

**INDEPENDENT SCHOOL DISTRICT NO. 283**

6311 Wayzata Blvd  
St. Louis Park, Minnesota  
Tuesday, March 8, 2022 6:30 PM  
St. Louis Park High School Room 350C  
6425 W 33rd St  
St Louis Park, Minnesota 55426

***AGENDA***

1. **CALL TO ORDER**
2. **LAND ACKNOWLEDGEMENT**
3. **APPROVAL OF AGENDA**
4. **SUPERINTENDENT'S REPORT**
5. **DISCUSSION ITEMS**
  - A. Curriculum & Instruction: Health and Physical Education Update 2
  - B. World's Best Workforce & Every Student Succeeds Act (ESSA) Presentation 5
  - C. Potential Special Election Update 29
  - D. Budget Update 67
  - E. Policy Development - First Reading of Policy 616 School District System Accountability & 808 COVID-19 Face Covering 82
  - F. Policy Development - Third Reading of Policy 515 Protection and Privacy of Pupil Records 104
6. **ACTION AGENDA**
  - A. Approval of Policies 515 Protection and Privacy of Pupil Records & 808 COVID-19 Face Covering
7. **COMMUNICATIONS AND TRANSMITTALS**
8. **ADJOURNMENT**

# HEALTH & PHYSICAL EDUCATION DESIGN TEAM



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***"If the curriculum we use to teach our children does not connect in positive ways to the culture young people bring to school, it is doomed to failure." Lisa Delpit***

## Racial Equity Statement -

We believe all students, especially those who are most marginalized, should have access to challenging and engaging lifelong wellness, reflective thinking and personal health skills which are offered in a welcoming and safe environment for students to be physically and mentally active.

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# HEALTH/PE DESIGN TEAM LEADERS:

Derek Wennerberg

Patrice Howard

Tom Roberts

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1. Who are we?
2. Why is a review like this important?



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# **World's Best Workforce Presentation**

Dr. Silvy Lafayette

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# August Data Advance

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## Every Student Succeeds Act (ESSA)

- ❑ Academic achievement - % proficient=meets and exceeds
- ❑ Academic progress - NA to the high school
- ❑ Progress towards English Language Proficiency
- ❑ Consistent attendance - details on slide 4
- ❑ Graduation - applicable to high school and district

## World's Best Workforce

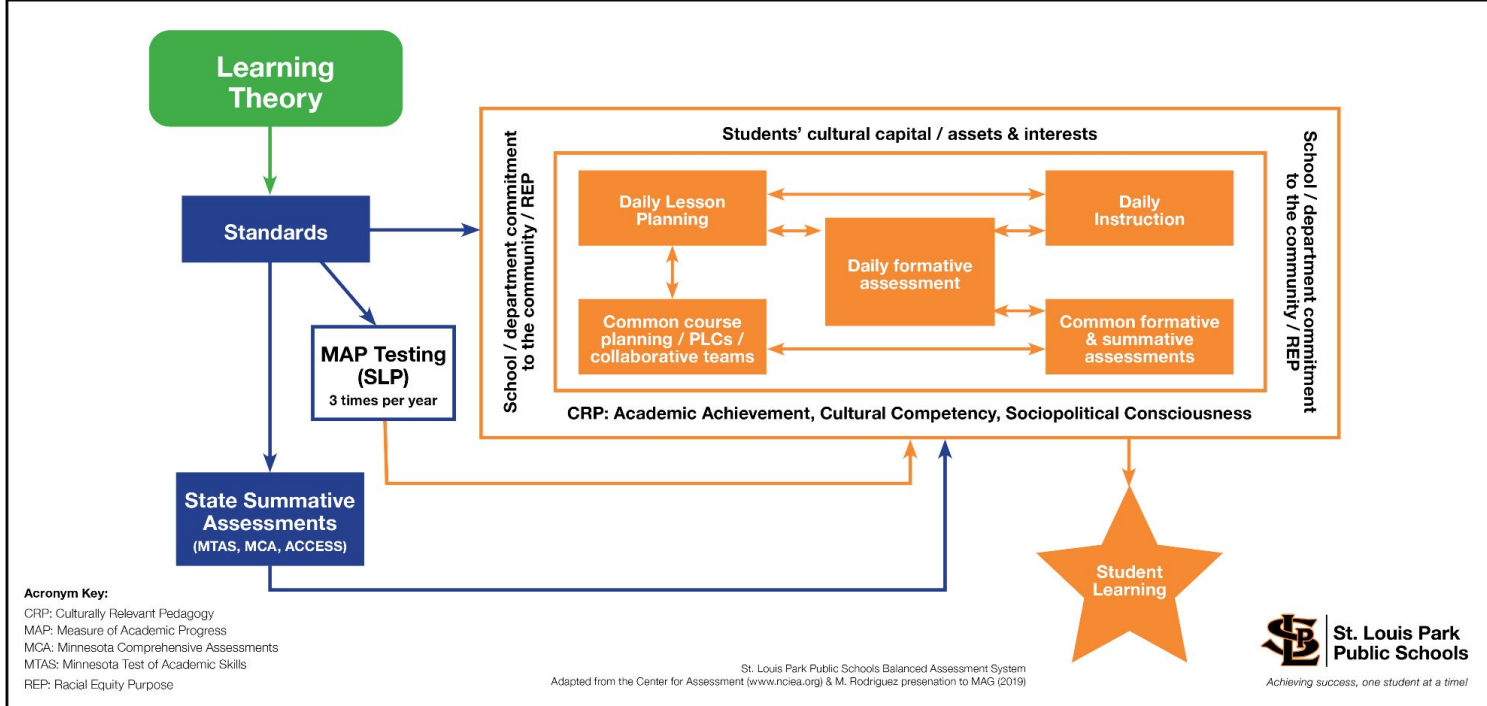
- ❑ Meet school readiness goals
- ❑ Have all third grade students achieve grade-level literacy
- ❑ Close academic achievement gaps
- ❑ Have all students attain career and college readiness
- ❑ Have all students graduate from high school (graduation rate)

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# SLP uses a balanced assessment system to study student data

## Balanced Assessment System



# The pandemic's toll: National test scores show progress slowed, gaps widened

By Matt Barnum | Jul 28, 2021, 12:01am EDT

## Education

# MN state test scores reveal deep impact to child learning during pandemic

Elizabeth Shockman August 27, 2021 9:01 AM

8

Jul 28, 2021, 10:23am EDT | 1,558 views

**There's New Data On Last Year's Student Learning Loss. Let's Not Draw The Wrong Conclusions.**

## 'This is a disaster.': Severity of learning lost to the pandemic comes into focus

By JESSICA CALEFATI | 12/06/2021 10:00 AM EST | Updated 12/06/2021 02:51 PM EST

Presented by The Collaborative for Student Success

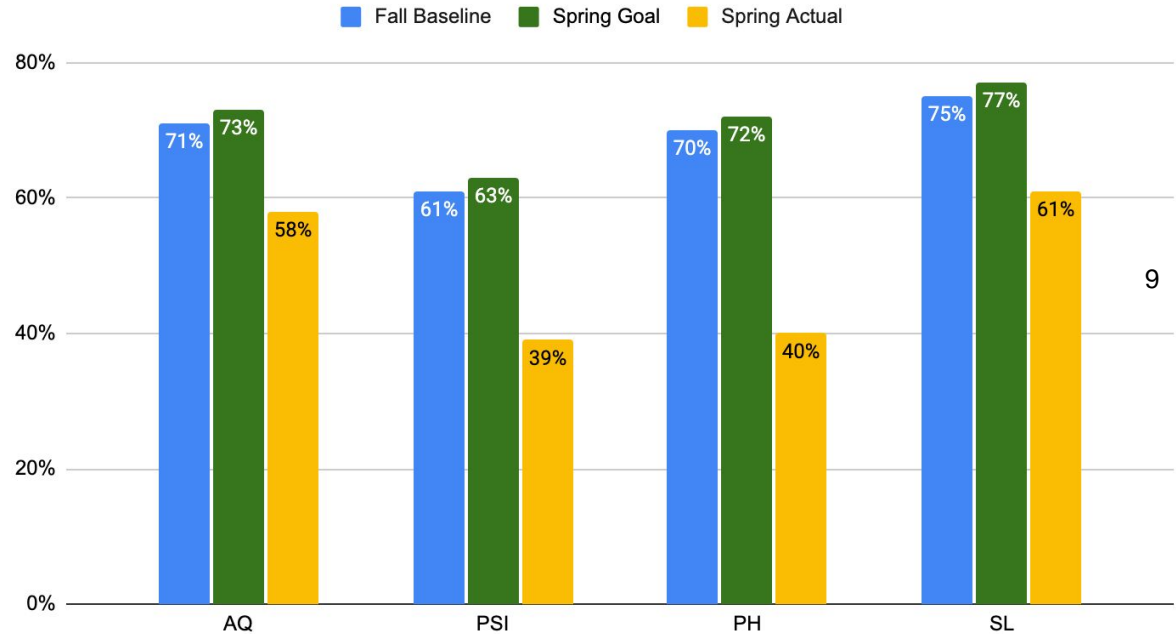


# Goal 1: Students ready for school

The percentage of students at “low risk,” in the fall of 2020 compared to spring 2021 will increase by 2% as assessed by the FastBridge Early Reading Assessment (English and Spanish)

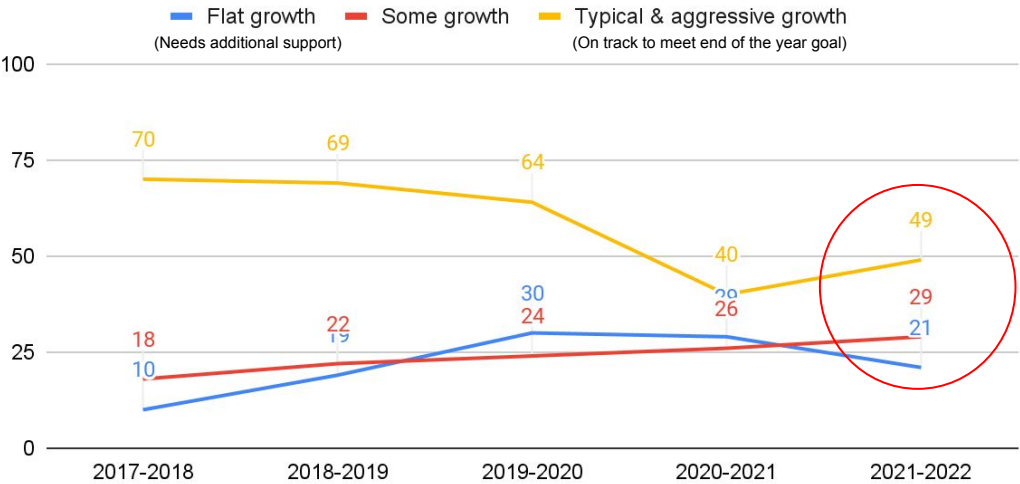
**Outcome:** Goal not met

Percentage of students at "low risk" Fall 2020 to Spring 2021



# Fall SY22 Continuous Improvement Plans (CIPs) set goals to counter learning loss

% Early Reading FastBridge Fall-Winter Growth



AQ, PH & SL

AQ, PH & SL	Flat growth	Some growth	Typical growth and aggressive growth
2017-2018	10	18	70
2018-2019	19	22	69
2019-2020	30	24	64
2020-2021	29	26	40
2021-2022	21	29	49

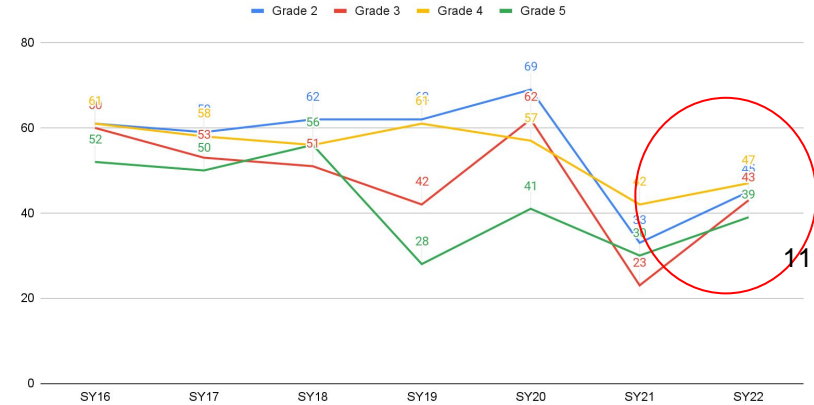
# More elementary grade-level teams are recovering from learning loss in literacy

**56.3%** of elementary grade-level teams, grades 2-5, have increased the percentage of student growth based on fall to winter NWEA MAP data

(Example)

Reading fall to winter MAP growth - SL SY22

Graph represents % of students meeting fall to winter growth target by grade



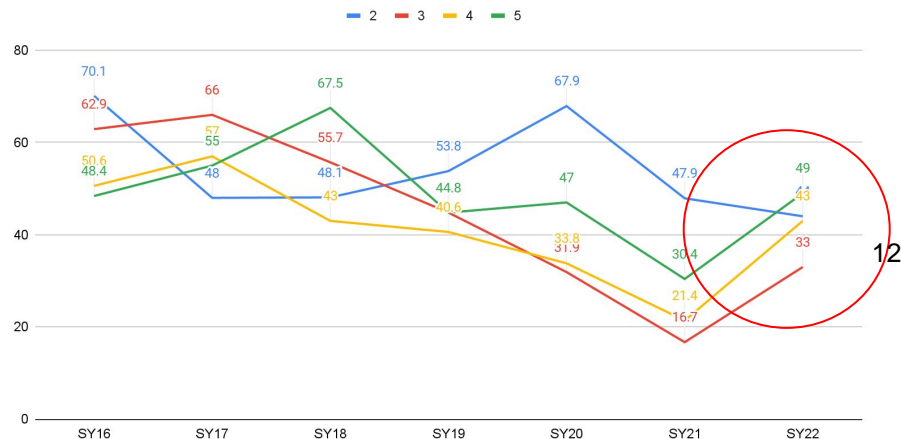
SL	SY16	SY17	SY18	SY19	SY20	SY21	SY22
2	61	59	62	62	69	33	45
3	60	53	51	42	62	23	43
4	61	58	56	61	57	42	47
5	52	50	56	28	41	30	39

# More elementary grade-level teams are recovering from learning loss in math

(Example)

Math fall to winter MAP growth - PH SY22

Graph represents % of students meeting fall to winter growth target by grade



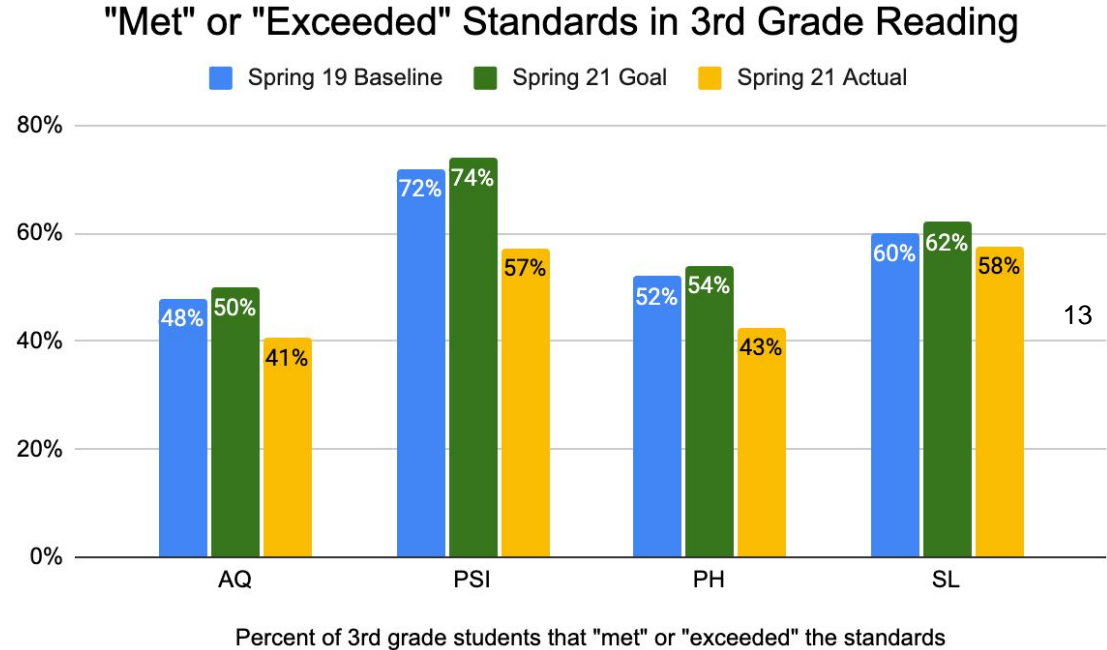
**73.3%** of elementary grade-level teams, grades 2-5, have increased the percentage of student growth based on fall to winter NWEA MAP data

PH	SY16	SY17	SY18	SY19	SY20	SY21	SY22
2	70.1	48	48.1	53.8	67.9	47.9	44
3	62.9	66	55.7	44.8	31.9	16.7	33
4	50.6	57	43	40.6	33.8	21.4	43
5	48.4	55	67.5	44.8	47	30.4	49

## Goal 2: All students in third grade will achieve grade-level literacy

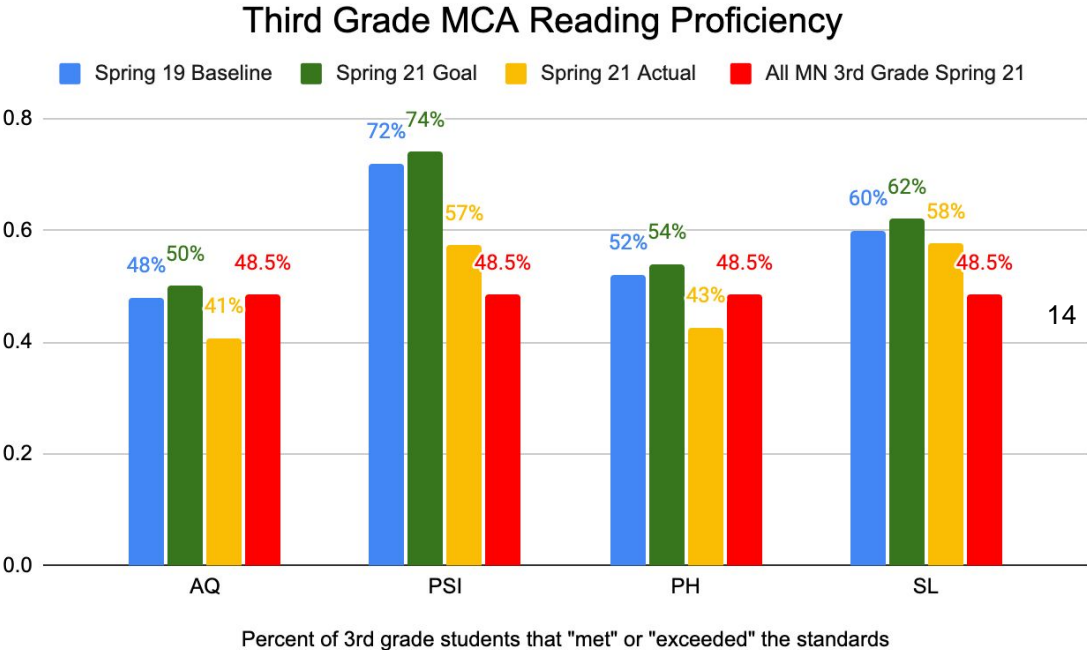
Increase reading proficiency among 3<sup>rd</sup> grade students by 2% as measured by the MCA and MTAS reading.

**Outcome:** Goal not met



# Change in reading proficiency varied by site last year

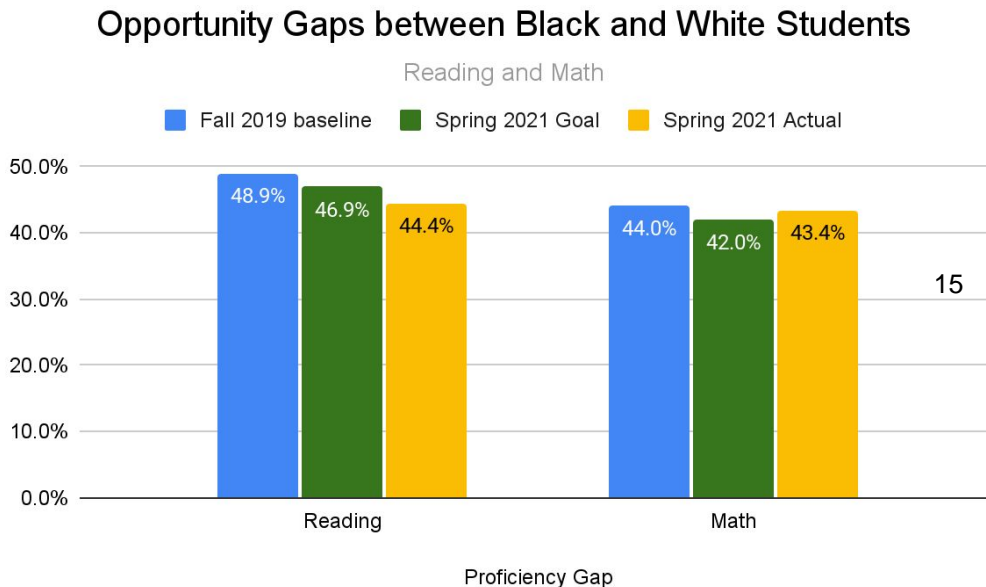
“Just 53% of students met state standards in reading, down 7 percentage points from two years ago”  
([www.startribune.com](http://www.startribune.com), 2021)



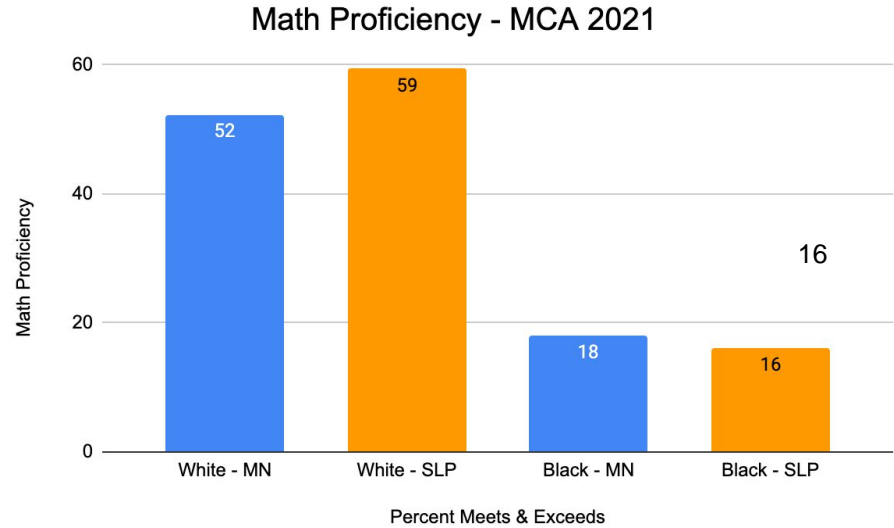
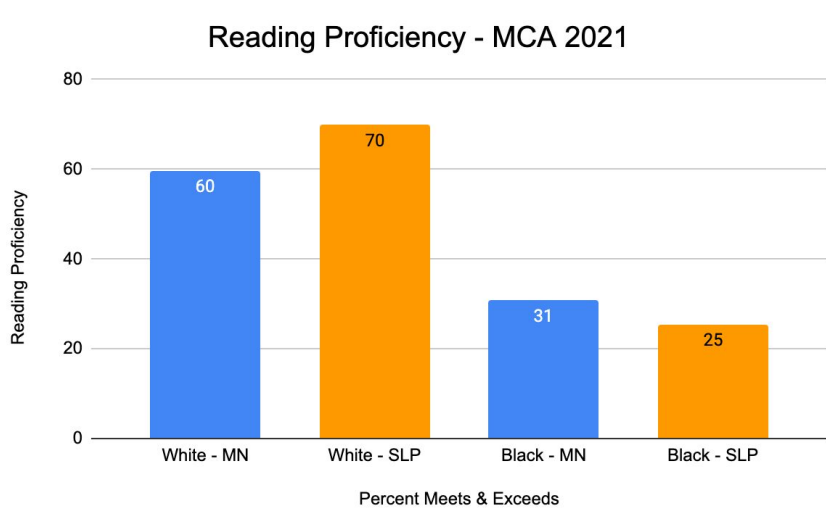
## Goal 3: Close the opportunity gaps between student groups

The reading and math proficiency gap between Black and White students enrolled the full academic year for all grades tested, as measured by all state accountability tests (MCA & MTAS) will decrease by 2%.

**Outcome:** Met some of the goal



# SLP's opportunity gap looks similar to the state's gap

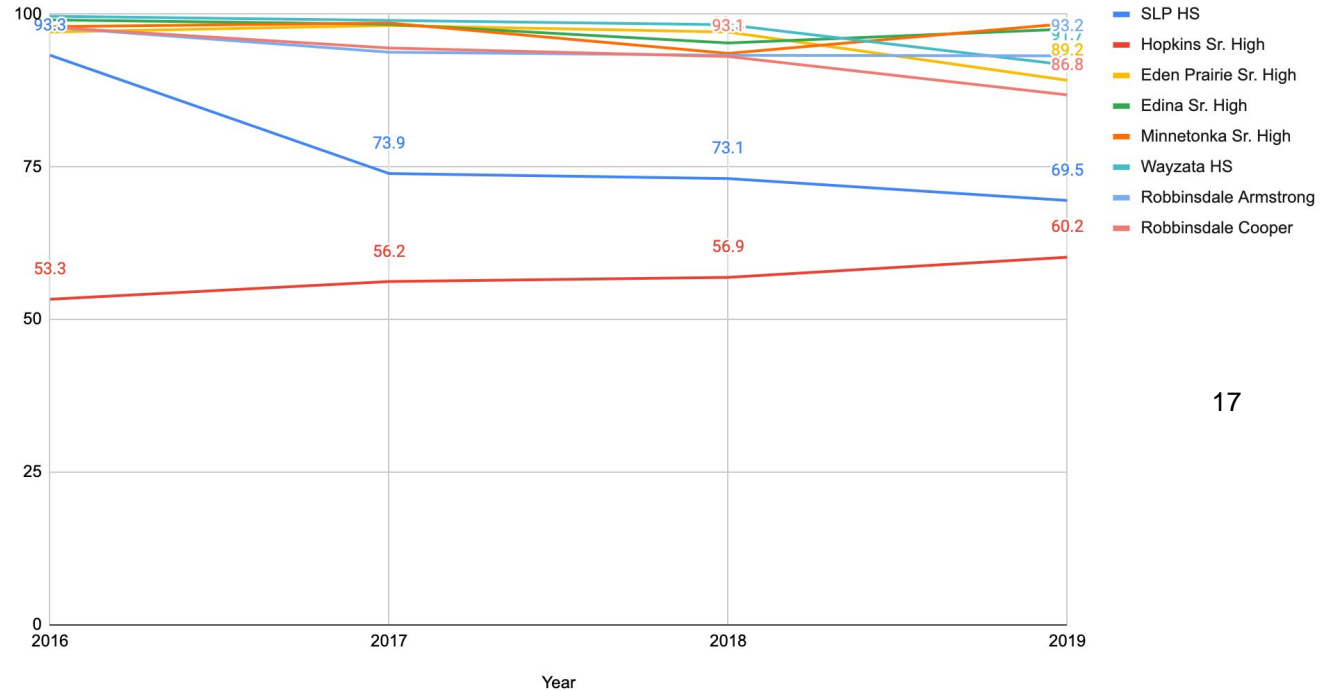




The accuracy of  
SLP's data  
continues to be  
negatively impacted  
by high opt out rates  
at the high school

## MCA Reading Participation Rate

SLP HS Compared to 7 Local High Schools



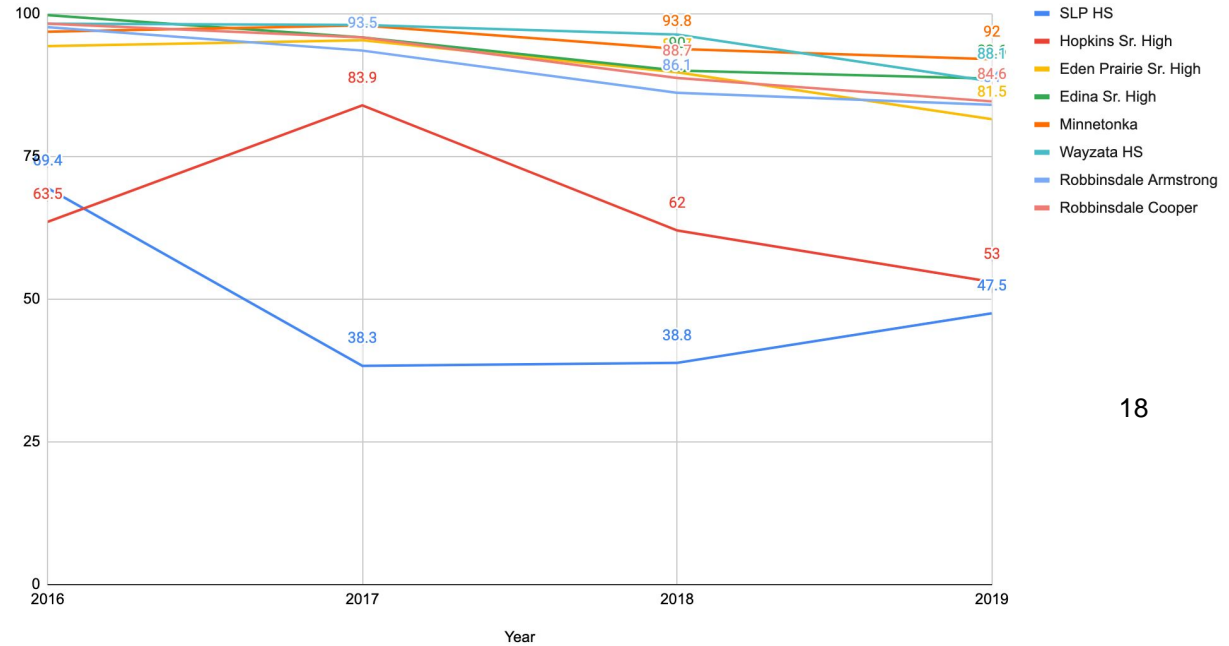
17

MCA Reading	Year	SLP	Hopkins	Eden Prairie	Edina	Minnetonka	Wayzata	Robbinsdale Armstrong	Robbinsdale Cooper
	2019	69.5	60.2	89.2	97.6	98.5	91.7	93.2	86.8
	2018	73.1	56.9	97.1	95.3	93.6	98.3	93.3	93.1
	2017	73.9	56.2	98.2	98.4	98.6	99	93.8	94.5
	2016	93.3	53.3	97.1	99.1	98	99.7	97.9	97.9

The accuracy of  
SLP's data  
continues to be  
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## Pre-Pandemic MCA Math Participation Rates

SLP HS Compared to 7 Local High Schools



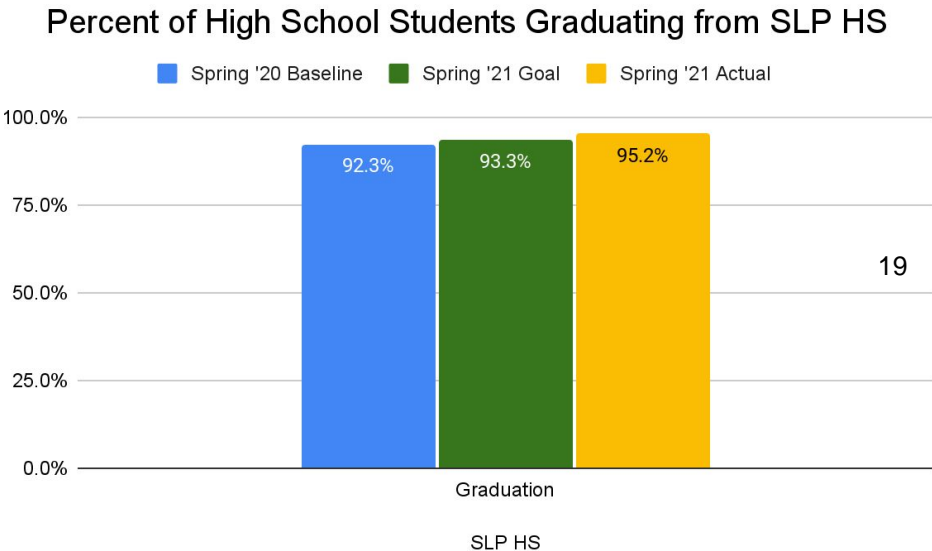
18

MCA Math	Year	SLP	Hopkins	Eden Prairie	Edina	Minnetonka	Wayzata	Robbinsdale Armstrong	Robbinsdale Cooper
	2019	47.5	53	81.5	88.6	92	88.1	84	84.6
	2018	38.8	62	89.7	90	93.8	96.3	86.1	88.7
	2017	38.3	83.9	95.3	95.8	97.9	98	93.5	95.8
	2016	69.4	63.5	94.3	99.7	96.8	98.2	97.6	98.2

# Goal 4: All students graduate

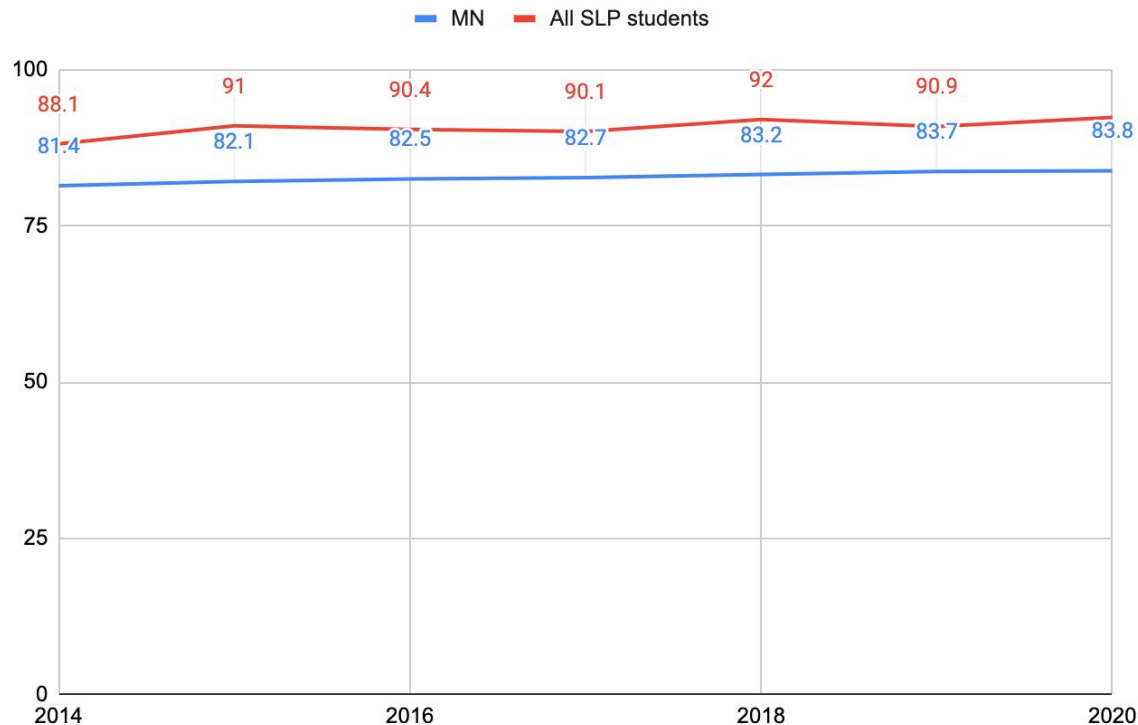
The 4-year high school graduation rate, district-wide for all students, will increase by 1%.

**Outcome:** Goal met



# SLP's graduation rate remains higher than the state's rate

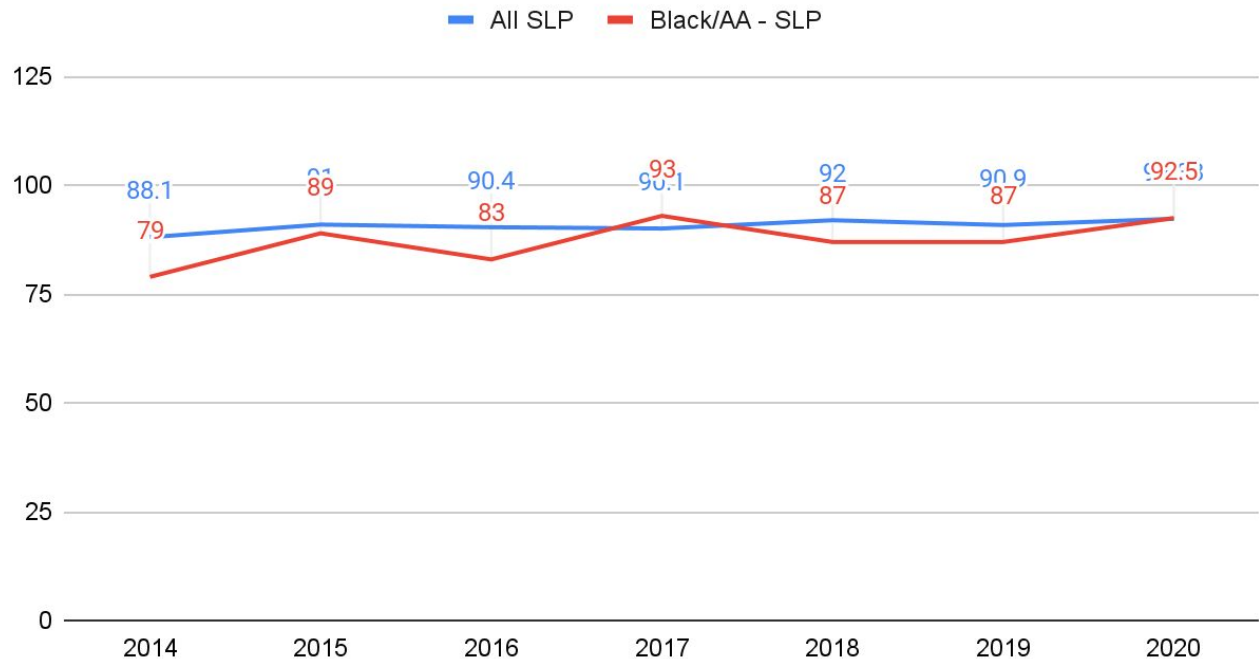
## Percent of HS Students Graduating in 4 Years



20

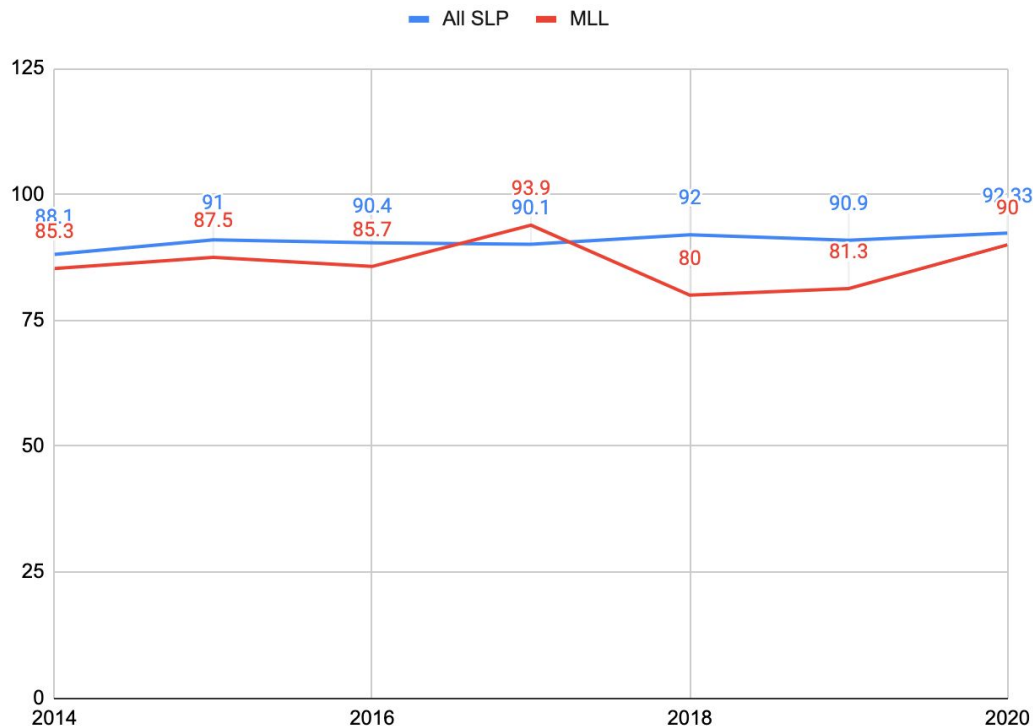
# SLP increased graduation rates among historically marginalized groups

Black / African American: 4-Year Graduation Rate SY14-20



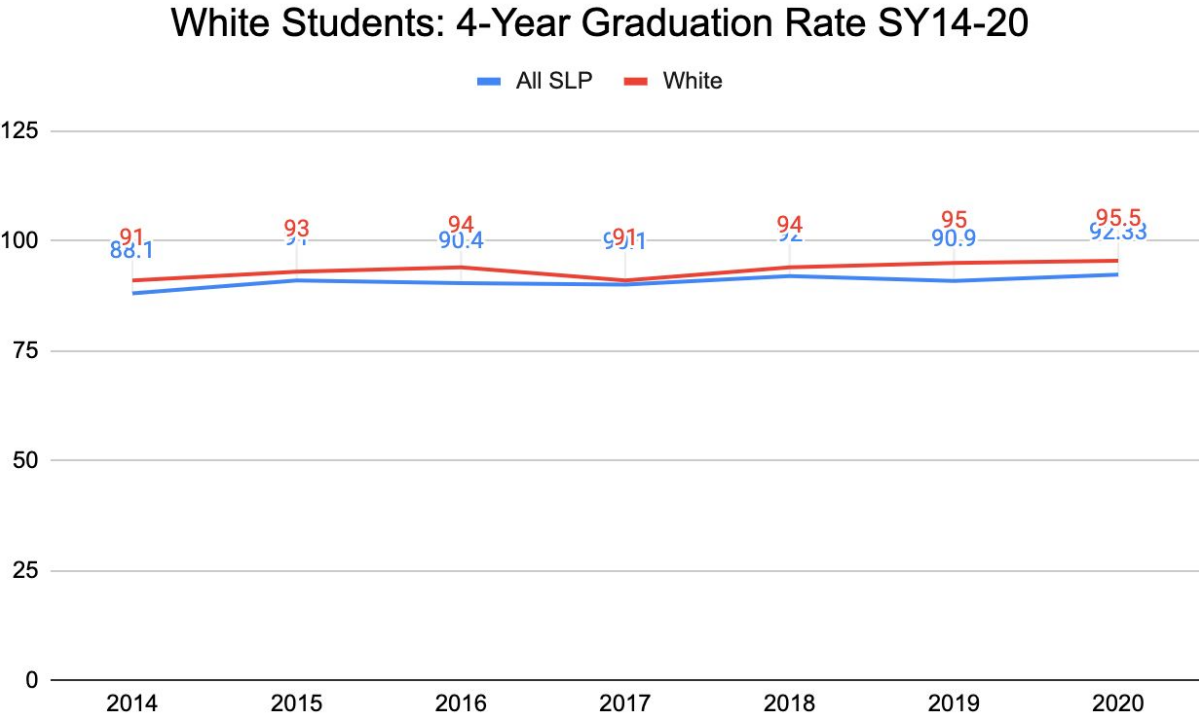
# SLP increased graduation rates among historically marginalized groups

Multilingual Learners: 4-Year Graduation Rate SY14-20



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# SLP increased graduation rates among the majority student group too

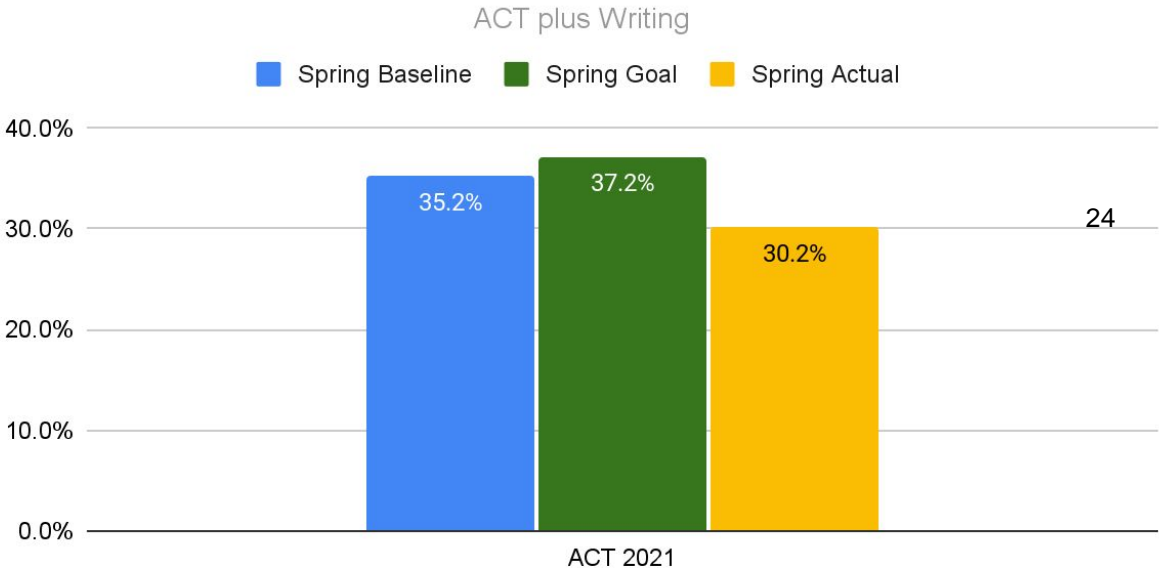


# Goal 5: All students career and college-ready by graduation

Increase the percentage of 11th grade students with a composite score of 24 or higher on ACT plus Writing by 2% points.

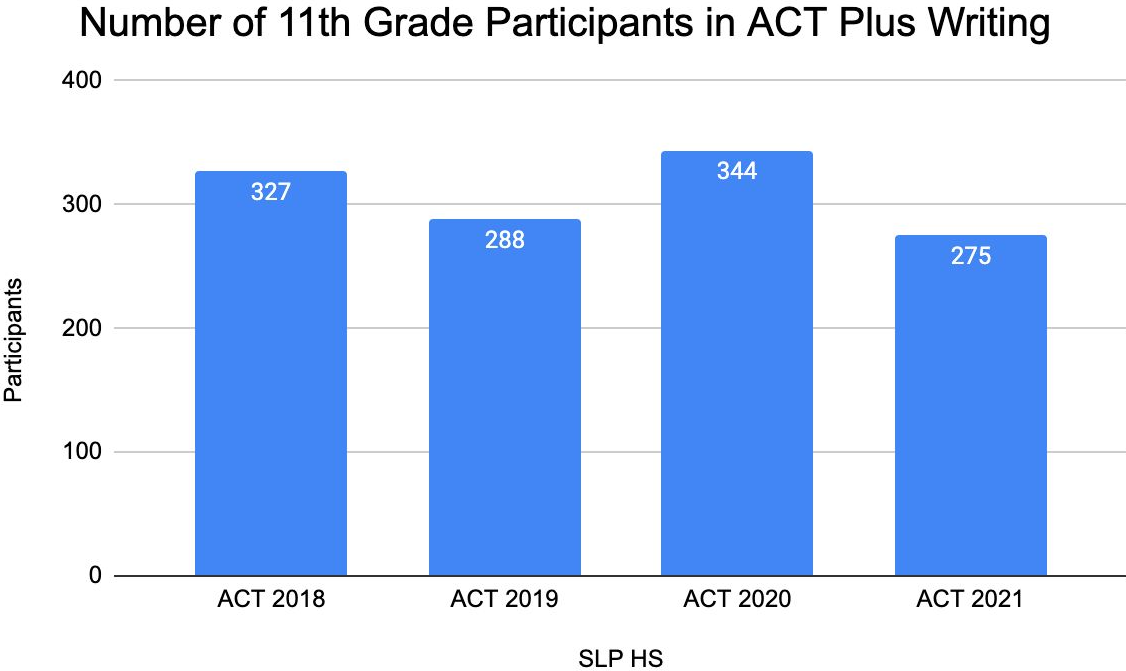
**Outcome:** Goal not met

Percent of 11th Grade Students w/ Composite Score of 24 or Higher



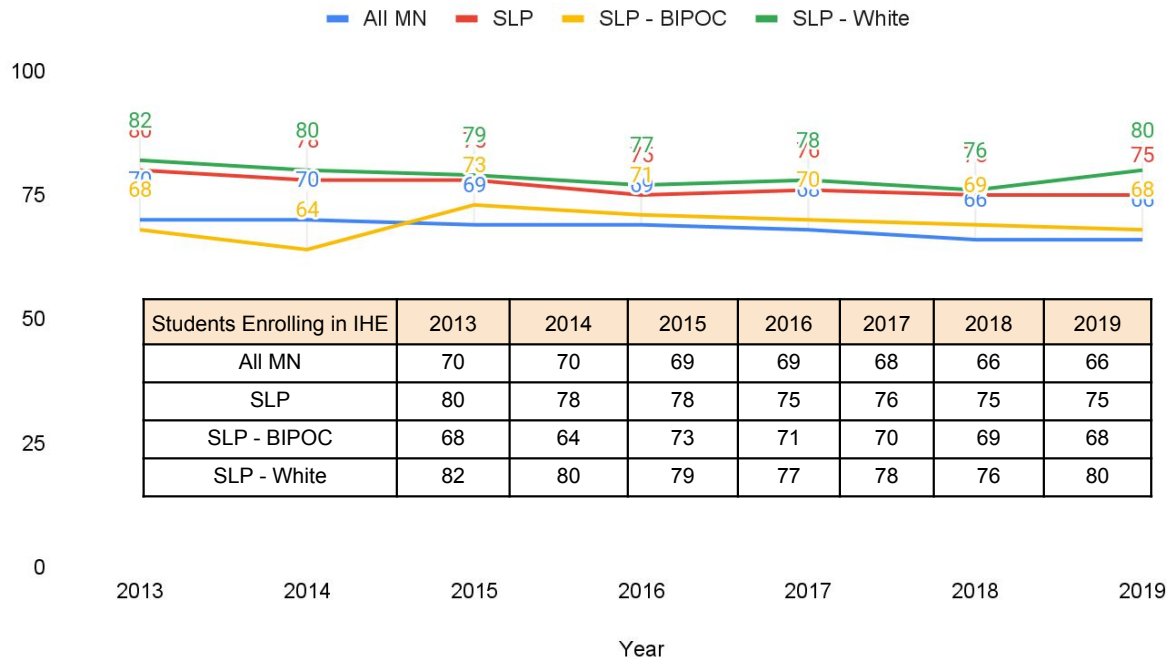


# SLP's ACT participation was the lowest in 4 years



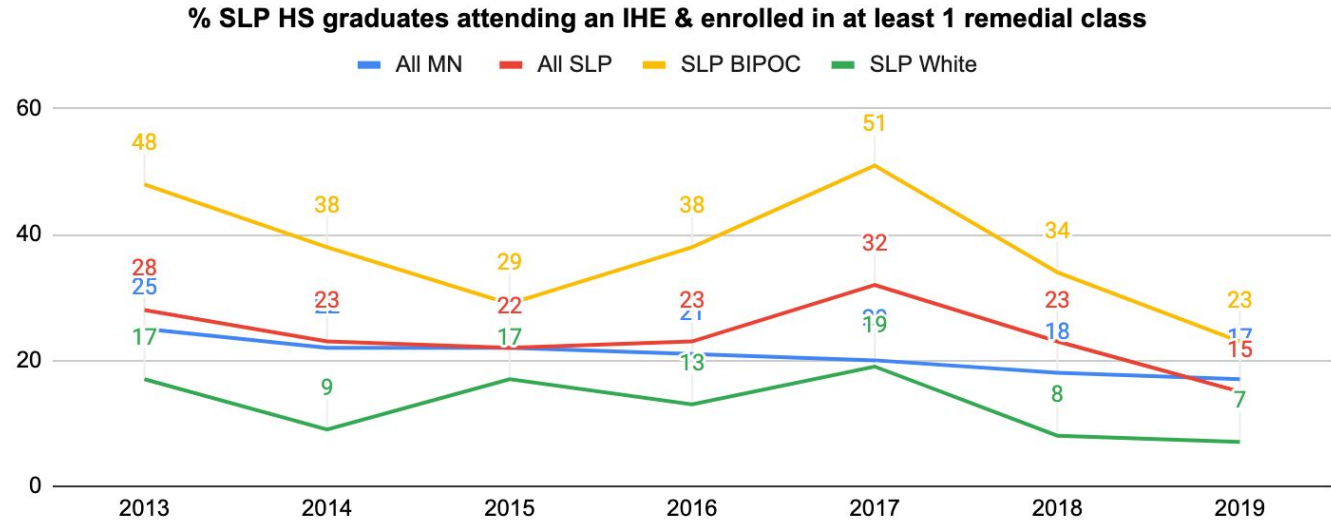
# SLP students continue to enroll in postsecondary at a higher rate than the state

% of high school graduates enrolling in postsecondary (fall of graduation)



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# Remedial class enrollment among SLP graduates is declining



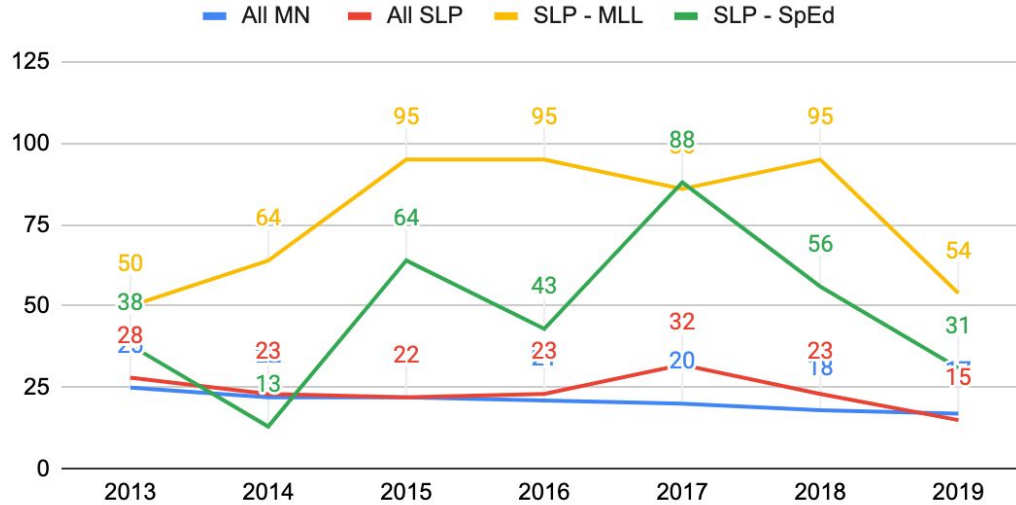
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% SLP Graduates within 2 years of HS graduation

% SLP Graduates within 2 years of HS graduation	2013	2014	2015	2016	2017	2018	2019
All MN	25	22	22	21	20	18	17
All SLP	28	23	22	23	32	23	15
SLP BIPOC	48	38	29	38	51	34	23
SLP White	17	9	17	13	19	8	7

# Decline in remedial class enrollment is seen across student groups

% SLP HS graduates attending an IHE & enrolled in at least 1 remedial class



Year represents high school graduation year (2019 = graduates from the class of 2019)

% SLP Graduates within 2 years of HS graduation	2013	2014	2015	2016	2017	2018	2019
All MN	25	22	22	21	20	18	17
All SLP	28	23	22	23	32	23	15
SLP - MLL	50	64	95	95	86	95	54
SLP - SpEd	38	13	64	43	88	56	31

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# PRELIMINARY ESTIMATES - FOR DISCUSSION ONLY

## St. Louis Park School District No. 283

Estimated Tax Impact of Potential Referendum Questions  
August 2022 Election

February 28, 2022

	Capital Project Levy			Bond Referendum	Total
Description	Renewal and \$500,000 Increase			\$136,020,000	
Annual Revenue	Existing Authority	Proposed Authority	Net Change		
	-\$3,063,578	\$3,563,578	\$500,000		

Type of Property	Estimated Market Value	Estimated Annual Tax Impact *				
Residential Homestead	\$150,000	-\$50	\$57	\$7	\$74	\$81
	200,000	-72	82	10	106	116
	250,000	-94	107	13	138	151
	300,000	-115	132	17	170	187
	331,800	-129	147	18	190	208
	400,000	-159	181	22	233	255
	500,000	-199	227	28	293	321
	600,000	-249	284	35	366	401
	700,000	-299	341	42	439	481
	800,000	-349	398	49	512	561
	900,000	-398	454	56	585	641
	1,000,000	-448	511	63	658	721
Commercial/Industrial +	\$250,000	-\$109	\$125	\$16	\$161	\$177
	500,000	-238	271	33	350	383
	750,000	-367	418	51	539	590
	1,000,000	-495	565	70	727	797
	2,000,000	-1,010	1,152	142	1,483	1,625
Apartments and Residential Non-Homestead	\$200,000	-\$100	\$114	\$14	\$146	\$160
	500,000	-249	284	35	366	401
	1,000,000	-498	568	70	731	801
	2,000,000	-996	1,136	140	1,463	1,603

\* The amounts in the table are based on school district taxes for the proposed capital project levy and bond issue only, and do not include tax levies for other purposes. Tax increases shown above are gross increases, not including the impact of the homeowner's Homestead Credit Refund ("Circuit Breaker") program. Some owners of homestead property may qualify for a refund, based on their income and total property taxes. This would decrease the net tax impact for those property owners.

+ For commercial-industrial property, the estimates above are for property in the City of St. Louis Park. The tax impact for commercial-industrial property in other municipalities in the school district may be slightly different, due to the varying impact of the Twin Cities Fiscal Disparities program.

**NOTE: Tax Rate for Capital Project Levy Question to Include on Ballot is 4.277%.**

CERTIFICATION OF MINUTES RELATING TO SPECIAL ELECTION

Issuer: Independent School District No. 283 (St. Louis Park Public Schools), Minnesota

Governing Body: School Board

Kind, date, time and place of meeting: A regular meeting held on March 22, 2022 at 6:30 p.m. in Room C350 at St. Louis Park High School.

Members present:

Members absent:

Documents attached:

Minutes of said meeting (including):

RESOLUTION RELATING TO DETERMINING THE NECESSITY OF  
APPROVING A CAPITAL PROJECT LEVY AUTHORIZATION, ISSUING  
GENERAL OBLIGATION BONDS AND CALLING A SPECIAL ELECTION  
THEREON

I, the undersigned, being the duly qualified and acting recording officer of the public corporation referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer on March 22, 2022.

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School District Clerk

Member \_\_\_\_\_ introduced the following resolution and moved its adoption, which motion was seconded by Member \_\_\_\_\_:

RESOLUTION RELATING TO DETERMINING THE NECESSITY OF APPROVING A CAPITAL PROJECT LEVY AUTHORIZATION, ISSUING GENERAL OBLIGATION BONDS AND CALLING A SPECIAL ELECTION THEREON

BE IT RESOLVED by the School Board (the Board) of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota (the School District) as follows:

It is hereby found, determined and declared as follows:

1. The Board has investigated the facts and does hereby find, determine and declare that it is necessary and expedient to:

(a) submit a capital project levy authorization to the voters for their approval. The proposed authorization will be in the amount of 4.277% times the net tax capacity of the School District, will raise approximately \$3,563,578 for taxes first levied in 2022, payable in 2023, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$35,635,780. A portion of this new authorization, \$3,063,578, would replace the school district's existing authorization which is scheduled to expire after taxes payable in 2023. The proposed authorization will provide funds for the acquisition, installation, support and maintenance of software, technology, technology systems and infrastructure, and to pay the costs of technology related personnel and training. The program will be commenced prior to August 9, 2027 which is a date not more than five (5) years from the date of the special election approving the capital project levy authorization; and

(b) issue general obligation school building bonds of the School District in an aggregate amount not to exceed \$136,020,000 (the Bonds) for acquisition and betterment of school sites and facilities[, including, but not limited to, \_\_\_\_\_], pursuant to Minnesota Statutes, Chapter 475.

2. The projects described in paragraph 1(b) will be submitted to the Commissioner of Education of the State of Minnesota for Review and Comment. The actions of the School District's administration in applying to the Minnesota Department of Education for the Commissioner's Review and Comment and taking such other actions as necessary to comply with the provisions of Minnesota Statutes, Section 123B.71, as amended, are hereby directed, authorized, approved and ratified in all respects. The Board's determination to hold the election to authorize the issuance of the Bonds is contingent upon receiving a favorable Review and Comment. When the Commissioner's favorable Review and Comment is received, the Clerk is authorized and directed to publish a summary of the Review and Comment in a legal newspaper of general circulation in the School District not less than twenty (20) nor more than sixty (60) days before the special election date and the School District will hold a public meeting on the Review and Comment prior to the date of the election.

3. The questions on the capital project levy authorization and issuance of the Bonds shall be submitted to the qualified electors of the School District at a special election, which is hereby called and directed to be held in conjunction with the state primary election on Tuesday, August 9, 2022, between the hours of 7:00 a.m. and 8:00 p.m.

4. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for this special election are those precincts or parts of precincts located within the boundaries of the School District which have been established by the governing bodies located in whole or in part within the School District.

5. The Clerk is hereby authorized and directed to cause written notice of the special election to be: (a) provided to each County Auditor at least seventy-four (74) days before the date of the special election; (b) provided to the Commissioner of Education at least seventy-four (74) days before the date of the special election; (c) posted at the administrative offices of the School District, for public inspection, at least ten (10) days before the date of the special election; and (d) published in the official newspaper of the School District once each week for at least two consecutive weeks, with the last publication being at least one week before the date of the special election. The Notice of Special Election shall be prepared in substantially the following form:



**NOTICE OF SPECIAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 283  
(ST. LOUIS PARK PUBLIC SCHOOLS), MINNESOTA**

NOTICE IS HEREBY GIVEN that a special election has been called and will be held in and for Independent School District No. 283 (St. Louis Park Public Schools), Minnesota, on August 9, 2022, between the hours of 7:00 a.m. and 8:00 p.m. to vote on the following questions:

**School District Question 1  
Approval of Capital Project Levy for Technology**

The board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota has proposed a capital project levy authorization for technology in the maximum amount of 4.277% times the net tax capacity of the school district. A portion of this new authorization, \$3,063,578, would replace the school district's existing authorization which is scheduled to expire after taxes payable in 2023, would raise approximately \$3,563,578 for taxes first levied in 2022, payable in 2023, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$35,635,780. The proposed authorization will provide funds for the acquisition, installation, support and maintenance of software, technology, technology systems and infrastructure, and to pay the costs of technology related personnel and training.

Shall the capital project levy authorization to fund technology proposed by the board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota be approved?

**BY VOTING “YES” ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE**

**School District Question 2  
Approval of General Obligation School Building Bonds**

Shall the board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota be authorized to issue general obligation school building bonds in an aggregate amount not to exceed **\$136,020,000** for the acquisition and betterment of school sites and facilities[, including but not limited to ]?

**BY VOTING “YES” ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE**

The precincts and polling places for the special election will be the precincts and polling places used for the state primary election.

All qualified electors residing in said School District may cast their ballots at the polling places for the precincts in which they reside during the polling hours specified above.

A voter must be registered to vote to be eligible to vote in the special election. Unregistered individuals may register to vote at the polling places on election day.

Dated: March 22, 2022.

BY ORDER OF THE SCHOOL BOARD

/s/\_\_\_\_\_, Clerk

6. The Clerk is authorized and directed to acquire and distribute such election materials as may be necessary for the proper conduct of this special election. If an optical scan voting system is being used, the Clerk shall comply with the laws and rules governing the procedures and requirements for optical scan voting systems. The Clerk is authorized and directed to acquire and distribute such election materials and to take such other actions as may be necessary for the proper conduct of this special election and generally to cooperate with election authorities conducting any other elections on that date. The Clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with other elections, including entering into agreements with appropriate municipal and county officials regarding preparation and distribution of ballots or ballot cards, election administration, and cost sharing.


7. The Clerk is authorized and directed to cause a printed ballot for the questions to be prepared in accordance with Minnesota Statutes, Section 205A.08, Subdivision 5 and the rules of the secretary of state for use at the special election. If an optical scan voting system is being used, the Clerk shall cause official ballots to be printed according to the format of ballots for optical scan voting systems provided by the laws and rules governing optical scan voting systems. The Clerk is further authorized and directed to cause a sample ballot to be posted in the administrative offices of the School District, for public inspection, at least four (4) days before the date of the special election and to cause two sample ballots to be posted at each polling place on the date of the special election and to cooperate with the proper election officials to cause ballots or ballot cards to be prepared for use at said election. The ballot shall be in substantially the following form, with such changes in form and instructions as may be necessary to accommodate the use of an optical scan voting system:

**Special Election Ballot  
School District Ballot  
Independent School District No. 283  
(St. Louis Park Public Schools), Minnesota**

**August 9, 2022**

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**Instructions to Voters**

To vote, completely fill in the oval(s) next to your choice(s) like this: 

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To vote for a question, fill in the oval next to the word "Yes" for that question.

To vote against a question, fill in the oval next to the word "No" for that question.

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**School District Question 1  
Approval of Capital Project Levy for Technology**

The board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota has proposed a capital project levy authorization for technology in the maximum amount of 4.277% times the net tax capacity of the school district. A portion of this new authorization, \$3,063,578, would replace the school district's existing authorization which is scheduled to expire after taxes payable in 2023, would raise approximately \$3,563,578 for taxes first levied in 2022, payable in 2023, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$35,635,780. The proposed authorization will provide funds for the acquisition, installation, support and maintenance of software, technology, technology systems and infrastructure, and to pay the costs of technology related personnel and training.

 **YES**    Shall the capital project levy authorization to fund technology proposed by  
 **NO**      the board of Independent School District No. 283 (St. Louis Park Public  
Schools), Minnesota be approved?

**BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING  
FOR A PROPERTY TAX INCREASE**

**School District Question 2**  
**Approval of General Obligation School Building Bonds**

- ☐ **YES** Shall the board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota be authorized to issue general obligation school building bonds in an aggregate amount not to exceed **\$136,020,000** for the acquisition and betterment of school sites and facilities[, **including but not limited to** ]?
- ☐ **NO**

**BY VOTING “YES” ON THIS BALLOT QUESTION, YOU ARE VOTING  
FOR A PROPERTY TAX INCREASE**

(Reverse side of ballot)

OFFICIAL BALLOT

August 9, 2022

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Judge

(The ballot is to be initialed by two judges)

8. If the School District will be contracting to print the ballots for this special election, the Clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, upon request, furnish in accordance with Minnesota Statutes, Section 204D.04 a sufficient bond, letter of credit or certified check acceptable to the Clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The Clerk shall set the amount of the bond, letter of credit or certified check in an amount equal to the value of the purchase.

9. The individuals designated as judges for the state primary election shall act as election judges for this special election and shall conduct the special election at the various polling places in the manner prescribed by law.

10. The special election shall be held and the returns made and canvassed in the manner prescribed by law and the Board shall meet on a date between the third day, August 12, 2022, and the tenth day, August 19, 2022, after the special election for the purpose of canvassing the results thereof.

11. If the capital project levy authorization proposed in School District Question 1 is approved, all proceeds from the capital project levy shall be deposited in the capital project referendum account which is a separate account in the School District's general fund. All interest income attributable to the capital project referendum account must be credited to the capital project referendum account. Any capital project levy proceeds to be used for building construction must be transferred to the capital project referendum account in the School District's building construction fund. Money in the capital project referendum account may only be used for the costs of acquisition and betterment of approved projects. As required by Minnesota Statutes, Section 123B.71, Subdivision 8, the Board hereby determines that the proposed capital projects address only technology and that, if approved by the voters, the funds generated by the capital project levy authorization will be used only as authorized in Minnesota Statutes, Section 126C.10, Subdivision 14. The funds in the capital project referendum account may be accumulated and not be expended until sufficient funds are available, may be accumulated and not be expended until additional funds from a bond issue are available, or may be expended on an ongoing basis for approved project costs. Any funds remaining in the capital project referendum account that are not applied to the payment of the costs of the approved projects before their final completion shall be transferred to the School District's debt redemption fund.

12. Pursuant to Minnesota Statutes, Section 123B. 63, Subdivision 3(f) and Section 205A.07, Subdivision 3a, the Clerk is hereby instructed to notify the Commissioner of Education of the results of the special election and to provide the certified vote totals for the ballot question in written form within fifteen (15) days after the results have been certified by the Board.

13. Pursuant to Minnesota Statutes, Section 211A.02, Subdivision 6, the Clerk is hereby instructed to make any campaign finance reports filed with the Clerk by campaign committees within seven (7) days after the special election available on the School District's web site as soon as possible, but no later than thirty (30) days after receipt of any such report. The Clerk is further instructed to provide the Campaign Finance and Public Disclosure Board with a

link to the section of web site where such reports are made available. Such reports must remain available on the web site for four (4) years from the date first posted.

Upon vote being taken thereon, the following voted in favor thereof

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.

# **Potential Special Election**

## **(Construction Bonds & Capital Projects Levy)**

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# Outcomes

School board members will be prepared to take action to call for a special election at a future meeting.



# August 2022 Special Election Date

Forces For	Forces Against
<ol style="list-style-type: none"><li>1. Every project necessary for safety, city/state codes, energy efficiency, or student learning</li><li>2. Construction costs predicted to rise at rates exceeding 10% annually</li><li>3. Construction costs must be paid from General Fund if essential improvements become emergency</li><li>4. Some facilities may need to be shut down to avoid further repair costs or to protect student safety</li><li>5. Renewal/increase in technology levy important for stability of Park Virtual and other online teaching &amp; learning</li><li>6. Cost escalation contingency has been built into the project costs along with an additional 4% increase in the cost estimates</li></ol>	<ol style="list-style-type: none"><li>1. War, inflation, gas prices, pandemic</li><li>2. We do not have baseline public opinion data.</li><li>3. Most districts do not have elections on the ballot for this fall.</li><li>4. General Fund budget reductions for fall of 2022 may confuse voters</li><li>5. With so many unknowns, it is possible that cost estimates will be exceeded again.</li><li>6. There are other election date choices (next slide)</li></ol>

# Other possible dates in 2022 and 2023

August 9, 2022	Primary Election date
November 8, 2022	General Election (Governor, US representative, school board, several state and county, judicial)
February 14, 2023	Special Election - no other ballot item (\$)
April 11, 2023	Special Election - no other ballot item (\$)
August 8, 2023	No Primary Special Election - no other ballot item (\$)

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# Construction Bond Issue

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# Proposed Bond Projects

- Focus on items that
  - enhance the daily lived experience of students
  - stabilize costs and conserve energy
  - maintain core operations
  - improve safety and security
- Final cost estimates established
- Two items added:
  - Aquila, PSI, Central age appropriate playground and equitable outdoor learning space
  - 4% cost escalation

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# Summary of Recommended Projects (\$millions)

2017 Carryover Projects	\$35.1
Continuing Operations: Deferred Maintenance	\$39.0
Continuing Operations: Building Renovations	\$21.5
Continuing Operations: Security	\$14.5
Continuing Operations: Playground, track and field	\$19.5
4% Cost Escalation	\$5.40
<b>Bond Total</b>	<b>\$135.0</b>

46

Cost Escalation  
\$5.4 Million  
4% of total

Carryover Projects \$35.1 Million 26% of total	Continuing Operations \$99.9 million (74% of total)				
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total	



St. Louis Park  
Public Schools

March 8, 2022 School Board Study Session

# 2017 Carryover Projects

Project	Cost Estimates
High School Kitchen Renovation & Addition	\$19.4 million
High School Classroom Upgrades (10 classrooms)	\$3.6 million
High School Media Center Renovations	\$3.9 million
High School Student Commons	\$8.2 million
<b>Total</b>	<b>\$35.1 million</b>

47

Cost Escalation  
\$5.4 Million  
4% of total

Carryover Projects \$35.1 Million 26% of total	Continuing Operations \$99.9 million (74% of total)				
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total	



St. Louis Park  
Public Schools

March 8, 2022 School Board Study Session

# Continuing Operations: Deferred Maintenance

Project	Cost Estimates
Roofs, Facade, Parking Lots, Boiler Replacements, Mechanical, Electrical, and building infrastructure upgrades	\$24.5 million
Install required storm shelter (building code requirement)	\$5.5 million
Renovate Central pool and locker rooms	\$9.0 million
<b>Total</b>	<b>\$39.0 million</b>

48

Cost Escalation  
\$5.4 Million  
4% of total

Carryover Projects \$35.1 Million 26% of total	Continuing Operations \$99.9 million (74% of total)				
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total	





# Continuing Operations: Building Renovations

	Cost Estimates
Remaining High School classrooms	\$9.5 million
High School band/orchestra/choir rooms	\$6.0 million
Lenox theatre space, senior meeting space, improve security and signage	\$1.0 million
Create adequate training space and renovate gymnastics/community gyms	\$5.0 million
<b>Total</b>	<b>\$21.5 million</b>

49

Cost Escalation  
\$5.4 Million  
4% of total

Continuing Operations \$99.9 million (74% of total)					
Carryover Projects \$35.1 Million 26% of total	Deferred Maintenance \$39 Million (29%)		<b>Building Renovations</b> <b>\$20.5 Million</b> <b>16% of total</b>	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total



St. Louis Park  
Public Schools

March 8, 2022 School Board Study Session

# Continuing Operations: Security

	Cost Estimates
District wide security camera, door card reader addition/replacements, 800 MHz	\$4 million
Upgrade/replace exterior doors and door security (close campus)	\$2.5 million
Relocate Data Center from HS and Technology Team to Central Back-up power supply, data center infrastructure/HVAC/redundant electronics	\$6.0 million
Resilient internet connection	\$2.0 million
<b>Total</b>	<b>\$14.5 million</b>

50  
Cost Escalation  
\$5.4 Million  
4% of total

Continuing Operations \$99.9 million (74% of total)				
<b>Carryover Projects</b> <b>\$35.1 Million</b> <b>26% of total</b>				
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	<b>Security</b> <b>\$14.5 Million</b> <b>11% of total</b>	Playgrounds, Track, Field \$19.5 Million 14% of total



## Continuing Operations: Playgrounds, Track, Field

Project	Cost Estimates
Renovate/repair HS track and field (includes Minnehaha Watershed required upgrades )	\$13.5 million
Install shelter/storage at HS stadium	\$2.5 million
Aquila, PSI, Central Pre-K and K playgrounds	\$3.5 million
<b>Total</b>	<b>\$19.5 million</b>

51-  
Cost Escalation  
\$5.4 Million  
4% of total

Continuing Operations \$99.9 million (74% of total)					
Carryover Projects \$35.1 Million 26% of total	Deferred Maintenance \$39 Million (29%)		Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	<b>Playgrounds, Track, Field \$19.5 Million 14% of total</b>



## Continuing Operations: Cost Escalation

Project	Cost Estimates
4% additional cost escalation reserve	<b>\$5.4 million</b>

<b>Carryover Projects</b> <b>\$35.1 Million</b> <b>26% of total</b>	<b>Continuing Operations \$99.9 million (74% of total)</b>					52 <b>Cost Escalation</b> <b>\$5.4 Million</b> <b>4% of total</b>
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total		



# Summary of Recommended Projects (\$millions)

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Continuing Operations: Building Renovations	\$21.5
Continuing Operations: Security	\$14.50
Continuing Operations: Playground, track and field	\$19.5
4% Cost Escalation	\$5.40
<b>Bond Total</b>	<b>\$135</b>

53

Cost Escalation  
\$5.4 Million  
4% of total

Carryover Projects \$35.1 Million 26% of total	Continuing Operations \$99.9 million (74% of total)				
	Deferred Maintenance \$39 Million (29%)	Building Renovations \$21.5 Million 16% of total	Security \$14.5 Million 11% of total	Playgrounds, Track, Field \$19.5 Million 14% of total	



St. Louis Park  
Public Schools

March 8, 2022 School Board Study Session

# Proposed Bond Projects

- Focus on items that
  - enhance the daily lived experience of students
  - stabilize costs and conserve energy
  - maintain core operations
  - improve safety and security

# Capital Projects Levy

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# Capital Project Levy for Technology

## Background

- authorized in November 2013 for taxes payable in 2014
- voter-approved for ten years
  - through taxes payable in 2023 (fall 2022 levy)
- 3.812% of net tax capacity

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## Recommended Renewal

- 10-year maximum
- Increase levy by \$500,000
- Establish new tax rate (currently 3.812%)



### Capital Projects Levy - Timing

Year 1	November, 2013 Election	Taxes Payable in 2014
Year 2		Taxes Payable in 2015
Year 3		Taxes Payable in 2016
Year 4		Taxes Payable in 2017
Year 5	Note: Year 1 of Operating Referendum Renewal	Taxes Payable in 2018
Year 6		Taxes Payable in 2019
Year 7		Taxes Payable in 2020
Year 8		Taxes Payable in 2021
Year 9	November 2021 Election	Taxes Payable in 2022
Year 10	August 2022 Primary Election November 2022 Election	Taxes Payable in 2023
Year 0	November 2023 Election	Taxes Payable in 2024 (Truth in taxation statements would not include the election results)

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# Capital Projects Levy - Comparative data (taxes payable in 2021)

District	Capital Projects Levy (levy line 552)	Adjusted Pupil Units (levy line 59)	Capital Projects Levy/APU	Begin Year
Hopkins	\$11,886,351.51	7,393.60	\$1,607.65	2018
Bloomington	\$9,464,675.82	11,165.40	\$847.68	2014
Eden Prairie	\$7,599,849.89	9,444.20	\$804.71	2015
Edina	\$6,977,668.94	9,180.60	\$760.05	2021
St. Louis Park	\$2,893,257.00	4,954.00	\$584.02	2014
<b>St. Louis Park</b>	<b>\$3,393,257.00</b>	<b>4,954.00</b>	<b>\$684.95</b>	<b>2022</b>
Wayzata	\$8,362,887.72	14,330.60	\$583.57	2020/2016
Minnetonka	\$6,916,126.72	12,186.60	\$567.52	2016
Eastern Carver	\$4,808,680.59	10,571.20	\$454.89	2020
Robbinsdale	\$5,273,882.12	12,451.75	\$423.55	2015
Shakopee	\$3,850,864.91	9,201.60	\$418.50	2016
Orono	\$1,122,409.19	3,273.80	\$342.85	2013
Minneapolis	\$14,791,925.29	43,449.40	\$340.44	2019
Osseo	\$7,859,504.08	23,289.60	\$337.47	2014
White Bear Lake	\$2,138,057.76	9,169.20	\$233.18	2014
Spring Lake Park	\$1,416,816.34	6,724.40	\$210.70	2020
South Washington	\$2,522,921.15	20,893.00	\$120.75	2018

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**St. Louis Park  
Public Schools**

March 8, 2022 School Board Study Session

# Total Tax Impact

- Focus on items that
  - enhance the daily lived experience of students
  - stabilize costs and conserve energy
  - maintain core operations
  - improve safety and security

	Annual Tax Impact (\$331,800 home)	Monthly Tax Impact (\$331,800 home)
Bond Projects	\$190	\$15.83
Technology Levy	\$18	\$1.50
Total	\$208	\$17.33

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# Ballot Language

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# Draft Ballot Language

- Two Questions
  - Bond Issue
  - Capital Projects Levy

# Draft Ballot Language: Bond Issue

## School District Question Approval of General Obligation School Building Bonds

Shall the board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota be authorized to issue general obligation **school building bonds in an aggregate amount not to exceed \$136,020,000** for the acquisition and betterment of school sites and facilities[, including but not limited to \_\_\_\_\_]?

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# Draft Ballot Language: Capital Projects Levy

## School District Question Approval of Capital Project Levy for Technology

The board of Independent School District No. 283 (St. Louis Park Public Schools), Minnesota has proposed a capital project levy authorization for technology in the maximum amount of **4.277%** times the net tax capacity of the school district. A portion of this new authorization, **\$3,063,578, would replace the school district's existing authorization** which is scheduled to expire after taxes payable in 2023, **would raise approximately \$3,563,578 for taxes first levied in 2022, payable in 2023**, and would be authorized for ten (10) years. The estimated total cost of the projects to be funded over that time period is approximately \$35,635,780. The proposed authorization will provide funds for the acquisition, installation, support and maintenance of software, technology, technology systems and infrastructure, and to pay the costs of technology related personnel and training.

# Timeline

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# Important Election Deadlines

November 15, 2021	Begin review & comment, tax impact calculations, ballot language, surveying, permits
January 2022	Architects selected
March 8, 2022	School Board reviews ballot language
March 22, 2022	School Board calls for election (must be done by May 22) <sup>65</sup>
By May 11, 2022	Review & Comment submitted to MDE
<b>August 9, 2022</b>	<b>Election day</b> (early voting starts 46 days prior; June 24)
January 2023	Construction begins

# Questions

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# Budget Update

March 8, 2022

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St. Louis Park  
Public Schools

# Presentation Purpose

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The purpose of this presentation is to prepare the school board to take action at its March 22 meeting to approve the:

- **FY2022** mid-year budget update; and
- **FY2023**
  - General Fund budget parameters
  - Operating Capital budget

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## FY2023 Budget Planning Timeline for Operating Fund Budgets

Includes General Operating, Food Nutrition Service, Community Service, and Capital

Phase	Date	Who	Outcome	Document
	Grey shading denotes FAC		Orange shading denotes School Board (Bold = school board budget-related action)	
Data Gathering	August/September 2021	Budget Managers	1. Understand the budget timeline and process 2. Discuss budget needs in relationship to strategic plan	(A) Budget Timeline
	August 2021	Budget Managers	Understand the budget timeline and process	(A) Budget Timeline
	September 28, 2021	School Board Regular Meeting	Approve preliminary Pay 2022 levy	(B) Levy summary
	October 20, 2021	FAC #1	1. Orientation 2. Understand Budget Timeline	(A) Budget Timeline (C) FY2022 Budget Book (H) Spring 2021 FAC Report
	November 2021	Business Office	Begin FY2022 Mid-Year budget review	
	November 9, 2021	School Board Study Session	1. Preview FY2021 audit results 2. Preview FY2022 Mid Year Budget Update	
	November 17, 2021	FAC #2	1. Understand FY2021 Year End (audit) results 2. FY2023 Enrollment Projections assumptions	(D) Enrollment projections (E) Fund Balance Summary
	November 23, 2021	School Board Regular Meeting	Accept FY2021 Audit Results	(E) Fund Balance Summary
	December 14, 2021	School Board Regular Meeting	Approve final Pay 2022 levy	(B) Levy Summary
	December 15, 2021	FAC #3	1. Review FY2023 enrollment projections 2. Review Other Preliminary Budget Assumptions	(D) Enrollment Projections
Preparation	Jan - June 2022	Budget Managers	Review budget based on legislative changes and strategic plan review; adjustment as necessary.	
	January 19, 2022	FAC #4	1. Review final budget assumptions 2. Begin draft of Spring 2022 FAC Report	
	January 25, 2022	School Board Regular Meeting	Update regarding budget process	(A) Budget Timeline (D) Enrollment Projections
	February 8, 2022	School Board Regular Meeting	Update regarding budget process	(A) Budget Timeline Budget Adjustments Restricted use of Public Funds
	February 16, 2022	FAC #5	Prepare School Board presentation	(H) Spring 2022 FAC Report
	February 22, 2022	School Board Regular Meeting	FAC Presentation and update regarding FY2023 budget process	(A) Budget Timeline (H) Spring 2022 FAC Report
	February 2022	Budget Managers	All FY2023 Operating and Capital fund budget requests due to Business Office	
Approval	March 8, 2022	 School Board Regular Meeting	Budget presentation in preparation for action at regular meeting	(A) Budget Timeline
	March 22, 2022	School Board Regular Meeting	1. Approve FY2023 Operating and Capital fund budget parameters to allow for fall preparation 2. Approve FY2022 Mid Year Budget Update	(E) Fund Balance Summary
	March 23, 2022	FAC #6	Wrap up meeting	
	June 14, 2022	School Board Study Session	Review final FY2023 Budgets for all funds; prepare to take action at June 28 regular meeting	(E) Fund Balance Summary
CIP	June 28, 2022	School Board Regular Meeting	Approve final FY2023 budget for all funds	(C) FY2023 Budget Book
	June 2022	Budget Managers	Debrief on FY2023 budget planning process	
	July 2022	Business Services	Prepare for FY2022 Audit	

March 8, 2022 School Board Meeting



a p p r o v a l	March 8, 2022	 School Board Regular Meeting	Budget presentation in preparation for action at regular meeting	(A) Budget Timeline
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# FY 2022 Mid-Year Budget Update

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# FY2022: Emerging Financial Items

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## **Improved beginning unassigned General Fund balance**

- ✓ Due to FY2021 results and emerging mid-year budget results
- ✓ 11.88% (up from 10.06% original budget)





## **Mid-year budget update**

- ✓ Enrollment increase (up 103 ADM from budget)
- ✓ Increase in funding formula (2% actual vs. 1% budgeted)
- ✓ Expenditure reduction for health insurance
- ✓ Expenditure increase for online learning tuition agreement

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# FY2022 Budgeted Fund Balance (with FY2021 Actual Results)

FUND DESCRIPTION	6/30/2021 Actual Balance	2021-22 Budget Revenue	2021-22 Budget Expenditures	6/30/2022 Budget Balance
<b>GENERAL FUND</b>				
<b>Unassigned</b>	6,934,378	 63,999,320	 64,694,001	6,239,697
<b>Assigned</b>		-	-	
Subsequent Year's Budget	1,448,358	-	-	1,448,358
Severance Payments	1,656,920	-	250,000	1,406,920
Other				
ATPPS	(341,329)	1,228,000	1,228,000	(341,329)
<b>Non-Spendable-Prepaid</b>	169,820			169,820
<b>Restricted</b>				
Capital Projects (Technology) Levy	1,279,596	2,893,000	2,781,277	1,391,319
Tech Non-Spendable	26,725			26,725
Long Term Facilities Maintenance	1,341,431	1,029,000	1,029,000	1,341,431
Operating Capital	3,454,974	2,273,000	3,537,490	2,190,484
Safe Schools	-			
Basic Skills	0	-	-	0
Medical Assistance	115,185	55,000	7,500	162,685
Staff Development	0	598,798	598,798	0
Student Activities	193,043	125,800	125,800	193,043
<b>TOTAL GENERAL FUND</b>	<b>16,279,100</b>	<b>72,201,918</b>	<b>74,251,866</b>	<b>14,229,152</b>
<i>Unassigned FB as a % of expenditures (includes assigned for subsequent years)</i>	 12.97%			 11.88%

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# FY 2023 General Fund Budget Assumptions

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# Finance Advisory Committee Recommendations

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## Budget recommendations

- Maintain at least an 8% Unreserved Fund Balance
- 2% Increase in Per Pupil Formula
- 4,477 K-12 ADM
- Maintain local revenue

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## Fiscal recommendations

- Balance the Budget
- Manage Expense Increases
- Grow Enrollment

# Recommended Budget Parameters

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## Revenue Budget

- 2% Increase in Per Pupil Formula
- 4,477 K-12 ADM
- Consider increases to local fees

## Expenditure Budget

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- Salaries/Benefits as per contract/historical settlements
- Inflationary increases to utilities, contracted transportation rates
- Within revenue calculations above, create a budget that maintains an 8% unreserved fund balance for FY 2023
- General Fund revenue increases resulting from 2022 Legislative Session will be used to balance future budgets

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# FY 2023 Capital Budget Overview

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# FY 2023 Capital Budget

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- Signage and branding after new construction
- Site allocations per student
- Facilities department allocations per square foot
- Software licenses
- Technology equipment/copier leases
- Athletic uniforms replacement cycle
- School nutrition equipment replacement
- Curriculum adoption/replacement cycle
- Musical instrument replacement cycle
- Standardized testing
- Contingencies for furniture, facilities, other

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# Next Steps

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## **March 22, 2022**

- ☐ Approve FY2022 mid-year budget
- ☐ Approve FY 2023 Budget Parameters and Operating Capital Budget

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## **June 14, 2022**

- ☐ Review proposed FY2023 final budget for all funds

## **June 28, 2022**

- ☐ Approve FY2023 final budget for all funds

## FY2023 Budget Planning Timeline for Operating Fund Budgets

Includes General Operating, Food Nutrition Service, Community Service, and Capital

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	Grey shading denotes FAC		Orange shading denotes School Board ( <b>Bold</b> = school board budget-related action)	
D a t a  G a t h e r i n g	August/September 2021	Budget Managers	1. Understand the budget timeline and process 2. Discuss budget needs in relationship to strategic plan	(A) Budget Timeline
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	July 2022	Business Services	Prepare for FY2022 Audit	



**ST. LOUIS PARK PUBLIC SCHOOLS**  
**PROJECTED FUND BALANCES THROUGH JUNE 30, 2022**

FUND DESCRIPTION	6/30/2021 Actual Balance	2021-22 Budget Revenue	2021-22 Budget Expenditures	6/30/2022 Budget Balance
<b>GENERAL FUND</b>				
<b>Unassigned</b>	6,934,378	63,999,320	64,694,001	6,239,697
<b>Assigned</b>		-	-	
Subsequent Year's Budget	1,448,358	-	-	1,448,358
Severance Payments	1,656,920	-	250,000	1,406,920
Other				
ATPPS	(341,329)	1,228,000	1,228,000	(341,329)
<b>Non-Spendable-Prepaid</b>	169,820			169,820
<b>Restricted</b>				
Capital Projects (Technology) Levy	1,279,596	2,893,000	2,781,277	1,391,319
Tech Non-Spendable	26,725			26,725
Long Term Facilities Maintenance	1,341,431	1,029,000	1,029,000	1,341,431
Operating Capital	3,454,974	2,273,000	3,537,490	2,190,484
Safe Schools	-			
Basic Skills	0	-	-	0
Medical Assistance	115,185	55,000	7,500	162,685
Staff Development	0	598,798	598,798	0
Student Activities	193,043	125,800	125,800	193,043
<b>TOTAL GENERAL FUND</b>	<b>16,279,100</b>	<b>72,201,918</b>	<b>74,251,866</b>	<b>14,229,152</b>
<i>Unassigned FB as a % of expenditures (includes assigned for subsequent years)</i>	<i>12.97%</i>			<i>11.88%</i>
<b>SCHOOL NUTRITION</b>				
Unreserved/undesignated	1,712	1,796,153	1,796,153	1,712
Non-spendable-Inventory	22,059	-	-	22,059
<b>TOTAL SCHOOL NUTRITION FUND</b>	<b>23,770</b>	<b>1,796,153</b>	<b>1,796,153</b>	<b>23,770</b>
<b>COMMUNITY SERVICE</b>				
<b>Restricted</b>				
Community Education	(365,213)	5,093,705	4,984,684	(256,192)
ECFE (FIN 325)	-	547,359	555,234	(7,875)
School Readiness (FIN 344)	(0)	231,595	231,491	104
Non-Public	(32,172)	804,699	804,699	(32,172)
Non Spendable	-	-	-	-
LCTS (FIN 799)	370,594	-	-	370,594
Disabilities Levy (FIN 798)	15,517	452,600	421,920	46,197
Children First	13,385	135,055	135,055	13,385
<b>TOTAL COMMUNITY SERVICE FUND</b>	<b>2,110</b>	<b>7,265,013</b>	<b>7,133,083</b>	<b>134,040</b>
<b>BUILDING CONSTRUCTION</b>				
* November 2017 Bond Projects	5,427,454	500,000	5,927,454	-
* LTFM Construction	7,863,812	-	7,863,812	-
* 6/30/21 fund balance reflects best estimate of construction in progress by June 30, 2021				
<b>TOTAL BUILDING CONSTRUCTION</b>	<b>13,291,266</b>	<b>500,000</b>	<b>13,791,266</b>	<b>-</b>
<b>DEBT SERVICE</b>				
Regular	1,602,066	12,783,000	12,156,771	2,377,908
Long Term Facilities Maintenance				
Other Post-Employment Benefits	149,613	-	-	(0)
<b>TOTAL DEBT SERVICE FUND</b>	<b>1,751,679</b>	<b>12,783,000</b>	<b>12,156,771</b>	<b>2,377,908</b>
<b>INTERNAL SERVICE</b>				
OPEB Trust	(2,957,683)	200,000	580,000	(3,337,683)
Self Funded Medical/Dental	1,732,182	-	-	1,732,182
<b>TOTAL INTERNAL SERVICE</b>	<b>(1,225,501)</b>	<b>200,000</b>	<b>580,000</b>	<b>(1,605,501)</b>
<b>TRUST AND AGENCY</b>				
Unreserved/undesignated	(0)			(0.00)
Scholarship	139,320	-	-	139,320
<b>TOTAL TRUST AND AGENCY FUND</b>	<b>139,320</b>	<b>-</b>	<b>-</b>	<b>139,320</b>
<b>GRAND TOTAL ALL FUNDS</b>	<b>30,261,743</b>	<b>94,746,084</b>	<b>109,709,139</b>	<b>15,298,688</b>

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 616

Orig. 1997

Revised: \_\_\_\_\_

Rev. 2022~~19~~

## 616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

*[Note: ~~Minn. Stat. §~~ Minnesota Statutes section 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. §~~ Minnesota Statutes section 120B.11.]*

### I. PURPOSE

The purpose of this policy is to focus public education strategies on a process ~~which that~~ promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota K-12 Academic Standards and federal law.

### II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota K-12 Academic Standards and federal law ~~will requires~~ a new level of accountability for the school district. The school district ~~will established~~ a system to transition to the graduation requirements of the Minnesota K-12 Academic Standards. The school district also ~~will established~~ a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota K-12 Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and

college readiness before graduating from high school; and have all students graduate from high school.

#### IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

##### A. School District Goals

1. The school board has established school district-wide goals ~~which~~ that provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota K-12 Academic Standards and federal law. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the school district's Advisory Committee.
2. The Advisory Committee ~~is will be~~ established by the school board to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
3. The school district-wide improvement goals should address recommendations identified through the Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may also be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

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

*[Insert Local Cycle in this space]*

##### C. Implementation of Graduation Requirements

1. The Advisory Committee shall also advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of the Advisory Committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually.

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

D. Comprehensive Continuous Improvement of Student Achievement

1. By [\_\_\_date\_\_\_] of each year, the Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The Advisory Committee, working in cooperation with other committees of the school district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:
  - a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota K-12 Academic Standards;
  - b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
  - c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals; and,
  - d. Advising the school board about development of the annual budget.

3. The Advisory Committee shall meet the following criteria:
  - a. The Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
  - b. The Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.
  - c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
  - d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.
4. The Advisory Committee shall, when possible, be comprised of at least two-thirds community representatives and shall reflect the diversity of the community. To the extent possible, the Advisory Committee shall reflect the diversity of the school district and its school sites and include teachers, parents, support staff, students, and other community residents. Included in its membership should be:
  - a. The Director of Curriculum (or similar educational leader)
  - b. Principal
  - c. School Board Member
  - d. Student Representative
  - e. One teacher from each building or instructional level
  - f. Two parents from each building or instructional level
  - g. Two residents without school-aged children, non-representative of local business or industry
  - h. Two residents representative of local business or industry

- i. District Assessment Coordinator (if different from “a.” above)

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

- 5. Translation services should be provided to the extent appropriate and practicable.

- 6. The Advisory Committee shall meet the following timeline each year:

Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.

Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.

Month(s): Review evaluation results and prepare recommendations.

Month: Present recommendations to the school board for its input and approval.

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

- F. Reporting

- 1. Consistent with ~~Minn. Stat. §~~Minnesota Statutes section 120B.36, Subd. 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world’s best workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with

school. The school district shall include the results of this evaluation in its published reports and in its summary report to the Commissioner.

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

***Legal References:***

Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)  
Minn. Stat. § 120B.35 (Student Academic Achievement Levels and Growth)  
Minn. Stat. § 120B.36 (School Accountability; ~~Appeals Process~~)  
Minn. Stat. § 122A.40, ~~Subd. 8~~ (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41, ~~Subd. 5~~ (Teacher Tenure Act; Cities of the First Class; Definitions)  
Minn. Stat. § 123B.04 (Site Decision Making; Individualized Learning Agreement; Other Agreements Agreement)  
Minn. Stat. § 123B.147, ~~Subd. 3~~ (Principals)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0820 ~~00-3501.0815~~ (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
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 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory

and High School Standards)  
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)  
MSBA/MASA Model Policy 619 (Staff Development for Standards)  
MSBA/MASA Model Policy 620 (Credit for Learning)



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March 8, 2022

# Policy 808 Review

Astein Osei, Superintendent

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# Purpose

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To provide:

- the School Board with an update on Center for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) guidance regarding masks in schools; and
- make a recommendation to revise Policy 808.

90

# CDC Releases New Guidance

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- On February 25, the CDC announced the [COVID-19 Community Levels](#) to serve as a new framework for COVID-19 monitoring and prevention strategies. This guidance is recommended for all communities, including school, child care, and other youth settings, to use in determining when to apply mitigation practices such as face coverings and physical distancing.
- Effective February 25, 2022, CDC will not enforce its [order](#) requiring masks on certain transportation conveyances against buses or vans operated by public or private school systems, including early care and education/child care programs.
- MDH will issue new guidance that aligns with these CDC changes in near future.

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# CDC Releases New Guidance

COVID-19 Community Levels – Use the Highest Level that Applies to Your Community				
New COVID-19 Cases Per 100,000 people in the past 7 days	Indicators	Low	Medium	High
Fewer than 200	New COVID-19 admissions per 100,000 population (7-day total)	<10.0	10.0-19.9	≥20.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	<10.0%	10.0-14.9%	≥15.0%
200 or more	New COVID-19 admissions per 100,000 population (7-day total)	NA	<10.0	≥10.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	NA	<10.0%	≥10.0%

**The COVID-19 community level is determined by the higher of the new admissions and inpatient beds metrics, based on the current level of new cases per 100,000 population in the past 7 days**

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## Proposed Shift from Universal to Building-by-Building Mask Requirement

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- This would be a shift from requiring all students, staff, and visitors to wear face coverings in schools and other facilities at all times to strongly recommending but not requiring face coverings unless 5% or more of the students and/or staff who attend or work at an St. Louis Park Public School or other facility test positive for COVID-19.
- The 5% threshold at which masks would be required in St. Louis Park Public Schools and other facilities would be met when 5% of all students and staff in a school or facility test positive for COVID during a weekly COVID reporting period. COVID reporting periods in St. Louis Park Public Schools begin at 12:00 AM each Monday and conclude at 11:59 PM each Sunday.

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## Proposed Shift from Universal to Building-by-Building Mask Requirement

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- If a school has met the 5% threshold before on Friday at the end of the COVID reporting period, parents and students will be informed at that time that all students and staff at the school will be required to wear masks for two weeks. If the school has not yet met the 5% threshold by Friday but is nearing that threshold, parents and students will be informed by 5 PM Friday that students may be required to wear masks for two weeks starting the following Monday and that they will be notified if their school has passed the threshold by 6 AM on Monday.<sup>94</sup>
- The requirement to wear masks at the school or facility would be extended for an additional two weeks if 5% or more of the students and staff at the facility test positive for COVID during the second week of mandatory masking.

## Proposed Shift from Universal to Building-by-Building Mask Requirement

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- If a school meets the 5% threshold and students and staff are required to wear masks for two weeks, all spectators at and student participants in extracurricular activities would also be required to wear masks for two weeks unless students are actively involved in competition, practice, or another activity as stipulated in current Minnesota State High School League guidance.
- Masks would be required for two weeks on school buses and other forms of transportation operated by St. Louis Park Public Schools that serves the school that met the 5% threshold.

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## Situations in Which Mask Will Still be Required

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If revisions to Policy 808 are approved, it is recommend that we continue to require face coverings in the following environments and conditions:

- Students in our early childhood programs
- Staff and students who tested positive for COVID and who have completed five-day isolation period followed by a negative test who would be required to mask for days 6-10 following their initial positive COVID test
- Staff in our health services offices who provide direct services to students
- Students who are demonstrating symptoms of COVID or who are being sent home for other health-related reasons and are waiting to return home

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# Recommendation

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It is recommended that the School Board revise Policy 808 to require face coverings when 5% or more of the students and/or staff who attend or work at a St. Louis Park Public School or other facility test positive for COVID-19, or when community levels of COVID-19 are high.

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## INDEPENDENT SCHOOL DISTRICT 283

SECTION/FILE: 808 DATE OF ADOPTION 09/14/20  
REVISED: 02/08/21; 05/10/21; 08/10/21;  
03/02/22  
TITLE COVID-19 Face Covering

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### I. PURPOSE

The purpose of this policy is to establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on school property to wear face coverings in classrooms, child care settings and other indoor areas, when 5% or more of the students and/or staff who attend or work at an St. Louis Park Public School or other facility test positive for COVID-19 in order to minimize exposure to COVID-19.

### II. GENERAL OF STATEMENT OF POLICY

- A. Face coverings are meant to protect other people in case the wearer does not know they are infected.
- B. Unless an exception described in Part IV below applies, all students, staff, and other people present indoors in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering when 5% or more of the students and/or staff who attend or work at a St. Louis Park Public School or other facility test positive for COVID-19. ~~at all times.~~
- ~~C. Unless an exception described in Part IV below applies, it is recommended that staff in the presence of students while indoors in school buildings or riding on school transportation vehicles wear a face covering.~~
- ~~D. C.~~ A violation of this policy occurs when any student, staff, or other person present in a school building, in the school district office, or on a school transportation vehicle fails to wear a face covering when 5% or more of the students and/or staff who attend or work at an St. Louis Park Public School or other facility test positive for COVID-19, unless an enumerated exception applies.
- D. Universal face covering requirements will be implemented for all staff, students and other people present indoors in school buildings and district offices or riding on school transportation vehicles when community levels of COVID-19 are high.

### III. DEFINITION OF FACE COVERING

- A. A face covering must be worn to cover the nose and mouth completely, should not be overly tight or restrictive, and should feel comfortable to wear. Face coverings should not be shared and should only be utilized by one individual. The following are included in the definition of face covering:

1. Paper or disposable mask;
2. Cloth face mask;
3. Scarf;
4. Neck gaiter;
5. Bandana;
6. Religious face covering;
7. Medical-grade masks and respirators;
8. Transparent face mask

This policy recommends the use of a multi-layered cloth mask as the preferred option, as this has been recommended by the Center for Disease Control (CDC), as the best method for preventing the spread of COVID-19. Bandanas and neck gaiters are generally not recommended by the CDC, but are not expressly prohibited, thus all face coverings listed above are acceptable. Any face coverings that are made of only one layer of cloth material are recommended to be worn folded over to provide two layers of cloth.

- B. A face shield is a clear plastic barrier that covers the face and allows visibility of facial expressions and lip movements for speech perception. A face shield should extend below the chin anteriorly, to the ears laterally, and there should be no exposed gap between the forehead and the shield's headpiece. A face shield does not meet the definition of a face covering and is not to be used in place of a face covering.
- C. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

#### **IV. EXCEPTIONS AND ALTERNATIVES; TEMPORARY REMOVAL OF FACE COVERING**

- A. Face coverings should not be placed on anyone under age 2, anyone who has trouble breathing or is unconscious, anyone who is incapacitated or otherwise unable to remove the face covering without assistance.
- B. A face shield may be used as an alternative to a face covering in the following situations:

1. Individuals who cannot tolerate a face covering due to a documented medical condition or documented disability related condition may be permitted to utilize alternative options such as a face shield or other reasonable accommodation.
  2. If a transparent face mask is not available, a teacher of any grade level may wear a face shield when wearing a face covering may impede the educational process. ~~This may only occur when the teacher is able to remain at least 6 feet away from all other individuals. For example, a teacher teaching phonics in early grades might need students to observe lip motions to appropriately learn the content. In this example, the teacher would need to teach from a 6-foot distance and wear a face covering if moving closer than 6 feet to the students.~~
  3. If a transparent face mask is not available, staff providing direct support student services may wear a face shield instead of a face covering when a face covering would impede the service being provided. ~~This may only occur when the staff member is able to remain at least 6 feet away from all other individuals. For example, in a special education session where a student is learning to identify emotions, they may need to see facial expressions to appropriately learn the content. In this example, the staff member would need to teach from a 6-foot distance and wear a face covering if moving closer than 6 feet to the students.~~
- C. Staff, students, and other people present in school buildings or in district offices may temporarily remove their face covering or face shield in the following situations:
1. When engaging in classes or activities conducted outdoors, though people participating in these activities should maintain six feet of distance to the extent possible. Staff are encouraged to consider outdoor breaks to support successful mask usage during indoor learning time.
  2. During specific activities that the Minnesota State High School League has identified as exceptions to mask/face covering requirements;
  3. While receiving a service, including nursing, medical, or personal care services, that cannot be performed or is difficult to perform when the individual receiving the service is wearing a face covering;
  4. During indoor practices or performances involving singing, acting, public speaking, or playing musical instruments where a face covering cannot be

used while playing the instrument, though people participating in these activities should maintain six feet of distance and utilize functional personal protective equipment to the extent possible;

5. When required by school staff for the purposes of identification;
6. Staff working alone in their offices, classrooms, vehicles, or job locations that have no person-to-person interaction;
7. Staff working in communal spaces that have barriers such as Plexiglass or cubicle walls between employees that are above face level, provided that six feet of distance is maintained; or
8. When communicating with a person who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with a face covering difficult; ~~provided that six feet of social distance is maintained to the extent possible.~~

## V. IMPLEMENTATION

- A. This policy will be conspicuously posted in each school building and administrative office and communicated to students, staff, families, and potential visitors to the school building.
- B. The school district will provide face coverings ~~and/or face shields~~ to employees and students. Employees and students may choose to wear their own face covering as long as it covers the nose and mouth. To the extent practicable, the school district will maintain an extra supply of face coverings for people who forget to bring their face covering.
- C. The school district will teach and reinforce the use of face coverings ~~and/or face shields~~ for students and staff throughout the school day, including on transportation vehicles, inside school buildings, and generally when on school grounds.
- D. Individuals who cannot tolerate a face covering due to a medical condition or disability related condition may be permitted to utilize alternative options such as a face shield or other reasonable accommodation. The Superintendent or designee shall have discretion to determine whether an employee, parent, or community member qualifies for a reasonable accommodation and the accommodation to be provided. For a student with a medical condition or disability, the student's education team (i.e. IEP team, Section 504 team, health plan team) will determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided. As a condition to granting a reasonable accommodation, the school district may require an individual to provide a

physician's note and/or other relevant information or with respect to the condition or circumstance. Requests for reasonable accommodations from the face covering requirement shall be assessed on a case-by-case basis in accordance with applicable federal and state law.

E. All face coverings shall meet the requirements of applicable dress code policies and/or codes of conduct.

1. Face coverings promoting products or activities that are illegal for use by minors are not acceptable.
2. Face coverings with any of the following will not be tolerated: Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected group, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in School Board Policy 102 pertaining to "Racial, Religious and Sexual Harassment and Violence."
3. It is not the intention of this policy to infringe on the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, do not advocate violence or harassment against others or do not create a substantial disruption of the learning environment.

F. Face coverings should be worn in the following environments and conditions:

1. Students in early childhood programs;
2. Staff and students who tested positive for COVID-19 and who have completed five-day isolation period followed by a negative test who would be required to mask for days 6-10 following their initial positive COVID-19 test;
3. Staff in health services offices who provide direct services to students; and
4. Students who are demonstrating symptoms of COVID-19 or who are being sent home for other health-related reasons and are waiting to return home.

G. The school district will make available distance learning to all enrolled students as an option.

- H. Students and staff should not engage in any indoor physical activity where the level of exertion makes wearing a face covering difficult.

## **VI. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE**

- A. In order to promote the health and safety of employees, students and members of the community, and make available a safe environment that is conducive to learning, compliance with this policy is necessary.
- B. Employees who fail or refuse to comply with this policy may be subject to discipline, as appropriate, up to and including the termination of employment. Accommodation will be made for employees with specific health conditions that prevent them from wearing face coverings.
- C. Students who fail or refuse to comply with this policy will engage in restorative practices to re-engage into their learning communities and/or may be subject to discipline in accordance with Policy 506 Student Behavior Intervention. Accommodation will be made for students with specific health or special education concerns that prevent them from wearing face coverings.

***Cross References:*** St. Louis Park Public Schools Policy 506 Student Behavior Intervention  
St. Louis Park Public Schools Policy 807 Health and Safety

**INDEPENDENT SCHOOL DISTRICT 283**

<b>SECTION/FILE</b>	<b>515</b>	<b>DATE OF ADOPTION</b>	<b>8/75; 2/98</b>
		<b><u>AFFIRMED/REVISED</u></b>	<b><u>11/28/05; 11/22/10;</u></b>
			<b><u>9/26/11;11/13/17; 9/17/18; 10/14/19; 01/11/21</u></b>
<b>TITLE</b>	<b>Protection and Privacy of Pupil Records</b>		

## I. PURPOSE

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

## II. GENERAL STATEMENT OF POLICY

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

### III. DEFINITIONS

### A. Authorized Representative

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

### B. Biometric Record

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

### C. Dates of Attendance

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



at a school or schools in the school district.

D. Directory Information

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

1. a student’s social security number;
2. a student’s identification number (ID), use ID, or other unique personal identifier used by a student for purposed of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student’s identity, such as a PIN, password, or other factor known or possessed only by the student.
4. Personally, identifiable data which references religion, race, color, social position, or nationality; or
5. Data collected from nonpublic school students, other than those who receive shared time educational services, shall not be designated as directory information unless written consent is given by the student’s parent or guardian.

E. Education Records

1. What constitutes “education records”. Education records means those records ~~which-that are~~: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.
2. What does not constitute an education records. The term “education records” does not include:
  - a. Records of instructional personnel ~~which-that are~~:
    - (1) ~~are kept~~ in the sole possession of the maker of the record; and
    - (2) ~~used only as a personal memory aid~~;

- (3) ~~are~~ not accessible or revealed to any other individual except a substitute teacher; and
- (3-4) are destroyed at the end of the school year.
- b. Records of a law enforcement unit of the school district, provided educational records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
  - (1) maintained separately from education records;
  - (2) maintained solely for law enforcement purposes; and
  - (3) disclosed only to law enforcement officials of the same jurisdiction.
- c. Records relating to an individual, including a student, who is employed by the school district which:
  - (1) are made and maintained in the normal course of business;
  - (2) relate exclusively to the individual in that individual's capacity as an employee; and
  - (3) are not available for use for any other purpose.

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

F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

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

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

I. Parent

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

J. Personally Identifiable

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

K. Record

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

L. Responsible Authority

“Responsible authority” means the St. Louis Park Senior High Principal or designee.

M. Student

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

N. School Official

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

O. Summary Data

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

P. Other Terms and Phrases

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

**IV. GENERAL CLASSIFICATION**

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

**V. STATEMENT OF RIGHTS**

A. Rights of Parents and Eligible Students

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

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

failures by the school district to comply with the federal law and the regulations promulgated thereunder;

6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in the COPIES OF POLICY section of this policy.

B. Eligible Students

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

C. Disabled Students with a Disability

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to ~~privacy, notice, access, record keeping and accuracy~~ ~~the confidentiality~~ of information related to students with a disability.

## VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
  - a. a specification of the records to be disclosed;
  - b. the purpose or purposes of the disclosure;
  - c. the party or class of parties to whom the disclosure may be made; ~~and~~
  - d. the consequences of giving informed consent; and
  - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
  - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
  - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:

- a. identifies and authenticates a particular person as the source of the electronic consent; and
  - b. indicates such person's approval of the information contained in the electronic consent.
- 5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
  - a. in plain language;
  - b. dated;
  - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
  - d. specific as to the nature of the information the subject is authorizing to be disclosed;
  - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
  - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e above, both at the time of the disclosure and at any time in the future; and
  - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for (i) life insurance or non-cancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.
- 6. Eligible Student Consent  
 Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in the STATEMENT OF RIGHTS section of this policy.

B. Prior Consent for Disclosure Not Required

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

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has

outsourced institutional services or functions provided that the outside party:

- a. performs an institutional service or function for which the school district would otherwise use employees;
- b. is under the direct control of the school district with respect to the use and maintenance of education records; and
- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.

3. To officials of other schools or school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or already is enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (See Part XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 U.S.C. § 7917, and if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records ~~which—that~~ have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
  - a. determine eligibility for the aid;
  - b. determine the amount of the aid;
  - c. determine conditions for the aid; or
  - d. enforce the terms and conditions of the aid.

"Financial aid" for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;
6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
  - a. before November 19, 1974, if the allowed reporting or disclosure concerns the

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



order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

11. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the educational records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to

Section XI of this policy;

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

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

18. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition

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

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

The principal must delete the peace officer's record from the student's educational record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs

the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

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

C. Nonpublic School Students

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

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

## VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

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

social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

## **VIII. DISCLOSURE OF PRIVATE RECORDS**

A. Private Records

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

B. Private Records Not Accessible to Parent

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

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
  - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;

- b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
- c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
- d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
- e. whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

## IX. **DISCLOSURE OF CONFIDENTIAL RECORDS**

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minn. Stat. ~~§ 626.556~~ Chapter 260E, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minn. Stat. ~~§ 626.556, Subd. 11~~ Chapter 260E.

Regardless of whether a written report is made under Minn. Stat. ~~§ 626.556, Subd. 7~~ Chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred, that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

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

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

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

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

XI. **DISCLOSURE OF DATA TO MILITARY RECRUITMENT OFFICERS**

- A. The School District will release the names, addresses, **electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only)**, and home telephone numbers of students in grades 11 and 12 to military recruiting officers within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data to military recruiters pursuant to



Paragraph C. below.

- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
  2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces- ; and
  3. copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, **electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only)** or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority, the St. Louis Park High School Principal or designee, in writing, by the end of the second week of school each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
  2. Home address;
  3. Student's grade level;
  4. School presently attended by student;
  5. Parent's legal relationship to student, if applicable;
  6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
  7. Specific category or categories of information, which are not to be released to the public, including military recruiting officers and pot-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, **home** phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

## **XII. LIMITS ON REDISCLOSURE**

### **A. Redisclosure**

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to

whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

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

C. Classification of Disclosed Data

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

D. Notification

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

### **XIII. RESPONSIBLE AUTHORITY, RECORD SECURITY; AND RECORD KEEPING**

A. Responsible Authority

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

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority

shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

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

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

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

#### **XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS**

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

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

B. Response to Request for Access

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

Sundays and legal holidays.

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
  - a. the cost of materials, including paper, used to provide the copies;
  - b. the cost of the labor required to prepare the copies;
  - c. any schedule of standard copying charges established by the school district in its normal course of operations;
  - d. any special costs necessary to produce such copies from machine based

- record-keeping systems, including but not limited to computers and microfilm systems; and
- e. mailing costs.
- 2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used and, instead, the charge shall be no more than 25 cents for each page copied.
- 3. The cost of providing copies shall be borne by the parent or eligible student.
- 4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent, or in the case of a student with a disability would impair, the parent or eligible student from exercising their right to inspect or review the student's education records.

## **XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA**

### **A. Request to Amend Education Records**

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

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

### **B. Right to a Hearing**

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

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

section shall:

- a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
- b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

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

**XVI. PROBLEMS ACCESSING DATA**

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

**XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA**

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA and the rules promulgated thereunder, shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, **Student Privacy Policy Office**, 400 Maryland Avenue, S.W., Washington, D.C. 20202-~~4605~~ 8520.

B. Content of Complaint

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

#### **XVIII. WAIVER**

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

#### **XIX. ANNUAL NOTIFICATION OF RIGHTS**

##### **A. Contents of Notice**

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated there under authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll including suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

##### **C. Notification to Parents or Eligible Students Who are Disabled**

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

#### **XX. DESTRUCTION AND RETENTION OF RECORDS**



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

## **XXI. COPIES OF POLICY**

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

### ***Legal References:***

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

~~Minn. Stat. § 13.393 (Attorneys)~~

**Minn. Stat. Ch. 14 (Administrative Procedures Act)**

Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 121A.75 (~~Sharing Disposition Order and Peace Officer Records Receipt of Records; Sharing~~)

Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)

Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)

Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)

~~Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)~~

~~Minn. Stat. Ch. 256L (MinnesotaCare)~~

Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)

~~Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)~~

Minn. Stat. § 363A.42 (Public Records: Accessibility)

~~Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)~~

Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)

10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)

18 U.S.C. § 2331 (Definitions)

18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)

20 U.S.C. Sec. 1232g *et seq.* (Family Educational Rights and Privacy Act)

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

20 U.S.C. § 7908 (Armed Forces Recruiting Information)

~~20 U.S.C. § 7917 (Transfer of School Disciplinary Records)~~

~~25 U.S.C. § 5304 (Definitions – Tribal Organization)~~

26 U.S.C. Secs. 151 and 152 (Internal Revenue Code)

~~42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)~~

~~42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)~~

34 C.F.R. Secs. 99.1-99.67 (Family & Education Rights & Privacy)

34 C.F.R. § 300.610-300.627 (Confidentiality of Information)

42 C.F.R. § 2.1 *et seq.* (*Confidentiality of Drug Abuse Patient Records*)

*Gonzaga University v. Doe*, 536 U.S. 273 (2002)

### ***Cross References:***

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

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)

MSBA/MASA Model Policy 520 (Student Surveys)

MSBA/MASA Model Policy 711 (Videotaping on School Buses)

MSBA/MASA Model Policy 722 (Public Data Requests)

MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)

~~MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)~~

MSBA School Law Bulletin “I” (School Records – Privacy – Access to Data)