for delivering drinking water are maintained.

III. NUTRITION EDUCATION AND PROMOTION

The Healthy Hunger – Free Act (The Act) requires that wellness policies include goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the school district determines appropriate.

A. The District will encourage and support healthy eating by students and engage in nutrition education and promotion that is:

1. Offered as part of a sequential and comprehensive K-12 program designed to provide students with knowledge and skills necessary to promote and protect their health.
2. Part of health education classes as well as classroom instruction in subjects such as math, science, language arts, social science and elective subjects, where appropriate.

Students will receive consistent nutrition messages throughout schools, classrooms, cafeterias, and school media. The schools shall model, encourage and support healthy eating by students and engage in nutrition promotion.

1. Nutrition promotion can include participatory activities such as contests, promotions, farm visits, and experience working in school gardens. Nutrition promotion shall be designed to be enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
2. The nutrition education program may be linked to school meal programs, school gardens, food and nutrition promotion, after-school programs, and farm-to-school programs.
3. Nutrition education may be offered in the cafeteria as well as the classroom, with coordination between the food and nutrition services staff and teachers.
4. Nutrition education will promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and proper portion sizes.

- 1 5. Students will have opportunities to taste foods that are low in saturated
2 and trans fats, sodium and added sugar.
- 3
- 4 6. Staff members responsible for nutrition education will participate in
5 relevant professional development (e.g., training on the Dietary Guidelines
6 for Americans and how to teach the guidelines).
- 7
- 8 7. Staff will only use approved nutrition curriculum in the classroom.
9 Curriculum developed by corporate interest is prohibited.
- 10
- 11 8. Nutrition education will be provided to families via handouts, newsletters,
12 postings on the web-site, presentations and/or workshops. The school
13 menu will be posted online.
- 14
- 15 9. Staff is strongly encouraged to model healthful eating habits, and
16 discouraged from eating in front of children/sharing food with children
17 during regular class time, outside of activities related to the nutrition
18 education curriculum.
- 19 Specifically the nutrition curriculum will encompass:
- 20
- 21
 - 22 • Promotion of adequate nutrient intake and healthy eating practices;
 - 23
 - 24 • Skill development, such as reading labels to evaluate the nutrient
25 quality of foods, meal planning, and analysis of health information
 - 26
 - 27 • Examination of the problems associated with food marketing to
28 children;
 - 29
 - 30 • Nutrition themes including, but not limited to USDA's MY Plate, Dietary
31 Guidelines for Americans, adequate nutrient intake, body image and
32 food safety.
 - 33
- 34

IV. OTHER

A. Marketing

School –based marketing will be consistent with nutrition education and health promotion. As such, the following guidelines apply:

- 41
- 42
 - 43 • Schools will restrict food and beverage marketing to the promotion of only
44 those foods and beverages that meet the nutrition standards set forth in
45 the District Wellness Policy;
 - 46 • Smarter lunchroom techniques will be used to encourage fruit, vegetable,
47 dry beans and pea choices.
 - 48 • Examples of marketing techniques include:
 - 49 ○ Brand names, trademarks, logos, or tags, except when placed on a
 physically present food or beverage product or on its container.

- 1 o Displays, such as on vending machine exteriors.
- 2 o Corporate brand, logo, name, or trademark on school equipment,
- 3 message boards, scoreboards, or uniforms
- 4 o Advertisements in school publications or school mailings
- 5 o Sponsorship of school activities, fundraisers, or sports teams;
- 6 o Educational incentive programs such as contests, or programs that
- 7 provide schools with supplies of funds when families purchase specific
- 8 food products
- 9 o Free samples or coupons displaying advertising of a product

10
11
12 **V. PHYSICAL ACTIVITY**

13
14 **A. Physical Education**

15 All K-12 students will receive physical education. Physical Education will be
16 based on the Minnesota Physical Education Standards Fall 2017 and
17 coordinated with the National Health Education Standards (K-12). All K-12
18 students will receive physical education. Master scheduling will strive to provide
19 60 minutes per week for elementary school students, 497 minutes daily for
20 middle school students for 1 trimester per year, 50 minutes daily for high school
21 students with 1 full year (2 semesters) required for graduation. All physical
22 education classes (K-12) are will be taught by licensed teachers who are certified
23 or endorsed to teach physical education at a teacher to student ratio of planned
24 to be no greater than 40:1. Physical education programs will meet the needs of
25 all students, including students with disabilities, special health-care needs, and
26 students in alternative educational settings, and actively teach cooperation, fair
27 play, and responsible participation.

28
29 Student involvement in other activities, including those involving physical activity
30 (e.g. interscholastic or intramural sports), will not be substituted for physical
31 education.

- 32
- 33 • Physical education classes will count toward graduation and GPA.
- 34 • Waivers, exemptions, or substitutions for physical education classes will
- 35 not be granted
- 36 • The school prohibits the use of physical activity and withholding of
- 37 physical education class and other forms of physical activity as
- 38 punishment
- 39 • All physical education classes will be taught by a qualified physical
- 40 education teacher and at least 80% of time will be spent in moderate to
- 41 vigorous activity.
- 42 • The school will provide adequate space/equipment and conform to all
- 43 safety standards.
- 44 • Physical education staff will receive professional development on a yearly
- 45 basis
- 46 • Students missing class will be encouraged to make up missed physical
- 47 activity time by participating in an equivalent physical activity, including at

1 [least 30 minutes of moderate to vigorous activity \(examples include](#)
2 [intramural athletics, documented exercise, etc.\)](#):-

3
4 **B. Physical Activity**

5 All students will have opportunities for physical activity beyond physical
6 education class. Classroom health education will reinforce the knowledge and
7 skills needed to maintain a physically active lifestyle. Opportunities for physical
8 activity shall be incorporated into other subject lessons, where appropriate.
9 Classroom teachers shall provide short physical activity breaks between lessons
10 or classes, as appropriate. The district encourages teachers to serve as role
11 models by being physically active alongside the students. The district offers
12 extra and co-curricular activities. Through formal joint of shared-use
13 agreements, indoor and outdoor physical activity facilities are spaces that will be
14 open to students, families, and the community outside of school hours.
15

16
17 **C. Recess**

18 All elementary school students will have supervised recess before or after the
19 lunch period, during which moderate to vigorous physical activity will be
20 encouraged. Outdoor recess will only be withheld in the event of extreme
21 weather, as defined by the district. In the event that recess must be held indoors,
22 teachers and staff will follow indoor recess guidelines to ensure adequate
23 physical activity for students.

24 **D. Physical Activity Programs**

25 Elementary, middle, and high school will offer extracurricular physical activity
26 programs, such as physical activity clubs and intramural programs. High school
27 and middle school will offer interscholastic sports programs to all students.

28 **E. Safe Routes to School**

29 The school district will assess and, if necessary and to the extent possible, make
30 needed improvements to make it safer and easier for students to walk and bike to
31 school. For example, crossing guards may be stationed around the school to
32 facilitate safe walking and biking school commutes, and bike racks will be
33 available. The School District will work together with local public works, public
34 safety, and/or police departments in those efforts.
35

36
37 **VI. WELLNESS LEADERSHIP AND COMMUNITY INVOLVEMENT**

38 This wellness policy was developed by the District Health, Safety and Wellness
39 Committee, a group comprised of individuals from the following groups:
40 parents/guardians, principals, teachers, food and nutrition service personnel,
41 health service personnel, school board members, school administrators, and
42 other interested persons (such as local public health). Policy revisions will take
43 into account new research and evidence on health trends, new national and state
44 standards and guidelines, new state and federal initiatives, local evaluation data,
45 changing district priorities, and other related issues. Meetings are held 4 times

1 during the school year. All meeting dates are posted on the district website and
2 are open to the public.

3 The Chief Human Resources and Administrative Officer is charged with
4 operational responsibility for ensuring that the District meets the requirements of
5 the wellness policy.

6
7 The Principal of each school will develop an annual action plan to implement the
8 District Wellness Policy, ensure compliance within the school and will report
9 annually to the Chief Human Resources and Administrative Officer regarding
10 compliance.

11
12

13 **VII. POLICY IMPLEMENTATION AND PUBLICATION**

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After approval by the school board, the wellness policy will be implemented throughout the school district and an on-going District Health, Safety and Wellness Committee with community-wide representation will be maintained.

18 The District will post the Wellness Policy on its website. Information including the
19 following shall be posted on the school district website before the start of the
20 following school year.

21
22

23 **VIII. ANNUAL REPORTING**

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The Chief Human Resources and Administrative Officer will annually inform the public about the content and implementation of the Wellness policy and make the Policy and any updates to the policy available to the public. The report shall be posted on the District website and provide the following information:

- 29 • The extent to which each school is in compliance with the wellness policy;
- 30 • Progress made in attaining the goals of the Policy
- 31 • Triennial assessment findings
- 32 • Web link of the Wellness Policy
- 33 • Contact details for committee leadership and information

34

35 **Triennial Assessment**

36 At least once every three years, the District will evaluate compliance with the
37 Wellness Policy to assess the implementation of the Policy and create a report
38 that includes the following information:

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- The extent to which schools under the jurisdiction of the District are in compliance with the Wellness Policy
- The extent to which the District's Wellness Policy compares to model local wellness Policies; and
- A description of the progress made in attaining the goals of the District's Wellness Policy

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The Food and Nutrition Services Supervisor will be responsible for conducting the triennial assessment. The triennial assessment report shall be posted on the school district website and made available to the public

Recordkeeping

The school district will retain records to document compliance with the requirements of the Wellness Policy. The records to be retained include, but are not limited to:

- The District's written Wellness Policy
- Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school Wellness Policy and triennial assessment available to the public.
- Documentation of the triennial assessment of the local school Wellness Policy for each school under the District's jurisdiction efforts to review and update the Wellness policy (including an indication of who is involved in the update and methods the District uses to make stakeholders aware of their ability to participate on the Wellness Committee)

Legal References:

- 29 U.S.C. § 794 (Section 504 of Rehabilitation Act of 1973, as Amended)
- 42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
- 42 U.S.C. § 1771 *et seq.* (Child Nutrition Act of 1966)
- 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act of 1990, as amended)
- P.L. 108-265 (2004) 204 (Local Wellness Policy)
- 7 U.S.C. § 5341 (Establishment of Dietary Guidelines)
- 7 C.F.R. § 210.10 (School Lunch Program Regulations)
- 7 C.F.R. § 220.8 (School Breakfast Program Regulations)
- 42 U.S.C. § 1758b, Section 9A, Section 204 (Healthy Hunger -Free Kids Act of 2010)
- 7 CFR Parts 210 and 220 (Final Rule July 2016)

ADOPTED BY THE BOARD OF EDUCATION: May 18, 2015
REVIEWED BY THE BOARD OF EDUCATION: May 18, 2015, June 12, 2017.

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RICHFIELD PUBLIC SCHOOLS
ADMINISTRATIVE GUIDELINES

WELLNESS-NUTRITION SERVICES OPERATIONS AND MEAL CHARGES

I. PURPOSE

The Administrative Guidelines outlined within this document are intended to create a nutrition services operational environment that protects and promotes the nutritional health of our students. Our commitment is to ensure that our district provides students with healthy meals with the nutrition they need to stay focused during the school day. We further commit to providing district employees, families and students with a shared understanding of expectations regarding meal charges. These guidelines seek to minimize identification of students with insufficient account balances to pay for school meals as well as to maintain the financial integrity of the nutrition services program.

II. BELIEFS

Richfield Public Schools believes that healthy school meals enable all students to achieve at their highest level, and we are committed to offering a variety of nutritional offerings to meet the individual needs of our students.

III. PAYMENT OF MEALS

We strongly encourage all families to complete the Application for Educational Benefits each school year to determine eligibility for free or reduced-price lunch. [Families may complete the Application for Educational Benefits anytime throughout the year to reflect any changes that may impact determination of eligibility.](#) Each household is financially responsible for all **charged** meals consumed by their child either before the approval of an application, after the denial of benefits for income over the USDA guidelines, or the election to not fill out an application. We will use every possible outreach strategy to inform all families about the need to provide money for student meals. We send out a notification and instruction postcard to each household during the second week of August annually.

A. Every student has a meal account. When the balance in their meal account reaches zero, a student will continue to receive meals with a full choice of school-provided full, reimbursable meal options. When the balance reaches zero however, students will not be allowed to charge for additional entrees or a la carte items until funds are available in the account to cover the cost of the additional entrees or a la carte items. [Under no circumstances shall any student be turned away from a USDA meal of their choice. Under no](#)

1 [circumstances shall any student receive restricted choice related to USDA](#)
2 [meal options provided to students.](#)

- 3
4 B. Under Minn. Stat. § 124D.111, full meals will be available without charge to
5 all participating students who qualify for free or reduced-price meals
6 regardless of account balance. Additionally, a full meal will be available to all
7 students regardless of lunch balance. [Under no circumstances shall any](#)
8 [student be turned away from a USDA meal of their choice.](#) [Under no](#)
9 [circumstances shall any student receive restricted choice related to USDA](#)
10 [meal options provided to students.](#)

- 11
12 C. When a [lunch account student](#) has a negative account balance, a la carte,
13 snack and/or double entree items will not be available regardless of paid,
14 free or reduced-price lunch status.

15
16 **IV. NEGATIVE ACCOUNT BALANCE NOTIFICATION**

- 17
18 A. Reminders for payment of outstanding student meal balances will not
19 demean or stigmatize any student participating in the school lunch
20 program.
21
22 B. The school district will make reasonable efforts to notify families when
23 meal account balances fall below zero.
24
25 C. Families will be notified of an outstanding negative balance using the
26 following methods.

27
28 **Elementary Students:**

- 29
30 1. Printed statements will go home in the backpacks on Friday of each week for
31 all [lunch balance accounts that have a negative balance.](#) ~~students with a~~
32 ~~negative balance in their current lunch account.~~
33
34 2. Automated calls, texts and/or emails will be sent two times per week [when](#)
35 [the student for all](#) meal accounts ~~with has~~ a negative balance. These will be
36 sent using the contact information provided to the district by the legal
37 guardian of the student.
38
39 3. No ~~K-5~~ students will be denied a meal. [Under no circumstances shall any](#)
40 [student be turned away from a USDA meal of their choice.](#) [Under no](#)
41 [circumstances shall any student receive restricted choice related to USDA](#)
42 [meal options provided to students.](#) ~~Families; however families~~ will receive
43 increased communication and follow up when the account has a balance of
44 negative \$25.00 or more until payment is received or the legal guardian
45 contacts nutrition services at (612) 798-6072 or (612) 798-6071. [Personal](#)
46 [communication with families will occur only through school administrator,](#)
47 [social worker or administrative designee.](#) [Administrative coordination with](#)
48 [outreach workers will occur for communication with Non-English speaking](#)
49 [families.](#) Nutrition services staff will work [weekly](#) with [building leadership](#)

1 [and/or the school social worker to communicate information related to all](#)
2 [accounts that have a balance at negative \\$25 or lower. Nutrition services](#)
3 [staff will not communicate directly with families. the district's outreach team](#)
4 [for non-English speaking households.](#)

- 5
6 4. When a [student owes meal account is negative](#) \$50.00 or more [funds are](#)
7 [owed](#), building leadership/social workers will contact parents to discuss the
8 situation and provide additional resources.

9
10 **Secondary Students:**

- 11
12 1. Students can check their meal account balance or deposit money at any
13 point of sale register at both the high school and middle school.
14 Parents/guardians are encouraged to sign up for a ParentVue user ID and
15 password to monitor all of their child's accounts. Parents can also link
16 accounts to FeePay for transaction details, balances and payment.
17
18 2. Automated calls, texts and/or emails will be sent two times per week [for all](#)
19 [when the student](#) meal accounts [with has](#) a negative balance. These will be
20 sent using the contact information provided to the district by the legal
21 guardian of the student.
22
23 3. No ~~6-12~~ students will be denied a meal; [Under no circumstances shall any](#)
24 [student be turned away from a USDA meal of their choosing. Under no](#)
25 [circumstances shall any student receive restricted choice related to USDA](#)
26 [meal options provided to students. Families however, families](#) will receive
27 increased communication and follow up when the account has a balance of
28 negative \$15.00 or more until payment is received or the legal guardian
29 contacts nutrition services at (612) 798-6072 or (612) 798-6071. [Personal](#)
30 [communication with families will occur only through school administrator,](#)
31 [social worker or administrative designee. Administrative coordination with](#)
32 [outreach workers will occur for communication with Non-English speaking](#)
33 [families. Nutrition services staff will work weekly with building leadership](#)
34 [and/or the school social worker to communicate information related to all](#)
35 [accounts that have a balance at negative \\$25 or lower. Nutrition services](#)
36 [staff will not communicate directly with families. Nutrition services staff will](#)
37 [work with the district's outreach team for non-English speaking households.](#)
38 In addition to family communication, students in grades 6-12 will also receive
39 an email with their meal account balance.
40
41 4. When a [meal account is student owes negative](#) \$50.00 or more [are owed](#),
42 building leadership/social workers will contact parents to discuss the situation
43 and provide additional resources.
44
45 5. If all verbal and written communication attempts to the household do not
46 result in a payment and the student meal account has a balance of negative
47 \$50.00 or more, the student may also incur limited access to other school
48 enrichment activities such as dances, special field trips or special events as
49 determined by the school administrator until communication from the

1 household is received and a plan is established for payment on the account.
2 Any decisions of this nature will require specific review and written approval
3 of the superintendent prior to implementation. Students will not be restricted
4 from curriculum-based programs or activities.
5
6

7 **V. POINT OF SALE CLARIFICATIONS**
8

9 A. All reasonable efforts shall be made to communicate meal balances at
10 locations other than the point of sale.
11

12 B. All reasonable efforts shall be made to have the point of sale occur prior to
13 the selection of items.

14 B.C. At the point of sale, nutrition services staff may clarify to students
15 reimbursable meal requirements
16

17 C.D. At the point of sale, any information shared with students shall occur with
18 concern for the dignity of the student. Under no circumstances shall
19 communication occur that shames the student or that could attract the
20 attention of other students during the communication.
21
22

23 **VI. COMMUNICATION CLARIFICATIONS**
24

25 A. The school district will make reasonable efforts to communicate with families
26 to resolve ~~the~~ any unpaid charges. Where appropriate, families may be
27 encouraged to apply for free and reduced-price meals for their children. This
28 communication will only come from the school social worker, administrator or
29 designee.
30

31 B. Nutrition services employees shall not be expected to communicate
32 information related to collection of meal debt. This communication will be
33 from the school social worker, administrator or designee.
34

35 C. The school district will not enlist the assistance of non-school district
36 employees, such as volunteers, to engage in debt collection efforts.
37
38

39 D. The school district will not deny any student the opportunity to participate in
40 graduation ceremonies or other commencement activities due to unpaid meal
41 charges.
42

43 **VII. COMMUNICATION OF POLICY**
44

45 A. This policy and any pertinent supporting information will be provided in
46 writing (i.e., mail, email, back-to-school packets, student handbook, etc.)
47 to:
48

- 49 1. all households at or before the start of each school year;

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2. students and families who transfer into the school district, at the time of enrollment; and,
 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post the policy on the school district's website, in addition to providing the required written notification described above.

11 **Legal References:**

- 12
 - 13
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- Minn. Stat. § 124D.111, Subd. 4 42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
 - 7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
 - 7 C.F.R. § 220.8 (School Breakfast Program Regulations)
 - USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
 - USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)
 - USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A
 - Minn. Op. Atty. Gen. 169j (May 14, 2019) (*Letter to Ricker*)

25 ADOPTED BY THE BOARD OF EDUCATION: May 18, 2015
26 REVIEWED BY THE BOARD OF EDUCATION: May 18, 2015, June 12, 2017
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NEW BUSINESS – FOR ACTION

Agenda Item VI.A.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

SUBJECT: Richfield High School Change Order #019

(Recommended by Superintendent)

That the Board of Education approve Richfield High School Project Change Order #019 for a net increase of \$127,256.35.

Background Information

Richfield High School Change Order #019 – Additional cost for fire proofing to the existing structure as required by the code official, addition of power supplies for the security doors and adding an outlet and light in the kitchen. Several other no cost changes are also included in this change order.
Add \$127,256.35

| | |
|--|------------------|
| The original (Contract Sum) | \$ 35,430,000.00 |
| Net change by previously authorized Change Orders | \$ 831,872.44 |
| The contract sum prior to this Change Order was | \$ 36,261,872.44 |
| The contract sum will be increased by this Change Order in the amount of | \$ 127,256.35 |
| The new contract sum including this Change Order will be | \$ 36,389,128.79 |
| The contract time will not be changed by this Change Order by 0 days | |



ICS
3890 Pheasant Ridge Drive N.E., Suite 180
Blaine, Minnesota 55449
Phone: (763) 354-2670
Fax: (763) 780-2866

Project: S180064 - RHS - ISD #280, Richfield High School
7001 Harriet Avenue South
Richfield, Minnesota 55423

Contract Change Order #019: L.S. Black CO 019 - DRAFT for approval

| | | | |
|-------------------------------|---|-------------------------|---|
| CONTRACT COMPANY: | L.S. Black Constructors, Inc. 1959 Sloan Place, Suite 220 St. Paul, Minnesota 55117 | CONTRACT FOR: | SC-S180064 - RHS-001:L.S. Black Single Prime Contract |
| DATE CREATED: | 4/13/2020 | CREATED BY: | Raeann Wynn (ICS - Blaine, MN) |
| CONTRACT STATUS: | Approved | REVISION: | 0 |
| REQUEST RECEIVED FROM: | | LOCATION | |
| DESIGNATED REVIEWER: | | REVIEWED BY: | |
| DUE DATE: | | REVIEW DATE: | 04/13/2020 |
| INVOICED DATE: | | PAID DATE: | |
| REFERENCE: | | CHANGE REASON: | |
| PAID IN FULL: | No | EXECUTED: | No |
| ACCOUNTING METHOD: | Amount Based | SCHEDULE IMPACT: | 0 days |
| FIELD CHANGE: | No | TOTAL AMOUNT: | \$127,256.35 |

DESCRIPTION:

Majority of the costs is for additional spray applied fire proofing required by the City building code official. Another major cost on this change order is to modify the exterior door security infrastructure. The last cost is to add more lights and power in the kitchen. All other change events are no cost supplement information (SI) for clarifications.

CE #016 - SI #001 - Commons Stair Dimensions RFI #53: Dimensions for Area L Stair: No cost impact: \$0.00

CE #033 - PR #014 Panel and Transformer Relocation Area J #82: First Floor Area K/J Panel Movement: No cost impact: \$0.00

CE #035 - SI #002 New Room Numbers: NO cost impact: \$0.00

CE #047 - SI #004 Grid Reference Plans: No cost impact: \$0.00

CE #054 - SI #005 Piping Coupling Clarification: No cost impact: \$0.00

CE #062 - Additional Fire Proofing: \$105,568.88

CE #090 - SI 008 - Foodservice Equipment Layout: No cost impact: \$0.00

CE #109 - PR #060 Kitchen receptacle and light add: \$4,886.23

CE #113 - SI #010 - Duct Coil Sensor Locations: No cost impact: \$0.00

CE #140 - PR #072 Lighting and Power Revision RFI #362: Type FW light fixtures in LL Area Ep: No cost impact: \$0.00

CE #144 - PR #073 Add Power Supplies to Security Doors RFI 332: \$16,801.24



ATTACHMENTS:

[RHS CE 109 pricing.pdf](#) [CE #062 - Additional Fire Proofing Approved 03-30-20.msg](#) [SI #010 - Duct Coil Sensor Locations.pdf](#) [SI #005 Piping Coupling Clarification.pdf](#) [SI #004 Grid Reference Plans.pdf](#)

CHANGE ORDER LINE ITEMS:

| | |
|--|------------------|
| The original (Contract Sum) | \$ 35,430,000.00 |
| Net change by previously authorized Change Orders | \$ 831,872.44 |
| The contract sum prior to this Change Order was | \$ 36,261,872.44 |
| The contract sum will be increased by this Change Order in the amount of | \$ 127,256.35 |
| The new contract sum including this Change Order will be | \$ 36,389,128.79 |
| The contract time will not be changed by this Change Order by 0 days | |

L. S. Black Constructors, Inc.
1959 Sloan Place, Suite 220
St. Paul Minnesota 55117

Wold Architects & Engineers
332 Minnesota Street, Suite W2000
St. Paul Minnesota 55101

Independent School District #280
7001 Harriet Avenue S.
Richfield Minnesota 55423

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

DATE

NEW BUSINESS: FOR ACTION

Agenda Item VI.B

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

**SUBJECT: TERMINATION AND NONRENEWAL OF PROBATIONARY
TEACHING CONTRACTS**

(Recommended by Superintendent)

That the Board of Education approve the resolution relating to the termination and nonrenewal of probationary teaching contracts.

Background Information

see attached

Agenda Item VI.B.

RESOLUTION RELATING TO TERMINATION AND NONRENEWAL OF THE TEACHING CONTRACTS OF THE FOLLOWING PROBATIONARY TEACHERS

FULL TIME

| | |
|--------------------|--------------------|
| Sonia Beccaria | Science |
| Heidi Jones | Reading |
| Keith Encalada | Spanish |
| Maddie Liedtke | Spanish |
| Lewis Istok | Math |
| Sharla Michalik | Special Education |
| Laura Kuker | Special Education |
| Bridget Lips | Kindergarten |
| Lesley Spaeth | Grade 2 |
| Taylor Jensen | ELL |
| Katherine Cabieses | Special Education |
| Gabriel Thompson | Mathematics |
| Brett Oltmans | Special Education |
| Laura Connell | Stem |
| Angela Schnobrich | Reading Specialist |
| Rachel Finstad | Media Specialist |

PART TIME

| | |
|-----------|---------|
| Kim Wolfe | Science |
|-----------|---------|

WHEREAS, the above named are probationary teachers in Independent School District 280.

BE IT RESOLVED, by the school board of Independent School District 280, that pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contracts of the above named, who are probationary teachers in Independent School District 280, be hereby terminated at the close of the current 2018-2019 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teachers regarding termination and nonrenewal of their contracts.

May 4, 2020 Board Action

NEW BUSINESS - FOR ACTION

Agenda Item VI.C.

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, May 4, 2020

Subject: Donations

(Recommended by the Superintendent)

That the Board of Education accept the following donations with gratitude.

K. Matthew McCormick donated \$75 for the RHS Science Club, stating that "My passion for learning was stoked as a child by science."