

Wednesday, November 8, 2023

Media Center
3303 33rd Ave NE
St. Anthony, MN 55418

6:30 pm Listening Session
7:00 pm Regular Meeting

REGULAR MEETING

Please [click here](#) to access the meeting.

Call to Order

Board Chair Ben Phillip

Approval of Agenda

Board Chair Ben Phillip

Recognitions

Director of Athletics, Activities and Facilities - Dr. Troy Urdahl

Fall 2023 Awards

SAVHS Captains Council Report

Director of Athletics Activities and Facilities Dr. Troy Urdahl

Student leaders Anaya Boseman and Alan Molina will present the SAVHS Captains Council report.

Communication Break

Board Chair Ben Phillip

Superintendent Report

Superintendent Dr. Renee Corneille

Each school board meeting, the superintendent will take time to reflect on the school district's achievements, events and stories of students and staff.

Action Item:

Approval of Minutes
Board Chair Ben Phillip

Action item:

Consent Agenda

Board Chair Ben Phillip

Action Item:

Donation
Board Chair Ben Phillip

Action Item:

MSHSL League Foundation Resolution
Superintendent Dr. Renee Corneille

The MSHSL Foundation Board of Directors has determined that the number of free and reduced lunch students in grades 9-12 will be used for classification purposes. The MSHSL Foundation wants to encourage each school to seek students whose family income may be limited and encourage them to participate in athletic and fine arts programs in each school community and to recognize the role you play in this endeavor and to assist you in your continued efforts to engage more students.

The Resolution.

Whereas, the Minnesota State High School League Foundation was formed to provide support for Minnesota's high school youth to participate in athletics and fine arts;

Whereas, the governing Board of ISD 282 recognizes the value of student participation in extracurricular activities; and

Whereas, the MSHSL Foundation is offering grants and funding to assist schools in recognizing, promoting and funding extra-curricular participation by high school students in athletic and fine arts programs.

Therefore, be it resolved, the ISD282 School Board supports the school's application to the Minnesota State High School League Foundation for a grant to offset student activity fees.

The recommended motion is to approve the MSHSL Foundation Resolution, as presented.

Action Item:

Final Policy Readings
Board Member Mageen Caines

This is the final reading of policies 402; 513; 515; 516; 516.5; 521; 532 and 534. The suggested edits from the board, MSBA, the policy committee and legislation have been reviewed and applied.

The recommended motion is to approve the aforementioned policies, as presented.

Action item:

Nutrition Services MOU
Executive Director of Human Resources and Operations Dr. Tim Anderson

District administration recommends the approval of both MOUs presented to the School Board. The first MOU is to ensure Food Service staff are provided with 174 work days. When ISD282 shifted the school calendar from 174 school days to 168 school days, Food Service staff shifted 6 student days to professional development days. This MOU is solidifying this agreement.

The second MOU is to allow for a flexible Food Service position. This will allow staff to ensure optimal staffing when it is difficult to meet the needs of our nutrition services workflow.

The recommended motion is to approve the Nutrition Services MOUs, as presented.

Discussion Item:

Food Service and Transportation Update

Executive Director of Human Resources and Operations Dr. Tim Anderson

Executive Director of Human Resources and Operations Dr. Tim Anderson will take time to reflect on the school district's achievements, events and stories of staff on the operational side of transportation and nutrition services.

Discussion Item:

Wellness Update

District Wellness Coordinator Lori Watzl King

District Wellness Coordinator Lori Watzl King will take time to reflect on the work, achievements and events related to wellness.

Discussion Item:

Naloxone Emergency Response Procedure

District Wellness Coordinator Lori Watzl King

District Wellness Coordinator Lori Watzl King will review the district's new naloxone emergency response procedure.

Discussion Item:

Board Professional Development

Board Chair Ben Phillip

The January School Board meetings dates are January 9 - regular meeting and January 23 - work session. In addition to the regular meeting dates in January, the Board will need to add their next professional development meeting. The Board will discuss the option of January 16 or January 18 for the second quarter meeting. Looking ahead to the third quarter, the options are March 12 or 14. Finally, the fourth quarter options are May 14 or 16.

Discussion Item:

Legislative Platform

Vice Chair Laura Oksnevad

The Board will review the 2024 legislative platform ideas. The purpose of the platform is to tell our story using student stories that articulate the message; share the district's concerns and needs; and to create a compelling argument about how we would utilize the funds.

Board Member Reports

Board Chair Ben Phillip

Each school board meeting, the School Board members will take time to share information from the meetings, professional learning and events they have attended.

Adjourn

Board Chair Ben Phillip

Next Meeting(s):

Tuesday, November 14, 2023 – Regular/Work Session – Media Center
Tuesday, December 5, 2023 – Regular Meeting – City Council Chambers
Tuesday, December 19, 2023 – Work Session – Media Center



Fall 2023 Awards

Cross Country

Section Champion and State Qualifier - Girls Team

Ellie McCormick - 9

Piper Gushwa - 11

Eliza Chinander - 7

Selam Noonan - 8

Naomi Iyegha - 8

Tatum Lyon - 9

Becca Nelson - 10

Alt: Ava Busch-Manske

Alt: Lucia Griffith

State Qualifier - Phil Kram

Tri-Metro Conference Champion - Ellie McCormick

4AA Girls Assistant Coach of the Year - Sarah Crowson

4AA Boys Assistant Coach of the Year - Natalie Schalow

4AA Head Coach of the Year - Travis MacLeod

Soccer

1st Team All-State - Meghan Przybilla and Christopher Plaza Alvarado

2nd Team All-State - Lily Urgiles-Vang and Alan Molina

Class AA Section 4 Coach of the Year - Sam Mann

Class AA Section 4 Coaches of the Year - Sue and Paul Pawlyshyn

Student Leadership - SAVHS Captains Council

SANB School Board

November 7 , 2023

Captains Council Update

Working with Purpose

I serve to use the power of school activities to make the world a better place, working alongside coaches and advisors to help fulfill their purpose.

Collective Transformational Purpose

Hard work

Empathy

Attitude

Respect

Teamwork



To Capture the **HEART** of All Participants

Captains Council Update

Captains Council



Captains Council Update

Captains Council Tri-Metro Conference Event

- Problem-Solving through breakout groups
- Equity and Inclusion opportunities as student-athletes in the Tri-Metro
- Different perspectives on issues in our conference

Captains Council Update

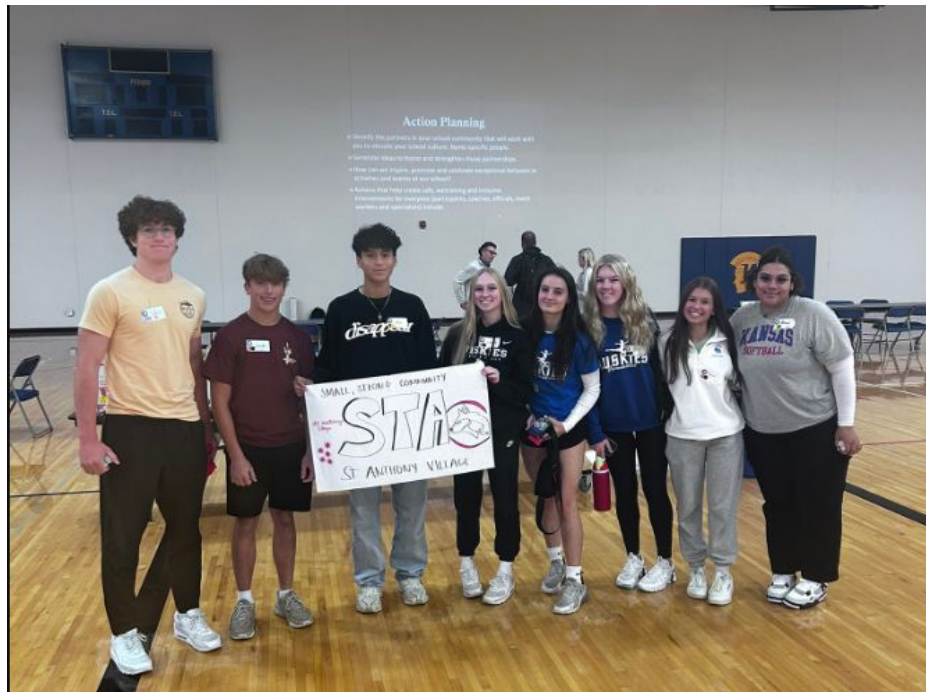
Captains Council SAVHS Kick-Off

- Marine Workout
- Working through games with partners to answer questions such as “ What is your goal as a leader in this community?”

Athletics and Activities Report

MSHSL Together in Partnerships Retreat

Students engaged with fellow leaders from other Metro schools to collaborate on promoting positive culture and behaviors in our communities.



Captains Council Update

MSHSL Together in Partnerships

- Partnered with schools through the metro
- Problems throughout the the MSHSL and what we can do to combat them
- Attention to the smaller issues

Athletics and Activities Report

Captains Council Finding Your Leadership Purpose

What is a leaders purpose?

- Definition of a leader
- The responsibilities of a leader
- A leader's purpose

Questions?

Thank you!



Superintendent Report Nov. 8, 2023 from Dr. Renee Corneille Superintendent of St. Anthony - New Brighton Schools

Each school board meeting, the superintendent will take time to reflect on the school district's achievements, events and stories of students and staff. The idea of these notes is to keep the board both informed and inspired of all the amazing work our school community has done over the past two weeks.

School Board launches new Legislative Action webpage

Families and residents of SANB are invited to view the Legislative Action webpage for information on the board's advocacy to the Minnesota Legislature, including a recent resolution around inequitable taxation of local communities.

6th-12th Grade Student Survey

Teaching and Learning is conducting a survey for students to learn more about their experiences and how we can improve and adapt our district to their needs. We are partnering with a third-party vendor, Panorama, to support us in administering these surveys. This tool will allow us to learn more about how we can best gather student information and improve our practices to align with our [Success Metrics](#).

Huskies Soccer earns All-State recognition

Four Huskies received All-State honors from the Minnesota State High School Soccer Coaches Association (MSHSSCA) following the completion of the boys and girls seasons. Both programs wrapped up 10+ win seasons in the late rounds of section playoffs.

Boys Head Soccer Coach, Sam Mann Jr. was named the Class 2A Section 4 Coach of the Year in another successful season at the helm for the Huskies.

Head Girls Soccer Coaches, Sue and Paul Pawlyshyn were named the Class 2A Section 4 Coaches of the Year after being named Minnesota's Small School Coaches of the Year in 2022 and 2021.

Cross Country Coaches Honored

Three of our Cross Country coaches were honored with impressive recognitions this fall. Natalie Schalow and Sarah Crowson were named Region 4AA assistant coaches of the year and Travis MacLeod was singled out as the Region 4AA head coach of the year!

Cross Country Heads to State!

Congratulations to the girls cross country team on winning the Section 4AA Championship and earning a trip to the State Meet on Saturday, November 4. Senior Phil Kram also qualified for the State Meet where he competed as an individual.

Safe Routes to School Audit

Our Safe Routes to School task force met in the morning last week to conduct a series of audits aimed at making our transportation routes safer for students. Despite the cold, wintery morning, these St. Anthony - New Brighton Schools community members bundled up and got to work. Thank you Mageen Caines, School Board Member - ISD 282 and team.

Asynchronous Day

At the High School - teachers requested 133 students to come in to the building for specific reteaching and support. At the Middle School 40 students were requested to come into the building for support and teaching by teachers. This was our district's first Asynchronous day. Our next scheduled Asynchronous day is scheduled for April 8 - we believe our schools have learned a lot during this first day and will make improvements for April.

St. Anthony – New Brighton School District
Independent School District 282
3301 Silver Lake Road
St. Anthony, MN 55418

Regular Meeting –Tuesday, October 17, 2023

MINUTES

Members Present: Vice Chair Laura Oksnevad; Treasurer Mike Overman; Director Cassandra Palmer and Director Leah Slye

Absent: Board Chair Ben Phillip; Clerk Mageen Caines

Staff Present: Superintendent Dr. Renee Corneille; Director of Teaching and Learning Andrew Hodges; and Executive Director of Academics Hope Fagerland

The Regular Meeting was called to order at 7:02 p.m. by Vice Chair Laura Oksnevad

APPROVAL OF THE AGENDA

A motion was made by Leah Slye and seconded by Mike Overman to approve the October 17, 2023 Amended Work Session agenda, as presented. The motion carries 4-0.

TEACHING AND LEARNING REPORT

Director of Teaching and Learning, Andrew Hodges, provided an overview of the district's work in literacy; new teacher mentor program; curriculum review; district assessment; multilingual learning; and effective instruction.

SUPERINTENDENT REPORT

Each school board meeting, the superintendent takes time to reflect on the school district's achievements, events and stories of students and staff. This report highlighted the Safe Routes to school survey; Indigenous People's Day; and a Teaching and Learning presentation at the Minnesota Association of School Administrators fall conference.

APPROVAL OF MINUTES

A motion was made by Cassandra Palmer and seconded by Leah Slye to approve the minutes from the October 3, 2023 Regular Meeting, as presented. The motion carries 4-0.

APPROVAL OF CONSENT AGENDA

A motion was made by Mike Overman and seconded by Cassandra Palmer to approve the October 17, 2023 Consent Agenda, as presented. The motion carries 4-0.

DISCUSSION

1. Pre-Audit Budget Review and Current Year Budget Update

District administration presented the 2022-2023 pre-audit budget and the 2023-2024 year to date budget for the Board's review.

2. Equity Review and Comprehensive Needs Assessment

In 2022 the school board hired the Center for Educational Leadership (CEL) to conduct an equity review of our school district. In addition, the district hired Dr. Tamika Fuller from Education Reform Enterprises (ERE) to conduct a Comprehensive Needs Assessment of instructional practices in classrooms. These two reviews/assessments produced recommendations for ISD282. The summary presented identifies the recommendations along with an assessment of where ISD282 is currently at in meeting those recommendations. The school board discussed the priorities of district administration to accomplish and when.

3. School Board Goals Draft

Superintendent Corneille identified a few recommendations from CEL and the CNA for the school board to discuss as potential goals. Once the board determines their goals for the school year, the board chair and superintendent will plan the school board's professional development for the school year. This was the first discussion regarding school board goals. The school board will continue to discuss potential goals at upcoming school board meetings.

4. Policy Work

This was the second reading of policies: 402; 513; 515; 516.5; 521; 532; and 534. The edits are from MSBA, Legislative updates and the policy committee. The policies will be presented for approval on November 8, 2023.

Board Member Reports

School Board members attended the following meetings and events: AMSD; city and school public forums; Hall of Fame; football game; SAVHS parent meeting; SANBE; Kiwanis; wellness committee; Endowment Foundation; levy forum; dive meet; and volleyball.

Adjourn

The Work Session of October 17, 2023 was adjourned at 9:36 pm.

Signed: Mageen Caines - School Board Clerk Attest: Kim Lannier

Professional Development –Tuesday, October 24, 2023

The School Board Professional Development meeting was called to order at 6:04 pm and was adjourned at 8:59 pm.



SCHOOL BOARD CONSENT AGENDA
November 8, 2023

PRESENTER(S): School Board Chair

SCHOOL BOARD CHAIR'S RECOMMENDATION (in the form of a motion): "...to approve the *Consent Agenda*.

1. Personnel

a. Hire(s)

Last Name	First Name	Position	School	Date Effective
Olson	Bella	SpEd Paraprofessional	Wilshire Park	October 30, 2023
Peli	Daniele	SpEd Paraprofessional	Wilshire Park	October 16,2023

b. Leave(s)

Last Name	First Name	Position	School	Date Effective
Nelson	Cole	Math	SAVHS	March 4, 2024 - April 12, 2024

2. Payment of Bills *Checks Paid* – October 20, 2023

General Fund	\$ 324,793.24
Food Service Fund	\$31,510.72
Transportation Fund	\$1,072.76
Community Service Fund	\$6,355.66
Capital Expenditure Fund	\$16,300.04
Agency Fund	\$8,000.00
Trust Fund	\$2,260.64
Student Activities	\$6,283.64

TOTAL: **\$396,576.70**



RESOLUTION

Accepting Donation to District

WHEREAS, the School Board of Independent School District No. 282 adopted a resolution proposing the acceptance of a donation to the soccer program in the amount of \$1,180; and a donation in the amount of \$5,000 to extend learning opportunities; and

WHEREAS, the school board may accept a gift, grant or devise of real or personal property with a value of \$1000 or more only by the adoption of a resolution approved by two-thirds of its members per ISD 282 policy 706.

BE IT HEREBY RESOLVED, by the School Board of Independent School District No. 282 that the district accepts said donation pursuant to Minn. Stat. §465.03.

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact Hope Fagerland, 3303 33rd Ave NE, St. Anthony, MN, 55418, 612-706-1062, hfagerland@isd282.org. This individual is the school district's appointed ADA/Section 504 coordinator.

III. GRIEVANCE REPORTING PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

The following grievance procedure applies to claims of sex, disability, and racial discrimination:

- A. Any person who believes he or she has been the victim of unlawful discrimination or any person with knowledge or belief of conduct that may constitute unlawful discrimination shall report the alleged acts immediately to an appropriate school district official designated by this policy. The complaint must be filed within 90 calendar days of the alleged violation.
- B. The Human Rights Officer is responsible for receiving oral or written complaints of unlawful discrimination toward an employee or student. However, nothing in this policy shall prevent any person from reporting unlawful discrimination toward an employee or student directly with the Human Rights Officer, the school board or other school district official.

- C. The school board hereby designates Wendy Webster 3301 Silver Lake Road, St. Anthony, MN 55418 612-706-1170 wwebster@isd282.org as the school district Human Rights Officer(s) to receive reports, complaints, or grievances of unlawful discrimination. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with the superintendent, Renee Corneille 3303 33rd Ave NE St. Anthony, MN 55418, 612-706-1000 rcorneille@isd282.org. .
- D. Upon receipt of a complaint, the Human Rights Officer shall immediately notify the superintendent. If the superintendent is the subject of the complaint, the Human Rights Officer shall immediately notify the school board.
- E. The Human Rights Officer may request but not insist upon a written complaint. Alternative means of filing a complaint, such as through a personal interview or by tape recording, shall be made available upon request for qualified persons with a disability. If the complaint is oral, it shall be reduced to writing within 24 hours and forwarded to the superintendent. Failure to do so may result in disciplinary action. The school district encourages the reporting party to complete the complaint form for written complaints. It is available from the principal of each building or the school district office.
- F. The school district shall respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

TITLE IX COORDINATOR

Wendy Webster
3303 33rd Ave NE

St. Anthony, MN 55418
612-706-1170
wwebster@isd282.org

SECTION 504 COORDINATOR

Hope Fagerland
3303 33rd Ave NE

St. Anthony, MN 55418
612-706-1062
hfagerland@isd282.org

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the agencies listed below or initiating action in state or federal court.

Claims of discrimination may also be pursued through the following agencies where appropriate:

Office for Civil Rights

Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Minnesota Department of Human Rights

Griggs Midway Building
540 Fairview Avenue North, Suite 201
St. Paul, MN 55104
Telephone: 1-800-657-3704 or (651) 539-1100
Email: Info.mdhr@state.mn.us

For complaints of employment discrimination:

Equal Employment Opportunity Commission

Towle Building
330 South 2nd Avenue, Suite 720
Minneapolis, MN 55401
Telephone: (612) 552-7306
Fax: (612) 335-4066
TTY: 1-800-669-4000
ASL Video Phone: 1-844-234-5122

This document provides general information and is not to be a substitute for legal advice. Changes in the law, including timelines for filing a complaint, may affect your rights.

Legal References:

34 C.F.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)
34 C.F.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

Resources:

Office for Civil Rights

Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Reading Room, U.S. Department of Education, Office for Civil Rights:
<http://www2.ed.gov/about/offices/list/ocr/publications.html> V. RESOURCES: U.S. Department of

IV. LEGAL REFERENCES:

34 C.F.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)
34 C.F.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

V. RESOURCES:

Office for Civil Rights
Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Reading Room, U.S. Department of Education, Office for Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/publications.html>

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 794 *et seq.* (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 12101 (Americans with Disabilities Act)

29 C.F.R. Part 32 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)
34 C.F.R. Part 104 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

The purpose of this policy is to provide guidance to professional staff, parents, and students regarding student promotion, retention, and program design.

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling, and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered, as well as scholastic achievement. The superintendent's decision shall be final.

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating the World's Best Workforce.
2. The school district may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.
3. The school district must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with Minnesota Statutes, section 120B.11. The guidelines should include the use of:
 - a. multiple objective criteria; and
 - b. assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.

- 4 . The school district must adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:
 - a. assess a student's readiness and motivation for acceleration; and
 - b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.
- 5 . The school district must adopt procedures consistent with Minnesota Statutes, section 124D.02 for early admission to kindergarten or first grade of gifted or talented learners consistent with Minnesota Statutes, section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to under-represented groups.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendents)

Cross References: 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 620 (Credit for Learning)

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

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

D. Directory Information

"Directory information" means information contained in an education record of a student 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 the name, address, and telephone number of the student's parent(s). Directory information does not include:

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

E. Education Records

1. What constitutes "education records." Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term "education records" does not include:
 - a. Records of instructional personnel that are:
 - (1) kept in the sole possession of the maker of the record;
 - (2) used only as a personal memory aid;
 - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - (4) destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to

the unit, and the law enforcement records are:

- (1) maintained separately from education records;
- (2) maintained solely for law enforcement purposes; and
- (3) disclosed only to law enforcement officials of the same jurisdiction.

c. Records relating to an individual, including a student, who is employed by the school district which:

- (1) are made and maintained in the normal course of business;
- (2) relate exclusively to the individual in that individual's capacity as an employee; and
- (3) are not available for use for any other purpose.

However, 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, 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 after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

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;
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 Superintendent, Renee Corneille*[designate title and actual name of individual].

M. Student

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

school district.

N. School Official

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

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

O. Summary Data

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

P. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such

consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;

4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

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

C. Students with a Disability

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

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:

- a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
- 4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
- 5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 U.S.C. § 7917, [Policy 529] 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 Minnesota Statutes section 260B.171, unless the data are required to be destroyed under Minnesota Statutes section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records 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 who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
- 8. To accrediting organizations in order to carry out their accrediting functions;

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

immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

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

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and

protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

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

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 U.S.C. § 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

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

[Note: Federal law allows a school district to specify that the disclosure of

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

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes sections 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 Minnesota Statutes Chapter 260E , written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minnesota Statutes Chapter 260E .

Regardless of whether a written report is made under Minnesota Statutes 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 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 Minnesota Statutes section 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of

this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:

- a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

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

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

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

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

- A. The school district will release the names, addresses, 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 and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.
- B. Data released to military recruiting officers under this provision:
 1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
 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 Senior High School Principal, Norman Bell [*designate title of individual, i.e., building principal*] in writing by Oct. 1 each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, 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 a court order or lawfully issued subpoena.

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

C. Classification of Disclosed Data

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

D. Notification

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

1. A description of records maintained;

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

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

directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

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

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

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;

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

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

- 1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

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

C. Conduct of Hearing

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

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes Chapter 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 Superintendent, Renee Corneille [*designate title and actual name of individual*].
- C. Any request by an individual with a disability for reasonable modifications of the school

district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

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 thereunder has occurred.

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

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

which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal 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 superintendent's office.

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.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
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. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (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. §§ 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. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)

Gonzaga University v. Doe, 536 U.S. 273 309 (2002)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: June 5, 2006

Revised: December 17, 2013

516 STUDENT MEDICATION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. REQUIREMENTS

A. Authorization

All medications (prescription and over-the-counter) to be administered at school shall have the Authorization for Administration of Medication at School form completed by the health professional and parent. Nurses may accept a verbal order from a physician to be followed with written authorization. Orders will be good for the school year (including the following summer sessions), but will need to be renewed at the start of a new school year. Orders will also be renewed when dosage changes occur.

B. Prescription Medications

Prescription medications must be in an appropriately labeled pharmacy container. The dosage listed on the pharmacy label must

agree with the dosage requested by parent and prescribing health professional. When dosage changes occur, the labels will be marked with the new dosage until the next prescription refill, when a new bottle will be required. In order to provide continuity of administration for prescription medications, a nurse may allow a family two days to provide the required written authorization if a verbal or written parent request has been received.

C. Over-the-Counter Medications

Over-the-counter medications shall be in their original containers and labeled with the student's name. Health professional and parent authorization must be received before administration of over-the-counter medication.

D. Student Self-Carry/Administration of Prescription Medication

Under some circumstances, students may be authorized to carry and self-administer medications. Examples may include, but are not limited to, inhalers and epi-pens. A student's parent/guardian and physician will complete an Authorization to Self-Administer Medication form. The nurse will assess the student's knowledge and skills pertaining to his/her treatment. Self-administration will be approved if the student is considered knowledgeable and able to self-administer medication safely.

E. Student Self-Carry/Administration of Non-Prescription Pain Relief Medication (E.g., Acetaminophen or Ibuprofen)

A secondary student (grades 7-12) may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit the parent portion of the Authorization to Self-Administer Medication form for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege.

This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Students are not to possess this type of medication. These medications should be processed using the same procedures as prescription medications.

F. Storage

All medications shall be stored in a locked cabinet, with the exception of refrigerated medications and those carried by students with special permission. Controlled substance medications will be counted (or liquid level noted) upon receipt in the health office and noted on the Medication Administration form.

G. Record Keeping

Medication administration will be recorded on a Medication Administration form or in the electronic student record. Dates and initials of administering personnel shall be recorded for each dose administered. Signatures and corresponding initials will be included on the form. Medication will be administered within a half-hour before or after the time indicated on the form. Administration time will also be noted for medication not given within this hour time, and any other PRN (as needed) medications. Dosage changes should have a discontinued date for the old dose and the new dose with a start date. Discontinued medications should be indicated with a discontinued date and removed from the active file or in the electronic student record. Medications and dosage will be recorded by using the medication name followed by dosage in milligrams. The number of tablets or liquid measure may be included in parenthesis as an aid for non-licensed staff.

H. Responsibility

A registered nurse will review all new medications and all dosage changes before the initial dose is given at school. Only registered nurses may delegate the administration of medication. Health assistants to whom this responsibility is delegated will receive in-service training by the nurse regarding the medication and

appropriate administration. An RN or LPN will give medications that are taken rectally or by injection. Emergency medications (Epi-pens, glucagon) will be delegated to staff only if the situation cannot be covered by an RN or LPN. In these situations, parents and administration will be consulted and a plan developed for safe storage and administration.

I. Field Trips

Medications to be given to students on day field trips will be pre-packaged by nurses or health assistants to be administered by the delegated district employee. Sealed medication envelopes will include the student name, medication, dosage, number of pills, and time to be administered. Other PRN medication will also be sent with the responsible school personnel including any emergency plan that dictates the use of such medication. Medication to be used on overnight school trips will be provided by parents directly to the accompanying health professional or teacher.

J. Return of Unused Medication

Unused medication will be returned at the end of the school year or at the time the medication is discontinued. Advance notice (postcard, phone call, or newsletter) will be given to families indicating the school plans for medication return. Parents will be asked to inform the health office if they would prefer to pick up the medication or would like the medication sent home with the student on the last day of school. Medication not picked up by the parents according to their plan will be destroyed at the end of the school year. Medication to be returned via an elementary student will be sent in a sealed bag at the end of the specified school day.

K. Errors

In the event of a medication error, the parent/guardian and the school administrator will be notified by phone in a prompt manner. The student's physician will also be consulted as needed. Medication errors will be documented on a Medication Error form and sent to the school administrator.

L. Unauthorized Use of Medication

Students observed by school personnel self-administering unauthorized medication on school grounds will be reported to parents by the school nurse or building administration. Cough drops will not be considered a medication under this policy. School protocol shall dictate the storage and use of cough drops.

M. Sunscreen

A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

N. Cannabis

Products containing Cannabis will not be administered by school personnel and these products cannot be brought on campus. This includes CBD containing products.

O. Students 18 and Over

“Parent” for students 18 years and older is the student for this policy.

P. Specific Exceptions:

1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;

Legal References:

Minn. Stat. § 13.32 (Student Health Data)

Minn. Stat. § 121A.21 (Hiring of Health Personnel)

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)

Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)

Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)

Minn. Stat. § 121A.2205 (Possession and Use of Non-syringe Injectors of Epinephrine; Model Policy)

Minn. Stat. § 151.212 (Label of Prescription Drug Containers)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)

29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)

Minn. Stat. 121A.223 (Possession and Use of Sunscreen)

Cross References:

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

MSBA/MASA Model Policy 516 (Medication Administration)

516.5 OVERDOSE MEDICATION

I. PURPOSE

As a means of enhancing the health and safety of its students, staff and visitors, the school district will acquire, administer, and store doses of an opiate antagonist, specifically Naloxone (Narcan), and administration devices or kits for emergency use to assist a student, staff member, or other individual believed or suspected to be experiencing an opioid overdose on school district property during the school day or at school district activities.

II. GENERAL STATEMENT OF POLICY

The school board authorizes school district administration to obtain and possess opioid overdose reversal medication, such as Naloxone to be maintained and administered to a student or other individual by trained school *staff* if the *staff* member determines in good faith that the person to whom the medication is administered is experiencing an opioid overdose. Authorization for obtaining, possessing and administering Naloxone or similar permissible medications under this policy are contingent upon: 1) the continued validity of state and federal law that permit a person who is not a healthcare professional to dispense an opiate antagonist to the school district and its employees by law; 2) that the school district and its *staff* are immune from criminal prosecution and not otherwise liable for civil damages for administering the opiate antagonist to another person who the *staff* member believes in good faith to be suffering from a drug overdose; and 3) the availability of funding either from outside sources or as approved by the school board to obtain and administer opioid overdose reversal medication.

III. DEFINITIONS

- A. **"Drug-related overdose"** means an acute condition, including mania, hysteria, extreme physical illness, respiratory depression or coma, resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires immediate medical assistance.
- B. **"Naloxone Coordinator"** is a school district staff person or administrator appointed to monitor adherence to protocols outlined in this policy and referenced procedures. The Naloxone Coordinator is responsible for building-level administration and management of Opiate Antagonist medications and supplies. The school district's Naloxone Coordinator is [insert title of staff person appointed as coordinator].

- C. **"Opiate"** means any dangerous substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.
- D. **"Opiate Antagonist"** means naloxone hydrochloride ("Naloxone") or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.
- E. **"Standing Order"** means directions from the school district's medical provider that sets forth how to house and administer Naloxone or other Opiate Antagonist medications to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. This Standing Order should include the following information:
 - 1. Administration type
 - 2. Dosage
 - 3. Date of issuance
 - 4. Signature of the authorized provider

IV. GENERAL STATEMENT OF POLICY AND RESPONSIBILITIES

- A. The school district must maintain a supply of opiate antagonists at each school site to be administered in compliance with Minnesota law. Each school building must have two doses of nasal naloxone available on-site.
- B. A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to Minnesota Statutes, section 148.235, or a licensed physician assistant may authorize a nurse or other personnel employed by, or under contract with, a public school may be authorized to administer opiate antagonists as defined under Minnesota Statutes, section 604A.04, subdivision 1.
- C. A licensed practical nurse is authorized to possess and administer an opiate antagonist in a school setting notwithstanding Minnesota Statutes, 148.235, subdivisions 8 and 9.
- D. District Collaborative Planning and Implementation Team

To the extent Naloxone is obtained for use consistent with this policy, the school district will establish a district-wide collaborative planning and implementation team ("School District Planning Team") who will oversee the general development and operations related to the use of opiate antagonist Naloxone and regularly report to the school board as to its activities.

- 1. The District Planning Team will include the Naloxone Coordinator and

may include the superintendent (or designee), school nurse, public health experts, first responders, student or family representatives, and community partners who will be assigned to the Team by the superintendent or designee or solicited as volunteers by the superintendent.

2. The School District Planning Team, through the Naloxone Coordinator, will obtain a protocol or Standing Order from a licensed medical prescriber for the use of Naloxone or other Opiate Antagonist by school district staff in all school facilities and activities and will update or renew the protocol or Standing Order annually or as otherwise required. A copy of the protocol or Standing Order will be maintained in the office of the Naloxone Coordinator.
3. The School District Planning Team will develop district-wide guidelines and procedures and determine the form(s) of Naloxone to be used within the school district (nasal, auto injector, manual injector) and the method and manner of arranging for the financing and purchasing, storage and use of Naloxone to be approved by the school board. Once approved by the school board, these guidelines and procedures will be attached and incorporated into this policy. At a minimum, these guidelines and procedures will:
 - a. Ensure that when Naloxone is administered, school district employees must activate the community emergency response system (911) to ensure additional medical support due to the limited temporary effect of Naloxone and the continued need of recipients of additional medical care;
 - b. Require school district employees to contact a school district healthcare professional to obtain medical assistance for the recipient of the Naloxone, if possible, pending arrival of emergency personnel;
 - c. Direct school district employees to make immediate attempts to determine if the recipient is a minor and, if so, locate the identity of the parent or guardian of the minor and ensure contact with that parent or guardian is made as soon as possible after administration of the Naloxone for the purpose of informing the parent or guardian of the actions that have been taken; and
 - d. Require school district staff to inform the building administrator or other administrator overseeing an event or activity of the administration of Naloxone, as well as the Naloxone Coordinator, after taking necessary immediate emergency steps.
4. The School District Planning Team will determine the type and method of annual training, identify staff members at each school site to be trained and coordinate the implementation of the training with the assistance of

the Naloxone Coordinator.

E. Site Planning Teams

1. In consultation with the School District Planning Team, the administrator at each school site may establish, in the manner the superintendent or Naloxone Coordinator deems appropriate, a Site Planning Team within the school site.
2. The Site Planning Team will be responsible for the coordination and implementation of this policy, district-wide guidelines and procedures within the school site and will develop and implement any specific guidelines and procedure for the storage and use of Naloxone within the school site in a manner consistent with this policy and district wide procedures and guidelines.

F. School District Staff

School district staff members will be responsible for attending all required training pertaining to the policy, procedures and guidelines for the storage and use of Naloxone and performing any assigned responsibilities pursuant to the guidelines and procedures.

V. NALOXONE STORAGE

- A. The Site Planning Team will select numerous Naloxone storage locations within the school site.
- B. The selected storage locations of Naloxone will be classified as non-public "security information" as the school board has determined that the disclosure of this data to the general public would be likely to substantially jeopardize the security of the medication that could be subject to theft, tampering, and improper use. Therefore, the identity of the storage locations will be shared only with those school district staff members whom the District Planning Team or Site Team have determined need access to this information to aid public health and safety as determined in the procedures and guidelines.
- C. Stock Naloxone will be clearly labeled, monitored for expiration dates, and stored in a secured location that is accessible by trained staff as set forth in paragraph V.B.

VI. Privacy Protections

The school district will maintain the privacy of students and staff related to the administration of Naloxone as required by law.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.37 (General Nonpublic Data)
Minn. Stat. § 121A.21 (School Health Services)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.224 (Opiate Antagonists)

Minn. Stat. § 144.344 (Emergency Treatment)
Minn. Stat. § 148.235 (Prescribing Drugs and Therapeutic Devices)
Minn. Stat. § 151.37 (Legend Drugs; Who May Prescribe, Possess)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.02 (Schedules of Controlled Substances)
Minn. Stat. § 604A.01 (Good Samaritan Law)
Minn. Stat. § 604A.015 (School Bus Driver Immunity from Liability)
Minn. Stat. § 604A.04 (Good Samaritan Overdose Prevention)
Minn. Stat. § 604A.05 (Good Samaritan Overdose Medical Assistance)
Minn. R. Pt. 6800.4220 (Schedule II Controlled Substances)
20 U.S.C. § 1232g (Family Educational and Privacy Rights)

Cross Reference: MSBA/MASA Model Policy 516 (Student Medication)
Minnesota Department of Health Toolkit on the Administration of Naloxone

¹ Naloxone is the medication that reverses an opioid overdose. Narcan® is the brand name for the intranasal applicator (nasal spray) form of naloxone. Naloxone usually refers to an intramuscular (IN+M) naloxone form that comes in a vial and is administered with a syringe, normally dispensed as an "IM kit."

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. COORDINATOR

Persons who have questions or comments should contact Hope Fagerland, 3303 33rd Ave NE, St. Anthony, MN 55418, 612-706-1062, hfagerland@isd282.org. This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

IV. GRIEVANCE REPORTING PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

The following grievance procedure applies to claims of sex, disability, and racial discrimination:

- A. Any person who believes he or she has been the victim of unlawful discrimination or any person with knowledge or belief of conduct that may constitute unlawful discrimination shall

report the alleged acts immediately to an appropriate school district official designated by this policy. The complaint must be filed within 90 calendar days of the alleged violation.

- B. The Human Rights Officer is responsible for receiving oral or written complaints of unlawful discrimination toward an employee or student. However, nothing in this policy shall prevent any person from reporting unlawful discrimination toward an employee or student directly with the Human Rights Officer, the school board or other school district official.
- C. The school board hereby designates Wendy Webster 3301 Silver Lake Road, St. Anthony, MN 55418 612-706-1170 wwebster@isd282.org as the school district Human Rights Officer(s) to receive reports, complaints, or grievances of unlawful discrimination. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with [a different staff member, such as the superintendent or school board chair, designated by the school board].
- D. Upon receipt of a complaint, the Human Rights Officer shall immediately notify the superintendent. If the superintendent is the subject of the complaint, the Human Rights Officer shall immediately notify the school board.
- E. The Human Rights Officer may request but not insist upon a written complaint. Alternative means of filing a complaint, such as through a personal interview or by tape recording, shall be made available upon request for qualified persons with a disability. If the complaint is oral, it shall be reduced to writing within 24 hours and forwarded to the superintendent. Failure to do so may result in disciplinary action. The school district encourages the reporting party to complete the complaint form for written complaints. It is available from the principal of each building or the school district office.
- F. The school district shall respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

TITLE IX COORDINATOR

Wendy Webster
3303 33rd Ave NE
St. Anthony, MN 55418
612-706-1170
wwebster@isd282.org

SECTION 504 COORDINATOR

Hope Fagerland
3303 33rd Ave NE
St. Anthony, MN 55418
612-706-1062
hfagerland@isd282.org

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the agencies listed below or initiating action in state or federal court.

Claims of discrimination may also be pursued through the following agencies where appropriate:

Office for Civil Rights

Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Minnesota Department of Human Rights

Griggs Midway Building

540 Fairview Avenue North, Suite 201
St. Paul, MN 55104
Telephone: 1-800-657-3704 or (651) 539-1100
Email: Info.mdhr@state.mn.us

For complaints of employment discrimination:

Equal Employment Opportunity Commission

Towle Building
330 South 2nd Avenue, Suite 720
Minneapolis, MN 55401
Telephone: (612) 552-7306
Fax: (612) 335-4066
TTY: 1-800-669-4000
ASL Video Phone: 1-844-234-5122

This document provides general information and is not to be a substitute for legal advice. Changes in the law, including timelines for filing a complaint, may affect your rights.

Legal References:

34 C.F.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)
34 C.F.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

Resources:

Office for Civil Rights
Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Reading Room, U.S. Department of Education, Office for Civil Rights:
<http://www2.ed.gov/about/offices/list/ocr/publications.html> V. RESOURCES: U.S. Department of

Legal References:

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

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

INDEPENDENT SCHOOL DISTRICT NO. 282

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Independent School District No. 282 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary): _____

Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature) (Date)

Received by: _____
(Date)

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

III. DEFINITIONS

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

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

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

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

members, or school property, the crisis team may remove the student from school grounds.

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

B. Removal By Police Liaison Officer or Peace Officer

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

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

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

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

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

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

1. Corporal punishment prohibited by Minnesota Statutes section 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes Chapter 260E;
6. Physical holding (as defined in Minnesota Statutes section 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

D. Parental Notification

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

E. Continued Removals; Review of IEP

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

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

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

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

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

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

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 806 (Crisis Management Policy)

534 SCHOOL MEALS POLICY

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

- A. Students have use of a meal account. When the balance reaches zero, a student's parents are notified via email, Skyward, or other established school notification routes, such as letters home or phone calls. Students may get a regular meal, an extra entree, or extra meals and their account will be charged at the regular rate for whatever food they take. The school will not take any food from students. When an account gets to negative \$200, the student's principals are notified for resolution.

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

- B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.
- C. Each school that participates in the free school meals program must:
- (1) participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and
 - (2) provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.
- D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- G. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance is incurred. Families will be notified by established school notification routes, which may include Skyward email notifications, email, or letters and phone calls home.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to end of the school year, will be turned over to the superintendent or superintendent's designee for resolution.

The superintendent will exhaust all possible options to resolve the issue to avoid resorting to collection.

In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.

- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

V. COMMUNICATION OF POLICY

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
 - 1. all households at or before the start of each school year;
 - 2. students and families who transfer into the school district, at the time of enrollment; and
 - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. Student-level appropriate communication may be made so that students understand that they will not have food taken from them while the school works to resolve the issue.
- D. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

Legal References: Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 124D.111 (School Meals Policies; Lunch Aid; Food Service Accounting)
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

Cross References: None

Memorandum of Understanding
Between the
School Service Employees, Local 284 Food Service
And
Independent School District #282
Regarding Food Service Flex Position

This Memorandum of Understanding ("MOU") is entered into by and between the Service Employees International Union, Local 284 Food Service ("Local 284") and St. Anthony Independent School District #282 ("District").

WHEREAS, Food Service and the District are parties to a Master Agreement, for the period of July 1, 2022 through June 30, 2024, which governs the general terms and conditions of employment for food service employees; and

WHEREAS, Article VII, Salaries, Section 1. Hourly Rates of Pay of the Master Agreement specifies the current roles and steps of categories of workers;

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises contained in this MOU and other valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The district will create a temporary (one year) flex position that will work a minimum of 6 hours daily for the regular work calendar year as defined by Article X Section 3.
2. The flex position would be paid at the Assistant Cook Manager Level and would be required to hold/obtain a Food Protection Manager Certificate within 30 days of hire.
3. The flex position would be able to float to the building of most need and fill in whatever role is needed (food prep, cooking, cashiering, etc.). Building based employees would have the option to sub into a higher paid class before the float assignment is determined. If no building based employee chooses to sub, the float position will fill the open position. If a building based employee chooses to sub, the float position will fill in for the building based employees position.
4. If hired internally, the flex position would be allowed to return to their previous role if this position does not continue into the next contracted year. Other internal employees obtaining a new position as a result of an internal hire during the 2023-2024 school year will also be allowed to return to their previous role if the new position is discontinued.
5. Pay rates shall be determined by 2023-2024 Article VII, Section 1 Hourly Rates of Pay, Certification pay, and Longevity pay as determined by Article VII, Section 7 Certification.

6. All other provisions of the collective bargaining agreement between the SEIU and the District not impacted by this agreement remain in effect for this position.

Entire Agreement. This MOU constitutes the entire agreement between the parties relating to the subject matter described in this document. No party has relied on any statements or promises that are not set forth in this document. The MOU controls to the extent that is in conflict with the Master Agreement. No changes in this MOU are valid unless they are in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have entered into this MOU on _____, 2023

SEIU 284 Union Designee

Superintendent

Steward

School Board Chair

Dated this ____ day of _____, 2023

Dated this ____ day of _____, 2023

Memorandum of Understanding
Between the
Service Employees International Union, Local 284 Food Service
And
Independent School District #282
Regarding Food Service PD Days

This Memorandum of Understanding ("MOU") is entered into by and between the School Service Employees International Union, Local 284 Food Service ("Local 284") and St. Anthony Independent School District #282 ("District").

WHEREAS, Local 284 and the District are parties to a Master Agreement, for the period of July 1, 2022 through June 30, 2024, which governs the general terms and conditions of employment for food service employees; and

WHEREAS, Article X, Hours of Work, Section 3, Normal Work Year of the Master Agreement specifies the normal work year of a full-time employee will be those days during a school year on which food is served;

WHEREAS, School year does not include non-student facing professional development days.

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises contained in this MOU and other valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The district will keep Local 284 employees whole by honoring the original 174 contracted work days.
2. Local 284 employees working the non-student facing professional development days will be paid the 2023-2024 contract rate of pay following Article VII, Sections 1-8.
3. Pay rates shall be determined by 2023-2024 Article VII, Section 1 Hourly Rates of Pay, Certification pay, and Longevity pay as determined by Article VII, Sections 1-8.
4. The District will pay labor costs involved with the non-student facing days due to a lack of revenue for the 02 with the planned lack of meal service.
5. The District will pay impacted employees for their regularly scheduled hours.

Entire Agreement. This MOU constitutes the entire agreement between the parties relating to the subject matter described in this document. No party has relied on any statements or promises that are not set forth in this document. The MOU controls to the extent that is in conflict with the Master Agreement. No changes in this MOU are valid unless they are in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have entered into this MOU on September ,2023

SEIU 284 Union Designee

Superintendent

Steward

School Board Chair

Dated this __ day of _____, 2023

Dated this __ day of _____, 2023



Transportation & Food Service Report from Dr. Tim Anderson Executive Director HR and Operations of St. Anthony - New Brighton

On a rotational basis, district leaders will update the board about functions of the district.

Transportation

Transporting students to and from school safely is a high priority for SANB. We partner with local contractors, principally MTN and Voigt, to provide safe bus service. We are in year 4 of a 5 year contract with our primary contractor, MTN. While we have navigated a number of transportation challenges again this year (late buses, insufficient and timely communication, uneven performance from some drivers), we have found success and improved performance as we have implemented continuous improvement mechanisms. October performance, for example, has seen better results in each of our key measures. While the transportation industry continues to experience challenges around labor shortage and cost containment, for example, we expect continued positive outcomes as we continue to grow our partnership and implement our high expectations with new staff at MTN and Voigt. *Kudos to Ms. April Hindi*, administrative support for Operations, who has provided key coordination, communication and data collection support in our continuous improvement efforts.

Here are some statistics for transportation for this year so far:

- 7 General Education routes
- 10 SPED routes with outside contractors
- 6 District Vans
- 893 SANB students are being transported
- 59 Private/non public students are being transported
- Calls received in the month of September with an average wait time of 2 minutes and 30 seconds (average wait time is a bit misleading when looking at the big picture):
 - Week 1 (9/5-9/8) - 189 calls received, avg wait time of 3 minutes 29 seconds
 - Week 2 (9/11-9/15) - 78 calls received, avg wait time of 1 minute 8 seconds
 - Week 3 (9/18-9/22) - 28 calls received, avg wait time of 1 minute 5 seconds
 - Week 4 (9/25-9/29) - 23 calls received, avg wait time of 52 seconds

Overall, the call volume and wait times decreased relatively quickly, and we average between 20-30 calls a week at this point in the year, with an average wait time of 30 - 60 seconds.

Challenges for this year:

- Routes running late and communication to families as we did not always know accurate information
- Construction around the SANB area impacting route timing
- MTN has not been able to cover athletics/trips and other contractors have struggled to be able to support SANB

Positive Changes to this school year:

- Survey to in-district and open enrollment families for ridership had an 80% response rate
- Improved processes for tracking open enrollment families and transportation fees

Things we are looking to the future for:

- Parent app for bus tracking and open transparency to where buses are and if they are running on time



Transportation-Athletics and Activities

The Athletics and Activities Department navigated a sudden challenge to start the 2023-24 school year when news came from MTN that they would not be able to provide after-school buses for activities for the “foreseeable future.” This information was received during the first week of school, with fall activities already well underway.

Fully utilizing the school-owned van along with an incredible carpooling effort from our coaches, families, and students, we were able to play every event scheduled this fall. Outside of using the van and carpooling efforts, we were able to collaborate with six outside vendors to provide school buses and motor coach buses when available. The primary obstacle we faced was that each of the vendors that were able to fulfill trips, and the numerous vendors who were not, already have contract obligations to other schools that limited their supply of drivers and buses for on-demand requests.

These challenges are not over, however. MTN has been unable to participate in over 85% of our requested trips for activities this fall. With just over 60 after-school charter requests this fall, MTN was only able to fulfill nine trips. This includes seven trips before the school year started and two on Saturdays during the school year. We were able to accommodate multiple teams traveling to the same site multiple times via motorcoach bus, and vendors as far as St. Joseph, MN helped provide trips with high roster counts and equipment to haul. *Kudos to Dr.*

Troy Urdahl and Mr. Zach Siggelkow for their creativity and effective problem solving to secure solutions for our students participating in activities.

With the winter season around the corner, we are already working on sustainable and cost-effective solutions to consistently provide bussing for after school activities. While MTN is our lowest-cost provider, the cost for a yellow school bus from outside vendors has been comparable to local motorcoach companies.

Safe Routes to School Plan- Task Forces

SANB is updating a safe routes to school plan for our district. The last one the district created was in 2014 and it helped the city, county and state understand the roadway and sidewalk issues within the community. As part of the effort, we launched a three-question survey and are in the process of coding results for next action steps.

Safe Routes to School Update - Wilshire Park Task Force

Wilshire Park had their first Safe Routes to School Committee meeting on October 12th. In attendance were school staff, community members, parents, and students. We reviewed the 2014 Safe Routes to School Plan and shared the current education around bus, walking and biking safety our students receive each year. At our meeting we identified some specific areas of focus for our walking audits that are taking place the last week of October and the first week of November as well as identified some possible solutions to current problems our students face in walking or biking to school. Before our next Safe Routes to School Committee meeting we plan on surveying our 3rd-5th grade students in order to receive more student voice and we will review our findings from our walking audits. Our committee plans on checking back in together the week of November 6th.

Many thanks to the members of the committee at Wilshire Park:

- *Kudos to Anna Nagle - Dean of Students and Task Force Lead*
- Helen Siggelkow - Community member, staff member
- Carrie Nord - Community member, parent, staff member
- Barb Anderson - Community member, parent
- Otto Graves - student
- Will Turner - student
- Redi Reichel - student

St. Anthony Middle School Task Force:

Kudos to Kristine Schwintek (Task Force Lead and SAMS teacher, WP parent, admin intern, community member), Beth Reh fuss (SAVHS teacher, SAMS/SAVHS parent, community member), Stefan Gingerich (WP/SAMS parent, community member), Adam Therneau (WP/SAMS parent, community member), Felix Melancon (SAMS student, walker, community member), Addy Hanson (SAMS student, walker, community member), Lauren May (SAMS student, walker, community member), Tim Anderson (Director of Operations and Human Resources), Liz Anderson (Communications Specialist), Troy Urdahl (Director of Athletics & Activities), Mageen Caines (SAMS parent, School Board member)

Our Meeting Dates:

- SRTS Meeting #1: Tuesday, October 24th from 3:00-3:30PM
 - Review Safe Routes to School Survey Responses & Data
 - Discuss our priorities for the AM & PM Audit
 - Prioritize SRTS Plan Questions (see below)
 - Brainstorm Vision Statement
- ONE morning audit: Tuesday, October 31st from 7:15-7:55
 - Break into small groups to collect data in specific areas
- ONE afternoon audit: Thursday, November 2nd from 2:45-3:15
 - Break into small groups to collect data in specific areas
- SRTS Follow-Up Meeting #2: Wednesday, November 8th from 3:00-3:30PM
 - Review data from AM/PM audits
 - Identify possible solutions including education, encouragement, and enforcement strategies

Current ideas for plan:

- How can we align our safety curriculum K-12?
 - When and how are pedestrian, bicycle, and bus safety taught?
- How do we get more bike racks at SAMS/SAVHS?
 - This was also requested by our Youth Climate Action plan students this summer.
- What are some requests and recommendations that we hear from our community members?
 - Encourage students to bike on sidewalks?
 - Students to not be on their phones when crossing the streets (a problem after-school)
- What are the major problem areas?
 - 33rd & SLR
 - 37th & SLR
 - 33rd & Rankin
 - 29th & Roosevelt
 - SANB side of Stinson

Questions to Consider (from mnsaferoutestoschool.org):

1. Are there bicycle racks? Do they have enough space? Are they being used?
2. Are the edges of the school zone marked by school advanced warning signs, school pavement markings, or flashing beacons?
3. Are there school crossing signs at key student crossing locations?
4. Are the sidewalks and pathways wide enough? Are bicycle lanes or shared lane markings present?
5. Are there crosswalks and curb ramps with tactile warning strips at each intersection crossing location?
6. Do turning motor vehicles conflict with crossing pedestrians?
7. Are there good sign lines between pedestrians and drivers (not obstructed by parked vehicles, vegetation, fences, walls, signs, or other obstacles)?
8. Do drivers yield to pedestrians?
9. Are drivers obeying speed limits?
10. Are drivers distracted?
11. Do drivers follow arrival and dismissal procedures?
12. What concerns do we have with the drop-off and pick-up zone, including buses and parent vehicles?
13. How many kids are walking and bicycling? Are they walking and bicycling with adults? With older siblings?
14. Are kids crossing the street safely (left-right-left, using marked crosswalks, obeying traffic signals or crossing guards)?
15. Are there places where kids must walk on the road? If so, do they walk facing traffic?
16. Do bicyclists wear helmets? Do they follow the rules of the road?

Van Service

St. Anthony employs six van drivers to safely transport our students to and from school. In addition, we have six from vendors CST and MTN. All van drivers are employed by the school district to drive students who receive special education programming and occasionally use additional contractors to fill in van and bus routes when a driver is out. Our transportation team sends an email to families in the spring inquiring about transportation needs for the upcoming year. Those decisions are confirmed as we get closer to the start of the year in August. *Kudos to Bob Lawson , van transportation lead*, for his efforts to ensure all drivers are up to date on safety training, and his efforts to lead safety audits for all of our drivers. We are grateful for the dedicated service we receive from transportation team members! Some details about our recent van usage and safe miles traversed:

- '22 - '23 school year, July - October van mileage 10175 safe miles
- '23 - '24 school year, July - October van mileage 16884 safe miles
- 6709 more miles, or 66% increase in safe miles driven over last year
- '22 - '23 school year, July - October # of safe van use days 238

'23 - '24 school year, July - October # of safe van use days 305

67 more days or 28% increase in safe van days over last year

(van use days definition, if 1 van is driven on a given day that is 1 van day, if all 5 vans are driven on a given day that is 5 van days)

- '22 - '23 school year there were 4 regular daily drivers
'23 - '24 school year there are 6 regular daily drivers
- '23 - '24 school year there are 45 certified drivers in the district. This includes:

Regular daily drivers

Coaches

Teachers

Activity Directors

Parents

Administrators

- Programs for daily van transportation of students:

Special Education students

McKinney/Vento students

Mounds View ECSE preschool students

916 students

Adult transition students

Community Services all-day preschool and Early Education Special Education students

Athletic/activity teams

- Greg Newgard and other high school special education teachers are using a van once a week for field trips for special education students
- October 18th - 20th dual facing camera/audio/GPS units with cloud storage were installed in all 5 vans





Food Service-Structure and Key Staff

St. Anthony - New Brighton School's Student Nutrition Program offers delicious breakfasts and lunches for students. St. Anthony - New Brighton School District shares a nutrition program with Roseville Area School District. We did a [podcast](#) on what universal school meals (a program created due to new MN legislation) means with Food Service Director Angie Richey. Angela oversees both the Roseville Area and St. Anthony-New Brighton student nutrition programs.

Food Service

Our team functions very well in a fast-paced, efficient manner. Our team performs effectively, despite the fact that we have been navigating staffing challenges this year, much like the pandemic years prior. Presently, we have postings for open hours/positions in both buildings (3.5 hours/day at SAVHS, 4.5 hours/day at WP). We are thankful for the team as they are willing to help or come in for longer shifts until staffing shortages are filled.

Some highlights at SAVHS/MS this year:

- It has been a huge adjustment for the increased meals we are experiencing from every student receiving a free breakfast and free lunch this year.

- Our team believes in serving our students meals every day in St. Anthony and it is a positive place to be in and we are so thankful we have the free meal program for all students.
- All menu options with more large recipe cooking have been the challenge, particularly because of our staffing shortage.
- It has been a big positive hearing from so many students how great the meals are!

Some highlights at WP this year:

- WP is serving over 1k meals a day (breakfast and lunch). The free universal meals have increased our daily participation substantially.
- Breakfast counts are up 60% and Lunch counts are up 45%, almost double of what we expected this year.
- MN Thursdays is our integrated program to source food from our local farms (farm to table), to incorporate more 'scratch' cooking in our kitchen.
- Due to the high volume of participation, there has been consideration to renovating the kitchen. Currently our demands are higher than our space allows to accommodate.

Again, our team is working extremely hard to cover gaps in staffing and our students have been well served because of their extra efforts. Kudos to Keyana Griffin, lead nutrition services manager at WP and the WP team: Fayeann Kerber; Michelle Paulson; Michele D'Agostino; and Linda Amundsen, lead nutrition services manager at SAVHS/SAMS and the SAMS/SAVHS team Colleen Christenson; Julie Everson; Mary Gutierrez; Ashley Lehman; Mary McConville; Deb Olson and Kathy Vye. Finally, we are presently in the process of auctioning well-functioning cooking equipment that is no longer needed. We are thankful for our amazing Food Services team members!



School Board Wellness Update
Lori Watzl-King, District Wellness Coordinator

- **Wellness Cohort**
 - 14 staff (licensed and support staff) set wellness goals for the school year
 - Monthly individual coaching for goals
 - Monthly group PD regarding mental and physical health
- **Flu shots and COVID shots for staff**
 - Sept 26th Flu shots at HS and WP: approx 125 staff
 - October 13th new COVID boosters at HS and WP: 87 staff
- **Flu shots for students and families**
 - Sept. 27th and Oct. 3rd: approx 400 shots given
 - Possible COVID shot clinic in November?
- **Wellness Challenges**
 - Monthly challenges with a physical health or mindfulness challenge \$25 gift card to lottery draw winner amongst participants.
- **Crisis Teams**
 - Narcan
 - Stop the Bleed
 - CPI- Crisis Prevention Institute Training
 - CPR/AED, First Aid
 - Mental health/crisis intervention training yet to be completed
- **Wellness Committee**
 - Finalizing Goals for the year
 - Nutrition
 - Employee Wellness
 - Family Engagement
 - Articles for Brighter Bulletin
 - Nutrition
 - Wellness topics
- **Health Services**
 - WP
 - Health Office 2022-23 School Year:
 - 4966 Health Office visits for illness/injury/wellness needs
 - 3340 Scheduled medications given

- Over 350 diabetic cares
 - 212 special procedures (intermittent catheterization)
- Para/PCAs
 - Approx. 200 tube feedings
 - Approx. 430 medications through the g tube
- MS/HS
 - Health Office Visits for 2022-23:
 - 2039 Health Office visits for illness/injury/wellness needs
 - Approx 900 daily meds given
 - 6 Students with Type 1 Diabetes

SANB Naloxone Emergency Response Procedure

Purpose:

To provide emergency care, medication, and response to someone with a suspected opioid overdose.

When to Use:

Staff who have been trained per district policy may administer naloxone to any student, staff, or visitor, in the event of respiratory depression, unresponsiveness, or respiratory or cardiac arrest when an overdose from opioid is suspected of a student, staff member, or visitor during the school day and during before/after school sponsored events if trained staff are in attendance.

Crisis Response Team Members (trained in naloxone administration):

Administrators (Directors, Principals, Superintendent, Assistant Principals, Deans), Health Services (School Nurse, Health Aides), Mental Health Staff (Coordinator, Social Workers, Counselors), Support Staff (some Intervention staff, Student Engagement Coordinator, administrative assistant staff)

Signs and Symptoms of Opioid Overdose
· Blue skin tinge- usually lips and fingertips show first
· Body is very limp
· Face is very pale
· Pulse (heartbeat) is slow, erratic, or not there at all
· Throwing up
· Passing out
· Choking sounds or a gurgling/snoring noise
· Breathing is very slow, irregular or has stopped
· Unresponsive

Procedure:

1. **Call 911 to get help and activate school specific emergency response.**
 - a. Call 911 and state your emergency and where you are in the building.
 - b. Call the main office phone number or use a walkie if you have one available.
 - c. Ask for the Crisis Response Team to respond to your location.
 - d. A member of the Crisis Response Team will get the AED and Narcan.
 - e. Administrative Assistant will call parent/guardian and ensure that someone is directing the EMS responders to the correct location in the building.
2. **Perform rescue breathing to provide oxygen if person is not breathing (use CPR Breathing Barrier Mask)**
3. **Assess and Monitor Breathing and Heart Rate. Initiate CPR, use of AED and Rescue Breathing as needed.**
 - a. For a person who is not breathing, rescue breathing is an important step in preventing an overdose death and should be done as soon as possible.
 - b. Steps for rescue breathing are:
 - i. Place the person on his or her back and pinch their nose
 - ii. Tilt chin up to open the airway. Check to see if there is anything in the mouth blocking the airway. If so, remove it.
 - iii. Give 2 slow breaths.
 - iv. Blow enough air into the lungs to make the chest rise.
 - v. Assess each breath to ensure the chest is rising and falling. If it doesn't work, tilt the head back more.
 - vi. Breathe again every 5-6 seconds
4. **Administer Naloxone**
 - a. Naloxone (Narcan Nasal Spray) is located in the AED locations and will be brought to any scene that the Crisis Team responds to. Narcan Spray 4 mg.

Remove NARCAN Nasal Spray from the box.

Peel back the tab with the circle to open the NARCAN Nasal Spray.



Hold the NARCAN nasal spray with your thumb on the bottom of the plunger and your first and middle fingers on either side of the nozzle.

Gently insert the tip of the nozzle into either nostril.

- Tilt the person's head back and provide support under the neck with your hand. Gently insert the tip of the nozzle into **one nostril**, until your fingers on either side of the nozzle are against the bottom of the person's nose.

Press the plunger firmly to give the dose of NARCAN Nasal Spray.

- Remove the NARCAN Nasal Spray from the nostril after giving the dose.



5. Stay with the person until 911 arrives

- a. Place the person in the recovery position (lying on their side) if breathing on their own.
- b. Stay with the person.
- c. Continue rescue breathing if needed (not breathing on their own).
- d. Most people respond by returning to spontaneous breathing. The response generally occurs within 2 to 3 minutes of naloxone administration.
- e. Because naloxone has a relatively short duration of effect, overdose symptoms may return.
- f. When EMS arrives, the person must be transported to the nearest hospital. Send the used naloxone medication device with EMS personnel.
- g. If the victim is a student, and a parent or guardian is not present, a member of the Crisis Team will accompany the student to the hospital until a parent/guardian arrives.

6. Documentation, Notification, Debrief

- a. School Principal or Dean/Assistant Principal will insure that parents/guardians have been notified for a student, or significant other (for a staff member).
- b. School Principal (or designee) will work with St. Anthony Police to notify family members for a visitor to the school who became unresponsive.
- c. School administrative assistant will notify the District Office (if not already done).
- d. Any drug paraphernalia that was found at the scene will be moved by staff members only if there is risk of injury to rescuers if not moved (then use Universal Precautions, gloves). If not at risk of injury, drug paraphernalia will be removed by law enforcement or EMS staff.
- e. Health Aide, School Nurse, or witnessing Crisis Team member will complete an Accident/Incident form.
- f. If the victim is a student, the Health Aide or School Nurse will document the incident in their Skyward Health Record including the medication that was administered, the time, and the events leading up to and following the administration of the Narcan.
- g. Consider school district communication to staff/families if appropriate.
- h. Consider the need for crisis mental health for students/staff who witnessed the incident.
- i. Following an incident, a debrief will be held as soon as possible with all members of the Crisis Team.
- j. The Debrief will include discussion of what went right and what could be improved for next time, including EMS/Police if indicated.
- k. The District Naloxone Coordinator will notify the Approving Physician that naloxone was used and order resupply of Narcan and CPR Breathing Barrier Mask.

District Naloxone Coordinator: Lori Watzl-King RN, LSN, NCSN

Approving Physician: Dr. Cassandra Palmer _____ Date: 7/25/23

Training:

1. The Crisis Team will receive in person training from the Steve Rummier Hope Foundation at the initial Crisis Team training.
2. Annual review with the District Naloxone Coordinator, Approving Physician, Steve Rummier Hope Foundation, or designee will be required.

St. Anthony - New Brighton Schools

2024 Legislative Platform Ideas

Purpose of the Legislative Platform:

- Tell our story using student stories that articulate the message
 - Share the district's concerns and needs
 - Create a compelling argument about how we would spend the funds
-

St. Anthony - New Brighton (SANB) is cherished as a small, caring community steeped in a rich history of excellence at all levels. We believe in the brilliance of each student, knowing they have the capacity to thrive. The success of our students and staff is our highest concern.

Our district needs legislation that:

Equitably & fully funds education

The district is grateful for the investment in education during the 2023 Minnesota legislative session. Because of the legislation our district's Special Education and Multi Language Learner cross subsidies have been reduced; our district is able to serve XXX nutritious meals each day to all children who desire them; provides menstrual products to students in bathrooms; and is more able to fund the implementation of literacy programming. Despite the state investment funding continues to fall short. Yes we received (statewide) historic funding (\$2.2 billion) but only 1/3 went to the general formula. Only 54% of the funding was targeted to flexible spending; the rest was restricted.

Luckily at St. Anthony - New Brighton Schools, we have stable enrollment and a history of conservative financial planning. However, with the rate of inflation, lack of reliable state aid, and reliance on voter approved funding, our programs and state mandates remain underfunded. This creates a burden on local tax payers to supplement much needed funding and creates an unreliable system of funding. GIVE SPECIFIC INFO FROM REFERENDUM PRESENTATION HERE

The State of Minnesota continues to demonstrate financial strength as evidenced by budget surplus projections currently at \$2 billion. 2024 is a policy year, typically not a time for funding programs, however this is an unprecedented and historic surplus. This is the time to catch up from underfunding public education and heavily invest in our children.

We request:

Increase formula allowance by an additional 2% in 2025 and fully fund unfunded or	Equalizing state funding to prevent uneven distribution of	Expand use of Long-Term Facilities Maintenance (LTFM) funding and remove
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partially funded mandates.	local levies and to ensure comparable taxpayer effort.	the per pupil limit to equip buildings to meet necessary requirements for health, safety & security through modifications to buildings, including remodeling and additions to existing space. - Fund ADA required upgrades to facilities through state aid.
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Priorities (current and from previous years)

1. ***Referendum Equalization
 - a. Create a more efficient and equitable system of state funding so that uneven distribution of local levies do not fund the brunt of mandates. All education funding should be equalized to ensure comparable taxpayer effort.
 - b. Referendum equalization between districts and between state & local is uneven. Our state funding mechanisms (A&I, Qcomp, LTFM, Community education, etc) put the payment for state-mandated programs burden onto the local taxpayers. Although the state constitution requires that education be fully funded, districts still must convince voters to vote for local tax increases to pay for mandatory programs. In an inflation-burdened environment, it is a humbling and hard ask to make. Because different districts are housed in communities with different development opportunities and different property-type tax profiles, the tax burden is very uneven.
1. Funding:
 - a. ***Increase the basic formula allowance by an additional 2 percent for FY 2025 (AMSD draft priority)
 - b. Eliminate Special Education (SpEd) and English Language (EL) cross subsidies
 - c. Expand use for Long-Term Facilities Maintenance to equip buildings to meet necessary requirements for health, safety & security through modifications to buildings, including remodeling and additions to existing space. This would save taxpayers money on building maintenance and not require bond referendums.
 - d. Increase the Safe Schools Levy and/or state aid to allow school districts and intermediate school districts to hire additional support staff to address the growing mental health needs of our students [*this would increase local levy authority and burden local taxpayers - increasing state aid would be best*]
2. Mandates:
 - a. Provide instructional flexibility and transformational learning

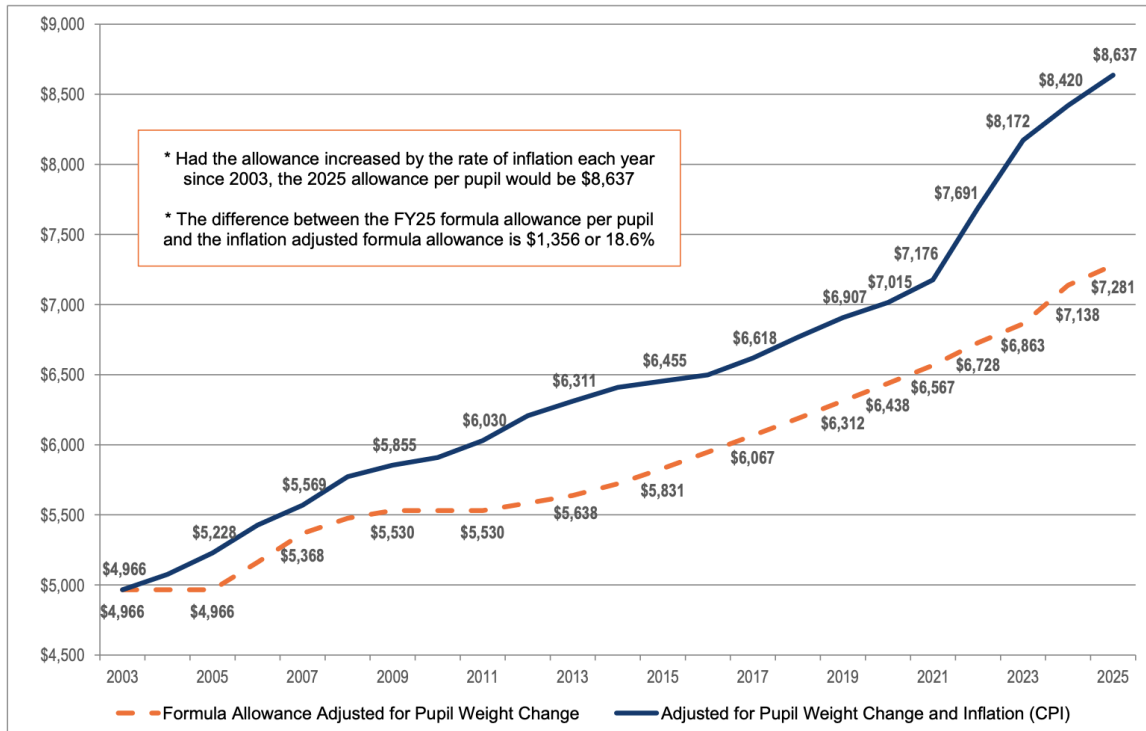
- i. Maintain the day and hour requirements of a school calendar and extend flexibility to count the “hours of educational services” as “instructional hours.”
 - ii. Define educational services as “equitable learning opportunities and services that prepare each student with the knowledge and skills to learn, engage civically and lead meaningful lives.”
 - b. Allow school boards to publish school board meeting minutes on a district website to reduce expenses. Our school district spends \$800 each month to publish school board meeting information in a newspaper that doesn’t reach all of our community members.
- 3. Equitable Access:
 - a. Close technology infrastructure gaps. Ensure all students have access to reliable internet service and devices to engage in learning.
 - b. Create incentives and alternatives to attract, develop and retain teachers and support staff, particularly teachers of color and teachers in shortage areas.
- 4. SANB Specific:
 - a. Wellness Center Bonding opportunity

References:

- https://www.amsd.org/wp-content/uploads/2023/10/Connections-October-2023-1.pdf?mc_cid=1c33579e48&mc_eid=bc4cc0449a
- https://www.amsd.org/wp-content/uploads/2023/10/Connections-October-2023-1.pdf?mc_cid=1c33579e48&mc_eid=bc4cc0449a

General Education Formula Allowance, 2003-2025

Adjusted for Pupil Weight Change and Inflation (CPI)



Source: MDE June 2023 Inflation Estimates and Minnesota Laws 2023

Impact of the tax base size of St. Anthony - New Brighton Schools

