

**INDEPENDENT SCHOOL  
DISTRICT #624**



**SCHOOL BOARD  
MEETING PACKET**

January 8, 2024

Independent School District No. 624

## **MISSION STATEMENT**

The mission of the White Bear Lake Area School District, the community at the forefront of educational excellence, honoring our legacy and courageously building the future, is to ensure each student realizes their unique talents and abilities, and makes meaningful contributions with local and global impact through a vital system distinguished by:

- *Students who design and create their own future*
- *A culture that respects diverse people and ideas*
- *Safe, nurturing and inspiring experiences*
- *Exceptional staff and families committed to student success*
- *Abundant and engaged community partners*

**INDEPENDENT SCHOOL DISTRICT NO. 624**  
**WHITE BEAR LAKE, MN 55110**

To: Members of the School Board

From: Dr. Wayne Kazmierczak  
Superintendent of Schools

Date: January 3, 2024

A meeting of the White Bear Lake Area School Board will be held on **Monday, January 8, 2024** at 5:30 p.m. in Room 112 at District Center, 4855 Bloom Avenue, White Bear Lake, MN. This meeting is open to the public.

**AGENDA**

**A. PROCEDURAL ITEMS**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approve Agenda
5. Reorganization of the Board
6. Consent Agenda
  - a) Approval of Minutes
  - b) Payment of Invoices
  - c) Acceptance of Gifts
  - d) Approve Field Trips
  - e) Human Resources Items
  - f) Quarterly Investment Report

**B. PUBLIC FORUM**

During the Public Forum any person may address the School Board on a topic of interest or concern. Listed below are the procedures.

1. Speakers must reside in the District, be a guardian of a student(s) in the District, be a student in the District or be employed by the District. The School Board will give priority to individuals who wish to address a specific item that is on the agenda for that meeting. After this priority has been applied, any remaining openings to speak - up to the total of ten individuals - will be determined by lot.
2. Public Forum will be open for up to 30 minutes. (3 minutes per speaker, 10 minutes per topic, no more than 3 speakers per topic). Speakers are encouraged to avoid repeating comments that other speakers have made.
3. Those who wish to address the School Board must submit a written request to speak before 3:00 pm on the day of the School Board meeting. Requests must be submitted to the following email address: [publiccomment@isd624.org](mailto:publiccomment@isd624.org), or by phone at 651-407-7563.

4. The School Board Chair will call speakers to the microphone and will recognize one speaker at a time. Speakers must be in person to be recognized. Only those individuals who have been recognized by the School Board Chair will be allowed to speak during the public comment period.
5. School District policy and data privacy laws preclude the School Board from publicly discussing personnel and student matters or data, including information, which, if discussed in a public meeting could violate law or policy.
6. Members of the public may not engage in conduct that materially and substantially disrupts any part of a School Board meeting, or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion.
7. If a speaker violates any of the established procedures or engages in any prohibited conduct, the Board Chair will rule the speaker out of order.
8. An appropriate school district official may be assigned to contact the speaker with answers to their questions or with follow-up information.
9. A handout on the purpose of the Public Forum and the process is available at each regular School Board meeting.
10. Citizens may be asked to address the School Board on a particular subject during the discussion of that item.

**C. INFORMATION ITEMS**

1. Overview of Welcome to White Bear and Update on Registration Information for 2024-25
2. Student Recognition
3. Superintendent's Report

**D. DISCUSSION ITEMS**

**E. OPERATIONAL ITEMS**

1. Action on Bids for Sunrise Park Conversion and Renovation Project
2. Action on School Board Operating Procedures for 2024
3. Action on School Board Members' Compensation for 2024
4. Action on Appointment of Intermediate School District 916 Representative for 2024
5. Action on Regular and Work Session Meeting Schedule for 2024-25
6. Action on Official Publication for the School District for 2024
7. Action on Appointment of Compliance Officers

8. Action on Local Education Agency Authorization
9. Action on Designation of Legal Counsel
10. Action on Official Depositories for the School District Funds and Authorized Bank Accounts and Signatures
11. Action on Annual Authorization Allowing Administration to Contract for Budgeted Items
12. Action on Annual Resolution to Increase Micro Purchase Threshold
13. Action on School Board Policies:
  - a. 401, Equal Employment Opportunity,
  - b. 407, Employee Right to Know - Exposure to Hazardous Substances,
  - c. 413, Harassment and Violence,
  - d. 416, Drug and Alcohol Testing,
  - e. 499, Student Teaching,
  - f. 503, Student Attendance,
  - g. 506, Student Discipline,
  - h. 507, Corporal Punishment and Prone Restraint,
  - i. 510, School Activities,
  - j. 515, Protection and Privacy of Student Records,
  - k. 516, Student Medication,
  - l. 529, Staff Notification of Violent Behavior by Students,
  - m. 607, Organization of Grade Levels, and
  - n. 613, Graduation Requirements.

**F. BOARD FORUM**

**G. ADJOURNMENT**

# **A. PROCEDURAL ITEMS**

AGENDA ITEM: **Reorganization of the School Board**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Procedural Item**

CONTACT PERSON(S): **School Board Chair**

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**BACKGROUND:**

The acting Board Chair will facilitate the selection of Board Chair. The elected Board Chair will then facilitate the selection of Vice-Chair, Clerk, and Treasurer for 2024.

The new officers must be nominated and elected:

- a. Chair Nominations are now in order for the office of Chair.

Board member \_\_\_\_\_ nominates \_\_\_\_\_

Roll Call Vote or Elected by Acclamation

- b. Vice-Chair Nominations are now in order for the office of Vice-Chair.

Board member \_\_\_\_\_ nominates \_\_\_\_\_

Roll Call Vote or Elected by Acclamation

- c. Clerk Nominations are now in order for the office of Clerk.

Board member \_\_\_\_\_ nominates \_\_\_\_\_

Roll Call Vote or Elected by Acclamation

- d. Treasurer Nominations are now in order for the office of Treasurer.

Board member \_\_\_\_\_ nominates \_\_\_\_\_

Roll Call Vote or Elected by Acclamation

AGENDA ITEM: **Consent Agenda**  
MEETING DATE: **January 8, 2024**  
SUGGESTED DISPOSITION: **Action Items**  
CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

The Consent Agenda is designed to expedite the handling of routine and miscellaneous official business of the School Board. The entire agenda may be adopted by the Board in one motion. The motion for adoption is not debatable and must receive unanimous approval. By request of an individual Board member, an item can be removed from the Consent Agenda and placed upon the regular agenda for consideration and action.

**Consent Agenda**

- a) Approval of Minutes
- b) Payment of Invoices
- c) Acceptance of Gifts
- d) Field Trip Request(s)
- e) Human Resources Items
- f) Quarterly Investment Report

**RECOMMENDED ACTION:**

BE IT RESOLVED by the School Board of Independent School District No. 624 that Consent Agenda items, A-6a through A-6f, be approved as written, and a copy of the agenda items is attached to the minutes.



AGENDA ITEM: **School Board Minutes**  
MEETING DATE: **January 8, 2024**  
SUGGESTED DISPOSITION: **Action Item**  
CONTACT PERSON(S): **Angela Thompson, School Board Clerk**

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**BACKGROUND:**

The School Board minutes from last month's meeting are being presented for approval by the School Board.

**RECOMMENDED ACTION:**

Approve minutes.

**INDEPENDENT SCHOOL DISTRICT NO. 624**  
**WHITE BEAR LAKE, MN 55110**

A meeting of the White Bear Lake Area School Board was held on **Monday, December 11, 2023** at 5:30 p.m. in Room 112 at District Center, 4855 Bloom Avenue, White Bear Lake, MN. This meeting was open to the public and a recording is posted on the website.

**AGENDA**

**A. PROCEDURAL ITEMS**

1. Chair Ellison called the meeting to order at 5:30 p.m.
2. Roll Call - Present: Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Absent: none.
3. Pledge of Allegiance.
4. Beloyed moved and Streiff Oji seconded to approve the agenda as presented.  
***Voice vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***
5. Arcand moved and Daniels seconded to approve the consent agenda consisting of:
  - a) Minutes for Board meetings on November 13, 2023, and November 27, 2023;
  - b) Invoices based upon a random sample, all of which met the standards and guidelines as set by the School Board;
  - c) Resolution regarding acceptance of gifts with thank you letters directed to the donors;
  - d) Field trips;
  - e) Resolution regarding personnel items to include:
    - **RESIGNATION/TERMINATION/NON-RENEWAL – CLASSIFIED STAFF**
      - LYDIA BURG – OST Program Assistant - North Star Elementary  
Employed by District 624 since 08/28/2023  
Effective Date: 10/23/2023
      - SADIE GREENLAW – Paraeducator - WBLAHS - South Campus  
Employed by District 624 since 03/15/2023  
Effective Date: 11/08/2024
      - CARRIE KASHANI – Paraeducator - Central Middle School  
Employed by District 624 since 11/12/2019  
Effective Date: 12/01/2023
      - DYAN TESORO – Lunchroom/Playground Assistant - Matoska International  
Employed by District 624 since 10/11/2021  
Effective Date: 11/08/2023
      - TARA WILCOX – Lunchroom/Playground Supervisor - Otter Lake Elementary  
Employed by District 624 since 03/04/2022  
Effective Date: 11/21/2023
      - TARA WILCOX – OST Program Assistant - Otter Lake Elementary  
Employed by District 624 since 03/04/2022  
Effective Date: 11/21/2023
    - **RESIGNATION/TERMINATION/NON-RENEWAL – CERTIFIED STAFF**
      - SYRA YANG - Education Equity Specialist - District Center  
Employed by District 624 since 08/16/2021  
Effective Date: 08/24/2023

- **RESIGNATION/TERMINATION/NON-RENEWAL – NON-AFFILIATED STAFF**
  - ANGELA SAUER – Preschool Teacher - Oneka Elementary  
Employed by District 624 since 09/13/2021  
Effective Date: 12/20/2023
- **RETIREMENT – NON\_AFFILIATED STAFF**
  - DANIEL ROESER – Director of Building Operations - District Center  
Employed by District 624 since 03/24/2014  
Effective Date: 02/29/2024
- **EXTRA ASSIGNMENT – CERTIFIED STAFF**
  - RYAN ABRAHAMSON – .1 FTE Special Education Teacher - Central Middle School  
BA, step 3 \$5,030.51  
Effective Date: 09/05/2023 through 06/07/2024
  - ABIGAIL ANDERSON – .1 FTE Special Education Teacher - Central Middle School  
BA, step 4 \$5,144.50  
Effective Date: 09/05/2023 through 06/07/2024
  - DEBORAH DRAEGER – .05 FTE Special Education Teacher - Central Middle School  
MA + 30, step 13 \$4,814.02  
Effective Date: 09/05/2023 through 06/07/2024
  - LOUISE EHRHARDT – .2 FTE Language Arts Teacher - WBLAHS - North Campus  
BA, step 3 \$958.19  
Effective Date: 11/27/2023 through 12/20/2023
  - JULIE ELLEFSEN – .2 FTE Language Arts Teacher - WBLAHS - North Campus  
BA, step 13 \$1,263.59  
Effective Date: 11/27/2023 through 12/20/2023
  - REBECCA HOLMAN – .1 FTE Special Education Teacher - Central Middle School  
MA + 60, step 11 \$8,219.55  
Effective Date: 09/05/2023 through 06/07/2024
  - NICOLE KOCUR – .2 FTE Language Arts Teacher - WBLAHS - North Campus  
BA, step 3 \$958.19  
Effective Date: 11/27/2023 through 12/20/2023
  - MARIAH MOILANEN – .1 FTE Social Studies Teacher - ALC  
BA, step 3 \$2,448.71  
Effective Date: 01/29/2024 through 06/07/2024
  - ANN MYERS – .1 FTE Social Studies Teacher - ALC  
MA +45, step 13 \$4,358.52  
Effective Date: 01/29/2024 through 06/07/2024
  - KATHERINE PECK – .2 FTE Language Arts Teacher - WBLAHS - North Campus  
MA + 15, step 7 \$1,232.05  
Effective Date: 11/27/2023 through 12/20/2023
  - DENISE RYAN – .5 FTE Special Education Teacher - Central Middle School  
MA + 60, step 13 \$48,736.79  
Effective Date: 09/18/2023 through 06/07/2024
- **CHANGE IN ASSIGNMENT – CLASSIFIED STAFF**
  - JEFFREY FRETWELL – From Paraeducator - WBLAHS - South Campus  
To Special Education Para - WBLAHS - South Campus  
1.0 FTE BA + 45 Step 1 \$ 40,0412.03  
Effective Date: 11/06/2023

- DIANE ROCKER – From Bus Driver - Bus Garage  
To Bus Aide - Bus Garage  
From \$21.45 to \$19.94  
From 25 hrs., To 37.5 hrs.  
Effective Date: 11/13/2023
- KHADIJA SHIRE – OST Program Assistant - North Star Elementary  
Increase in hours, From 14.99 hours per week to up to 22.49 hours  
Effective Date: 11/1/2023
- BROOKE TERVOLA – OST Program Assistant - North Star Elementary  
Decrease in hours, From 15 hours per week to under 12.5  
Effective Date: 11/1/2023
- **CHANGE IN ASSIGNMENT – CERTIFIED STAFF**  
JANEL VAN ARRAGON – From Instructional Coach - Vadnais Heights Elementary  
To Teaching and Learning Coordinator (TOSA) - District Center  
Effective Date: 12/15/2023
- **TEMPORARY CHANGE IN ASSIGNMENT – CLASSIFIED STAFF**  
AMANDA LILLIE – Nutrition Services Assistant - Otter Lake Elementary  
21.25 hrs per week changed to 32.5 hrs per week  
Effective Date: 11/10/23 to 01/31/2024
- **TEMPORARY CHANGE IN ASSIGNMENT – CERTIFIED STAFF**  
COREY LARSON – From Paraeducator - WBLAHS - North Campus  
To Special Education Para - WBLAHS - North Campus  
1.0 FTE BA, Step 1 \$15,390.92  
Effective Date: 12/5/2023 - 03/01/2024
- **FULL-TIME LEAVE OF ABSENCE – CERTIFIED STAFF**  
MEGAN CHURCH – Kindergarten Teacher - Willow Lane Elementary  
Employed by District 624 since 04/02/2013  
Effective Date: 2023-2024 School Year  
FAITH HAGESTUEN – Special Education Teacher - WBLAHS - North Campus  
Employed by District 624 since 08/23/1999  
Effective Date: 08/28/2023 - 11/23/2023  
KRISTIN LAHR – 2nd Grade Teacher - Willow Lane Elementary  
Employed by District 624 since 08/24/2015  
Effective Date: 08/28/2023 - 11/02/2023  
CHRISTINE THOMAS – Science Teacher - Central Middle School  
Employed by District 624 since 08/19/2019  
Effective Date: 08/28/2023 - 11/20/2023  
ALYSSA WEBER – Math Teacher - WBLAHS - North Campus  
Employed by District 624 since 08/24/2015  
Effective Date: 09/27/2023 - 11/20/2023
- **NEW PERSONNEL – NON-AFFILIATED**  
NANCY BERNSTEIN – Preschool Teacher - Oneka Elementary  
\$38.30 per hr., 676 hrs. annually  
Effective Date: 11/27/2023  
BRIANNA CAVERZAGIE – Nutrition Services Specialist - District Center  
40 hrs. per wk., \$60,000 annually  
Effective Date: 01/02/2024
- **NEW PERSONNEL – CLASSIFIED STAFF**

SHARON AHLES – AA- Associate Principal/Scheduler- WBLAHS- North Campus  
\$20.51 per hr., 40 hrs. per wk.  
Effective Date: 11/27/2023

TATIANA CARTER – OST Program Assistant - Vadnais Heights Elementary  
\$18.50 per hr., 19.99 hrs. per wk.  
Effective Date: 11/13/2023

KEVIN DIETZ – OST Program Assistant - Vadnais Heights Elementary  
\$18.50 per hr., 22.5 hrs. per wk.  
Effective Date: 11/13/2023

KEVIN DIETZ – Lunchroom and Playground Assistant - Willow Lane Elementary  
\$19.32 per hr., 12.5 hrs. per wk.  
Effective Date: 11/13/2023

ANTON GRAY – Lunchroom and Playground Assistant - Vadnais Heights Elementary  
\$19.32 per hr., 12.5 hrs. per wk.  
Effective Date: 11/08/2023

MICAH JOHNSON – OST Program Assistant - Matoska International  
\$18.50 per hr., 27.49 hrs. per wk.  
Effective Date: 11/15/2023

MICAH JOHNSON – Lunchroom and Playground Assistant - Matoska International  
\$19.32 per hr., 12.5 hrs. per wk.  
Effective Date: 12/04/2023

CALVIN LAMKIN – Paraeducator - Sunrise Park Middle School  
\$20.61 per hr., 32.5 hrs. per wk.  
Effective Date: 11/20/2023

KENY LANDAVERDE LANDAVERDE – OST Program Assistant - Lincoln Elementary  
\$18.50 per hr., 17.49 hrs. per wk.  
Effective Date: 11/27/2023

JENNIFER MARINEZ – Nutrition Services Assistant - North Star Elementary  
\$17.50 per hr., 18.75 hrs. per wk.  
Effective Date: 11/27/2023

ANDREA MCSORLEY – Nutrition Services Assistant - WBLAHS- South Campus  
\$17.50 per hr., 18.75 hrs. per wk.  
Effective Date: 11/27/2023

MARINA NORCROSS – OST Program Assistant - Vadnais Heights Elementary  
\$18.50 per hr., 17.49 hrs. per wk.  
Effective Date: 11/08/2023

KERRY NOREN – Early Childhood Assistant - Oneka Elementary  
\$20.12 per hr., 21 hrs. per wk.  
Effective Date: 11/27/2023

HALLIE PANGBURN – OST Program Assistant - Otter Lake Elementary  
\$18.50 per hr., 17.5 hrs. per wk.  
Effective Date: 11/17/2023

HALLIE PANGBURN – Lunchroom and Playground Assistant - Otter Lake Elementary  
\$19.32 per hr., 12.5 hrs. per wk.  
Effective Date: 11/17/2023

KEVIN PETERSON – Custodian - WBLAHS - North Campus & Central Middle School

\$20.50 per hr., 40 hrs. per wk.

Effective Date: 11/20/2023

EMILY PRICE – Paraeducator - WBLAHS- South Campus

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/27/2023

SAMANTHA RICHARDS – Paraeducator - WBLAHS- South Campus

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/29/2023

DAWN ROLLIE – OST Program Assistant - Otter Lake Elementary

\$18.50 per hr., 22.49 hrs. per wk.

Effective Date: 11/20/2023

BRITTNEY SCOTT – Paraeducator - Central Middle School

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/30/2023

RYAN SPARKS – Paraeducator - Sunrise Park Middle School

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/13/2023

LYNELLE WIENKE – Paraeducator - Willow Lane Elementary

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/20/2023

DIANE WIMPERIS – OST Program Assistant - Lincoln Elementary

\$18.50 per hr., up to 22.49 hrs. per wk.

Effective Date: 11/08/2023

KAITLIN WEISER – Paraeducator - Central Middle School

\$20.61 per hr., 32.5 hrs. per wk.

Effective Date: 11/22/2023

➤ **NEW PERSONNEL – CERTIFIED STAFF**

ALEXANDRA BEDORE – ELL Teacher - Matoska International & Lincoln Elementary

1.0 FTE BA Step 3 \$37,662.33

Effective Date: 11/13/2023

➤ **LONG TERM SUBSTITUTE - CERTIFIED STAFF**

LASHANDA HOLDER – Music Teacher - WBLAHS - North Campus & South Campus

1.0 FTE BA+15 Step 1 \$9,684.26

Effective Date: 12/05/2023 - 01/31/2024

JILL ENGWER – Science Teacher - ALC

1.0 FTE BA Step 1 \$ 6,669.40

Effective Date: 12/04/2023 - 01/15/2024

EMMA LARSON – Art Teacher - Otter Lake Elementary

1.0 FTE BA Step 1 \$35,142.61

Effective Date: 11/14/2023 - 06/07/2024

ALYSSA NELSON – Kindergarten Teacher - Otter Lake Elementary

1.0 FTE BA Step 1 \$22,890.15

Effective Date: 02/12/2024 - 06/07/2024

KEITH STEADLAND – Science Teacher - WBLAHS - North Campus

0.8 FTE MA Step 6 \$ 18,200.33

Effective Date: 11/08/2023 - 02/20/2024

***Roll call vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***

**B. PUBLIC FORUM** - Erika Arndt, Tabbitha Kissner

**C. INFORMATION ITEMS**

1. Superintendent's Report - Dr. Kazmierczak spoke about the Annual Update, Bear's Bulletin, and Kindergarten Enrollment. He also gave information about winter break.
2. Be SMART Partnership Update - White Bear Lake Area Schools, and local law enforcement departments are partnering with Be SMART, a non-partisan, national program dedicated to protecting kids by raising awareness about the importance of secure gun storage. Representatives from Be SMART shared information about the program.

**D. DISCUSSION ITEMS**

1. Presentation and Public Hearing Related to the Proposed 2023 Payable 2024 Property Tax Levy - Tim Wald, Assistant Superintendent for Finance and Operations, and Andi Johnson, Director of Finance presented the Proposed 2023 Payable 2024 Property Tax Levy. There were no requests to speak during the public hearing. The presentation and hearing occurred after 6:00 p.m.
2. 2022-23 World's Best Workforce Summary and Achievement and Integration Progress Report - Dr. Alison Gillespie, Brenton Shavers, and Jennifer Babiash provided an overview summary of the 2022-23 World's Best Workforce academic goals and results, and presented the Combined World's Best Workforce and Achievement and Integration Progress Report, that will be submitted to the Minnesota Department of Education.
3. First Reading of School Board Policies a) 401, Equal Employment Opportunity, b) 407, Employee Right to Know - Exposure to Hazardous Substances, c) 413, Harassment and Violence, d) 416, Drug and Alcohol Testing, e) 499, Student Teaching, f) 503, Student Attendance, g) 506, Student Discipline, h) 507, Corporal Punishment and Prone Restraint, i) 510, School Activities, j) 515, Protection and Privacy of Student Records, k) 516, Student Medication, l) 529, Staff Notification of Violent Behavior by Students, m) 607, Organization of Grade Levels, and n) 613, Graduation Requirements. The policies listed above will be on the January 8, 2024 or subsequent agenda for a second reading. This item was moved to the first discussion item to allow the Presentation and Public Hearing Related to the Proposed 2023 Payable 2024 Property Tax Levy to begin after the 6:00 p.m. posted public hearing time.

**E. OPERATIONAL ITEMS**

1. Streiff Oji moved and Daniels seconded to approve the action on Certification of 2023 Payable 2024 Property Tax Levy. ***Roll call vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***
2. Newmaster moved and Arcand seconded to approve the action on Acceptance of Brosious Grants. ***Roll call vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***

3. Arcand moved and Daniels seconded to approve the action on School Board Policies a) 421, Gifts to Employees and School Board Members, b) 703, Annual Audit, and c) 722, Public Data and Data Subject Requests. ***Voice vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***

## **F. BOARD FORUM**

## **G. NEGOTIATIONS\***

*\*This portion of the meeting may be closed to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to Minn. Stat. 179A.01 to 179A.25.*

Arcand moved and Beloyed seconded to move into closed session at 6:45 p.m. ***Voice vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***

The meeting went into closed session at 6:54 p.m.

Newmaster moved and Thompson seconded to move out of closed session at 7:35 p.m.

The meeting returned to open session at 7:35 p.m.

- ## **H. ADJOURNMENT**
- Arcand moved and Beloyed seconded to adjourn the meeting at 7:35 p.m. ***Voice vote: Ayes, Ellison, Newmaster, Streiff Oji, Thompson, Arcand, Beloyed, Daniels. Nays, none. Motion carried.***

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Submitted by: Angela Thompson, clerk



AGENDA ITEM: **Monthly Check Registers**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Action Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent of Finance and Operations;**  
**Andi Johnson, Director of Finance**

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**BACKGROUND:**

Enclosed in this packet are the monthly check registers for the previous period.

**RECOMMENDED ACTION:**

Administration recommends that the Board approve the payments itemized in the check registers.

**White Bear Lake Area Schools**  
**Electronic Transfers - December 2023**

		<u>12/15/2023</u>	<u>12/29/2023</u>
Direct Deposit	900691820 - 900693248	2,228,719.03	
Direct Deposit	900693249 - 900694667		2,277,549.05
<hr/>			

Check Number	Vendor	Amount	Check Date	Check Type
134306	YOUNGREN, AMY	(\$73.30)	6/30/2023	V
137413	ACCLAIM SERVICES INC	\$650.50	12/6/2023	R
137414	ACT INC	\$20,162.00	12/6/2023	R
137415	ALL STRINGS ATTACHED	\$80.00	12/6/2023	R
137416	ALLIED OIL & SUPPLY, INC.	\$2,664.80	12/6/2023	R
137417	AMAZON CAPITAL SERVICES	\$0.00	12/6/2023	C
137418	AMAZON CAPITAL SERVICES	\$901.57	12/6/2023	R
137419	APERTURE EDUCATION LLC	\$1,330.50	12/6/2023	R
137420	ARAMARK	\$223.04	12/6/2023	R
137421	ASFAHA, SELAM	\$320.00	12/6/2023	R
137422	ASL INTERPRETING SERVICES INC	\$132.00	12/6/2023	R
137423	BRIGHTSTAR CARE OF ST PAUL	\$607.50	12/6/2023	R
137424	BSN SPORTS, LLC	\$210.00	12/6/2023	R
137425	CAPITAL ONE TRADE CREDIT	\$84.93	12/6/2023	R
137426	CDW GOVERNMENT INC	\$62.72	12/6/2023	R
137427	CINTAS CORP	\$451.69	12/6/2023	R
137428	CLEAN IMAGE	\$326.95	12/6/2023	R
137429	COMMERCIAL KITCHEN SERVICES	\$1,439.00	12/6/2023	R
137430	CONTINENTAL CLAY CO	\$455.97	12/6/2023	R
137431	CUB FOODS OF WHITE BEAR TWSHP	\$126.16	12/6/2023	R
137432	DASH SPORTS LLC	\$680.00	12/6/2023	R
137433	DELLWOOD COUNTRY CLUB	\$2,148.37	12/6/2023	R
137434	DILLON, ROBERT	\$2,400.00	12/6/2023	R
137435	DOUGLAS, SANDRA L.	\$325.00	12/6/2023	R
137436	DEFINITIVE TECHNOLOGY SOLUTIONS	\$15,285.34	12/6/2023	R
137437	EDUCATORS THRIVING LLC	\$9,500.00	12/6/2023	R
137438	ESPRESSO SERVICES INC	\$196.50	12/6/2023	R
137439	FEDERAL SUPPLY USA	\$2,002.00	12/6/2023	R
137440	FESTIVAL FOODS-KNOWLAN'S	\$365.02	12/6/2023	R
137441	FRONTRUNNER SCREEN PRINTING	\$240.00	12/6/2023	R
137442	GANYAW, SAMUEL M.	\$72.00	12/6/2023	R
137443	GEORGAKOPOULOS, TESS	\$160.00	12/6/2023	R
137444	GRANDMA'S BAKERY INC	\$62.40	12/6/2023	R
137445	GROTH MUSIC CO	\$199.98	12/6/2023	R
137446	GROUP MEDICAREBLUE RX	\$10,615.50	12/6/2023	R
137447	HARRIS, JOSEPH W.	\$177.00	12/6/2023	R
137448	HISDAHL INC	\$135.00	12/6/2023	R
137449	HOME DEPOT CREDIT SERVICES	\$50.69	12/6/2023	R
137450	HUGO EQUIPMENT CO	\$199.91	12/6/2023	R
137451	HUGO FEED MILL & HARDWARE	\$6.60	12/6/2023	R
137452	I KNOW IT	\$150.00	12/6/2023	R
137453	IXL LEARNING	\$6,900.00	12/6/2023	R
137454	JW PEPPER & SON INC	\$71.99	12/6/2023	R
137455	KARLSBURGER FOODS INC	\$937.72	12/6/2023	R

137456 LAKESHORE LEARNING MATERIALS	\$130.27	12/6/2023 R
137457 LARSEN, BRAD	\$97.00	12/6/2023 R
137458 LARSON, VAUGHN P.	\$144.00	12/6/2023 R
137459 LOCKBEAM, SHIRLEY	\$12.50	12/6/2023 R
137460 MARCO TECHNOLOGIES LLC	\$654.86	12/6/2023 R
137461 MN COMMUNITY EDUC ASSOC (MCEA)	\$2,543.00	12/6/2023 R
137462 MCMASTER-CARR	\$44.62	12/6/2023 R
137463 MEADOWOOD TOOL CO	\$499.00	12/6/2023 R
137464 METRO MEALS ON WHEELS INC	\$333.30	12/6/2023 R
137465 MIDWEST BUS PARTS INC	\$129.95	12/6/2023 R
137466 MINNEAPOLIS SOUTH HIGH SCHOOL	\$325.00	12/6/2023 R
137467 MINNEAPOLIS PUBLIC SCHOOLS	\$1,867.91	12/6/2023 R
137468 MN JUNIOR HIGH MATH LEAGUE	\$200.00	12/6/2023 R
137469 NCPERS GROUP LIFE INS	\$96.00	12/6/2023 R
137470 NCS PEARSON INC	\$110.00	12/6/2023 R
137471 NORCENTRONIX DISTRIBUTING	\$3,900.00	12/6/2023 R
137472 NORTH CENTRAL TRUCK EQUIPMENT	\$217.13	12/6/2023 R
137473 NORTH CENTRAL INTERNATIONAL, LLC	\$0.00	12/6/2023 C
137474 NORTH CENTRAL INTERNATIONAL, LLC	\$1,100.27	12/6/2023 R
137475 NORTHBOUND CREATIVE	\$120.00	12/6/2023 R
137476 O'REILLY AUTOMOTIVE INC	\$0.00	12/6/2023 C
137477 O'REILLY AUTOMOTIVE INC	\$0.00	12/6/2023 C
137478 O'REILLY AUTOMOTIVE INC	\$235.83	12/6/2023 R
137479 PAYDHEALTH	\$37,915.14	12/6/2023 R
137480 PINEHAVEN FARM	\$1,273.00	12/6/2023 R
137481 PIONEER MIDWEST	\$695.20	12/6/2023 R
137482 WALSER POLAR CHEVROLET	\$273.74	12/6/2023 R
137483 POMP'S TIRE SERVICE	\$2,984.02	12/6/2023 R
137484 PRESS PUBLICATIONS	\$350.40	12/6/2023 R
137485 PRO-ED INC	\$73.70	12/6/2023 R
137486 PUSH PEDAL PULL	\$541.50	12/6/2023 R
137487 R & R SPECIALTIES INC	\$80.00	12/6/2023 R
137488 RAMSEY COUNTY ENVIRONMENTAL HEALTH DIVISION	\$0.00	12/6/2023 C
137489 RAMSEY COUNTY ENVIRONMENTAL HEALTH DIVISION	\$3,248.40	12/6/2023 R
137490 REGENTS OF THE UNIV OF MN	\$3,500.00	12/6/2023 R
137491 RIVERSIDE INSIGHTS	\$7,820.00	12/6/2023 R
137492 ROSEVILLE AREA SCHOOLS ED CENTER	\$35,500.00	12/6/2023 R
137493 SCHWANDT, JORDAN	\$160.00	12/6/2023 R
137494 SCOTT ELECTRIC	\$697.00	12/6/2023 R
137495 SKOW, KAREN L.	\$495.00	12/6/2023 R
137496 SMITLEY, SHARON L.	\$125.00	12/6/2023 R
137497 SCHOOL NUTRITION DIRECTORS OF MN	\$100.00	12/6/2023 R
137498 SOLIANT HEALTH, LLC	\$2,812.50	12/6/2023 R
137499 SPARKPATH	\$530.00	12/6/2023 R
137500 SPHERO	\$1,552.47	12/6/2023 R
137501 SQUIRES, WALDSPURGER & MACE, PA	\$3,635.50	12/6/2023 R
137502 ST CROIX LUTHERAN ACADEMY	\$780.00	12/6/2023 R

137503	SWWC SERVICE COOPERATIVE	\$4,992.40	12/6/2023	R
137504	SYN-TECH SYSTEMS INC	\$1,175.00	12/6/2023	R
137505	TEKVISIONS	\$295.00	12/6/2023	R
137506	TRADE PRESS INC	\$383.00	12/6/2023	R
137507	TRANSLANGUAGES, LLC	\$0.00	12/6/2023	C
137508	TRANSLANGUAGES, LLC	\$10,091.39	12/6/2023	R
137509	TREASURED TRANSPORTATION LLC	\$46,311.06	12/6/2023	R
137510	TURFWERKS INC	\$116.75	12/6/2023	R
137511	TWIN CITIES DOTS AND POP, LLC	\$567.60	12/6/2023	R
137512	US OMNI & TSACG COMPLIANCE SERVICES, INC	\$928.56	12/6/2023	R
137513	ZARNOTH BRUSH WORKS INC	\$558.00	12/6/2023	R
137514	IUOE LOCAL 70	\$2,965.75	12/6/2023	R
137515	SCHOOL SERVICE EMPLOYEES	\$0.00	12/6/2023	C
137516	SCHOOL SERVICE EMPLOYEES	\$15,635.60	12/6/2023	R
137517	GURSTEL CHARGO ATTORNEYS AT LAW	\$706.66	12/6/2023	R
137518	MESSERLI & KRAMER PA	\$584.24	12/6/2023	R
137519	RIVERVIEW LAW OFFICE PLLC	\$821.78	12/6/2023	R
137520	SCHWEIGERT, KLEMIN & MCBRIDE, P.C.	\$280.11	12/6/2023	R
137521	ALLSTREAM	\$7,587.38	12/8/2023	R
137522	CONTINENTAL RESEARCH CORP	\$1,138.98	12/8/2023	R
137523	SEA LIFE MN INC	\$650.00	12/8/2023	R
137524	ADAMS, CHRISTINA	\$91.70	12/13/2023	R
137525	AKASPORT	\$540.00	12/13/2023	R
137526	ALIVE STUDIOS	\$600.00	12/13/2023	R
137527	AMAZON CAPITAL SERVICES	\$0.00	12/13/2023	C
137528	AMAZON CAPITAL SERVICES	\$1,393.75	12/13/2023	R
137529	ANDERSON, PATRICIA M.	\$147.48	12/13/2023	R
137530	ARVIG	\$1,972.00	12/13/2023	R
137531	BELLAND, MARY	\$26.25	12/13/2023	R
137532	BIO-RAD LABORATORIES	\$48.75	12/13/2023	R
137533	BOWMAN, JANET	\$33.75	12/13/2023	R
137534	BRIGHTSTAR CARE OF ST PAUL	\$3,600.00	12/13/2023	R
137535	BROUWER, BENJAMIN W.	\$150.00	12/13/2023	R
137536	BROWN, BRUCE	\$66.00	12/13/2023	R
137537	BSN SPORTS, LLC	\$677.73	12/13/2023	R
137538	BURCH, JOHN C.	\$80.00	12/13/2023	R
137539	BURGRAFF, HALEY	\$705.00	12/13/2023	R
137540	BUSCH STOPLE, LAURA ROSE	\$126.00	12/13/2023	R
137541	CANEFF, JAKE A.	\$160.00	12/13/2023	R
137542	CARDINAL, KATHLEEN T.	\$503.20	12/13/2023	R
137543	CEL PUBLIC RELATIONS, INC	\$2,000.00	12/13/2023	R
137544	CHAPMAN, RONALD J. JR	\$95.00	12/13/2023	R
137545	CHOUANARD, JANICE	\$83.30	12/13/2023	R
137546	CINTAS CORP	\$101.03	12/13/2023	R
137547	COLLER, RONALD B.	\$177.00	12/13/2023	R
137548	COMMERCIAL KITCHEN SERVICES	\$9,447.41	12/13/2023	R
137549	CONSCIOUS DISCIPLINE	\$212.75	12/13/2023	R

137550 COOGAN-BURKE, MARY	\$126.00	12/13/2023 R
137551 COOPER, KENNETH E.	\$66.00	12/13/2023 R
137552 CORNERSTONE OCCUPATIONAL HEALTH SPECIALISTS	\$246.00	12/13/2023 R
137553 CORROW, MELANIE	\$191.38	12/13/2023 R
137554 CRAFT, PATRICIA S.	\$161.08	12/13/2023 R
137555 CUB FOODS OF WHITE BEAR TWSHP	\$383.27	12/13/2023 R
137556 DANUS, SANDRA L.	\$360.00	12/13/2023 R
137557 DEJARLAIS, MARILYN	\$722.08	12/13/2023 R
137558 DEMCO INC	\$217.08	12/13/2023 R
137559 DOFFING, SHARON K.	\$142.38	12/13/2023 R
137560 DOMEIER, MARILYN	\$154.28	12/13/2023 R
137561 DONATELLI'S	\$523.00	12/13/2023 R
137562 DROST, CANDACE L.	\$143.64	12/13/2023 R
137563 ECKROTH MUSIC	\$1,040.21	12/13/2023 R
137564 ESTES, HAYLEY	\$177.00	12/13/2023 R
137565 EVANS, DANIEL M.	\$66.00	12/13/2023 R
137566 FEDERAL SUPPLY USA	\$47.00	12/13/2023 R
137567 GAGNER, JAMES	\$66.00	12/13/2023 R
137568 GANYAW, SAMUEL M.	\$81.00	12/13/2023 R
137569 GARCIA, SARAH	\$95.69	12/13/2023 R
137570 GARVEY, PATRICIA	\$392.70	12/13/2023 R
137571 GAULT, SARAH	\$126.00	12/13/2023 R
137572 GENDER INCLUSIVE SCHOOLS LLC	\$3,200.00	12/13/2023 R
137573 THE GOOD ACRE	\$678.88	12/13/2023 R
137574 GOPHER	\$708.64	12/13/2023 R
137575 GRANDMA'S BAKERY INC	\$76.00	12/13/2023 R
137576 GREATAMERICA FINANCIAL SERVICES	\$349.85	12/13/2023 R
137577 GRUNDHAUSER, CECELIA	\$144.00	12/13/2023 R
137578 HAAG, LOIS	\$121.55	12/13/2023 R
137579 HAAS MUSICAL INSTRUMENT REPAIR	\$72.40	12/13/2023 R
137580 HALO TRANSPORTATION	\$26,856.00	12/13/2023 R
137581 HAMER, KAREN	\$388.45	12/13/2023 R
137582 HARTWELL, LEE	\$120.00	12/13/2023 R
137583 HAY CREEK ENTERTAINMENT	\$2,848.75	12/13/2023 R
137584 HRUBY, MICHAEL L.	\$88.00	12/13/2023 R
137585 HUBBARD, MICHELLE K.	\$40.00	12/13/2023 R
137586 HUBERT, SHAWN	\$66.00	12/13/2023 R
137587 IFD	\$0.00	12/13/2023 C
137588 IFD	\$0.00	12/13/2023 C
137589 IFD	\$0.00	12/13/2023 C
137590 IFD	\$0.00	12/13/2023 C
137591 IFD	\$168,008.06	12/13/2023 R
137592 IMSANDE, MONIQUE	\$126.00	12/13/2023 R
137593 INNOVATIVE OFFICE SOLUTIONS	\$389.04	12/13/2023 R
137594 JENSEN, ETOILE W.	\$123.20	12/13/2023 R
137595 JOHNSON, KEITH	\$66.00	12/13/2023 R
137596 JW PEPPER & SON INC	\$415.86	12/13/2023 R

137597 KAEHLER, MATTHEW P.	\$194.00	12/13/2023	R
137598 KATH FUEL OIL SERVICE CO	\$590.00	12/13/2023	R
137599 KEYSTONE INTERPRETING SOLUTIONS	\$4,361.70	12/13/2023	R
137600 LABORE, JULIE L.	\$143.60	12/13/2023	R
137601 LANCASTER ARCHERY SUPPLY, INC	\$1,028.07	12/13/2023	R
137602 LANGUAGE LINE SERVICES	\$1,548.37	12/13/2023	R
137603 LEDER, JARROD D.	\$117.00	12/13/2023	R
137604 LEE, ISABELLA G.	\$76.50	12/13/2023	R
137605 LEFLER, CONSTANCE	\$188.00	12/13/2023	R
137606 LEHNER, MICHAEL	\$160.00	12/13/2023	R
137607 LITCH, KARLA K.	\$450.40	12/13/2023	R
137608 LITTLE HOT HANDS	\$440.00	12/13/2023	R
137609 LIVINGSTON, TYLER	\$84.00	12/13/2023	R
137610 LOCKMAN, MARY C.	\$156.00	12/13/2023	R
137611 LORENZ BUS SERVICE INC	\$894.71	12/13/2023	R
137612 LUNDGREN, JOANNE M.	\$482.80	12/13/2023	R
137613 MAC RUNNEL, MINDY L.	\$430.95	12/13/2023	R
137614 MAIETTA, MARIE	\$30.00	12/13/2023	R
137615 MALMBORGS INC	\$335.00	12/13/2023	R
137616 MARTIN LAW FIRM PLLC	\$2,493.23	12/13/2023	R
137617 MATRIOUS, VICKI	\$78.80	12/13/2023	R
137618 MAUER, BRIAN	\$84.00	12/13/2023	R
137619 MCGOWAN, TIM	\$120.00	12/13/2023	R
137620 METRO MEALS ON WHEELS INC	\$100.50	12/13/2023	R
137621 MICHAELSON, RUTH F.	\$59.20	12/13/2023	R
137622 MIDAMERICA BOOKS	\$812.39	12/13/2023	R
137623 MIDWEST BUS PARTS INC	\$786.22	12/13/2023	R
137624 MILLIGAN, THERESA	\$429.15	12/13/2023	R
137625 MN BOYS HS VOLLEYBALL ASSOC	\$2,025.00	12/13/2023	R
137626 MN SAFETY COUNCIL INC	\$368.00	12/13/2023	R
137627 MRI SOFTWARE LLC	\$1,141.00	12/13/2023	R
137628 MRPA/MASS	\$80.00	12/13/2023	R
137629 NCS PEARSON INC	\$156.00	12/13/2023	R
137630 NICHOLAS-NELSON, TAMRA	\$66.00	12/13/2023	R
137631 NIKOLIC, CONNOR	\$66.00	12/13/2023	R
137632 NORTH CENTRAL TRUCK EQUIPMENT	\$553.91	12/13/2023	R
137633 NORTH CENTRAL INTERNATIONAL, LLC	\$0.00	12/13/2023	C
137634 NORTH CENTRAL INTERNATIONAL, LLC	\$2,376.79	12/13/2023	R
137635 NOVAK, JANICE S.	\$110.00	12/13/2023	R
137636 O'NEIL, LOIS	\$29.96	12/13/2023	R
137637 O'REILLY AUTOMOTIVE INC	\$183.55	12/13/2023	R
137638 ODAA TRANSPORTATION SERVICES	\$43,625.00	12/13/2023	R
137639 ODP BUSINESS SOLUTIONS, LLC	\$51.09	12/13/2023	R
137640 OLSON MADAUS, KIRSTEN G.	\$180.00	12/13/2023	R
137641 OLSON, SUZANNE K.	\$263.50	12/13/2023	R
137642 OSPREY WILDS ENVIRONMENTAL LEARNING CENTER	\$8,172.00	12/13/2023	R
137643 OXYGEN SERVICE COMPANY INC	\$34.18	12/13/2023	R

137644 PAI	\$1,242.75	12/13/2023 R
137645 PAN-O-GOLD	\$4,844.96	12/13/2023 R
137646 PATTERSON, JAMES	\$84.00	12/13/2023 R
137647 PAULSON, MICHAEL J.	\$483.60	12/13/2023 R
137648 PEASE, STEVEN	\$95.00	12/13/2023 R
137649 PICARD, ANNE	\$25.00	12/13/2023 R
137650 PICKERING AND SCHAIBERGER	\$153.60	12/13/2023 R
137651 PITTEGER, VICKI	\$108.40	12/13/2023 R
137652 QUISTAD, IDA	\$129.20	12/13/2023 R
137653 R & R SPECIALTIES INC	\$40.00	12/13/2023 R
137654 RADAR CONSULTING LLC	\$2,200.00	12/13/2023 R
137655 RAMSEY COUNTY PARKS/REC DEPT	\$1,010.00	12/13/2023 R
137656 RETHLAKE, DAYNA	\$204.00	12/13/2023 R
137657 REVOLUTION SPORTING GOODS	\$2,115.00	12/13/2023 R
137658 ROETTGER, DEBRA	\$383.35	12/13/2023 R
137659 ROETTGER, DORIS	\$809.20	12/13/2023 R
137660 SAARION, CARL A.	\$66.00	12/13/2023 R
137661 SCHMITT MUSIC COMPANY	\$107.00	12/13/2023 R
137662 SCHOLASTIC BOOK FAIRS	\$2,240.56	12/13/2023 R
137663 SCHROEHER, JANE E.	\$252.00	12/13/2023 R
137664 SCOTT ELECTRIC	\$59.00	12/13/2023 R
137665 SKOW, KAREN L.	\$1,905.75	12/13/2023 R
137666 SNOW, MICHAEL R.	\$120.00	12/13/2023 R
137667 SOLIANT HEALTH, LLC	\$1,125.00	12/13/2023 R
137668 SPHERO	\$1,598.60	12/13/2023 R
137669 STAPLES	\$0.00	12/13/2023 C
137670 STAPLES	\$336.02	12/13/2023 R
137671 STREAMLINE DESIGN INC	\$37.00	12/13/2023 R
137672 SUNDLAND, KOLTON	\$84.00	12/13/2023 R
137673 SYNOVIA SOLUTIONS	\$2,652.00	12/13/2023 R
137674 TEACHERS ON CALL	\$0.00	12/13/2023 C
137675 TEACHERS ON CALL	\$0.00	12/13/2023 C
137676 TEACHERS ON CALL	\$0.00	12/13/2023 C
137677 TEACHERS ON CALL	\$53,566.92	12/13/2023 R
137678 THE FINDING HUMAN INSTITUTE	\$5,466.00	12/13/2023 R
137679 TRADE PRESS INC	\$421.00	12/13/2023 R
137680 TRANSLANGUAGES, LLC	\$0.00	12/13/2023 C
137681 TRANSLANGUAGES, LLC	\$3,049.24	12/13/2023 R
137682 TREASURED TRANSPORTATION LLC	\$59,020.16	12/13/2023 R
137683 TRIMARK MARLINN LLC	\$267.72	12/13/2023 R
137684 TRIO SUPPLY COMPANY	\$0.00	12/13/2023 C
137685 TRIO SUPPLY COMPANY	\$11,921.46	12/13/2023 R
137686 TURCOTTE, AMBER	\$126.00	12/13/2023 R
137687 TWIN CITIES TRANSPORT & RECOVERY INC	\$500.00	12/13/2023 R
137688 TWIN CITY TRANSPORTATION INC	\$67,292.01	12/13/2023 R
137689 TWIN CITIES DOTS AND POP, LLC	\$774.00	12/13/2023 R
137690 VANG, STEPHANIE	\$1,215.00	12/13/2023 R



137691 VOIT, TAYLOR	\$84.00	12/13/2023 R
137692 VON FANGE, MICHAEL	\$177.00	12/13/2023 R
137693 VOSS, KAREN D.	\$4,430.58	12/13/2023 R
137694 WALKER, DEBRA R.	\$136.80	12/13/2023 R
137695 WARREN, MICHELE	\$1,027.20	12/13/2023 R
137696 WHITE BEAR CENTER FOR THE ARTS	\$6,375.00	12/13/2023 R
137697 WBL AREA EMERGENCY FOOD SHELF	\$500.05	12/13/2023 R
137698 WELLS, COURTNEY	\$75.00	12/13/2023 R
137699 WITTE, BETTY	\$126.00	12/13/2023 R
137700 WOLD, BRYCE Z.	\$177.00	12/13/2023 R
137701 ZABADAL, GEORGE J.	\$132.00	12/13/2023 R
137702 ACME TOOLS	\$51.46	12/13/2023 R
137703 AMAZON CAPITAL SERVICES	\$0.00	12/13/2023 C
137704 AMAZON CAPITAL SERVICES	\$2,612.88	12/13/2023 R
137705 AMERICAN MESSAGING SERVICES	\$49.51	12/13/2023 R
137706 ARAMARK UNIFORM SERVICES	\$0.00	12/13/2023 C
137707 ARAMARK UNIFORM SERVICES	\$0.00	12/13/2023 C
137708 ARAMARK UNIFORM SERVICES	\$701.31	12/13/2023 R
137709 ATC GROUP SERVICES LLC	\$3,364.16	12/13/2023 R
137710 BATTERIES PLUS BULBS	\$92.98	12/13/2023 R
137711 BOB'S SW CONSTRUCTION SERVICES	\$2,337.50	12/13/2023 R
137712 BRAUN INTERTEC CORPORATION	\$13,330.00	12/13/2023 R
137713 CAPITAL ONE TRADE CREDIT	\$848.39	12/13/2023 R
137714 CAPITAL ONE TRADE CREDIT	\$0.00	12/13/2023 C
137715 CAPITAL ONE TRADE CREDIT	\$210.00	12/13/2023 R
137716 CENTURY FENCE COMPANY	\$63,750.00	12/13/2023 R
137717 CITY OF WHITE BEAR LAKE	\$2,917.02	12/13/2023 R
137718 CONNEY SAFETY PRODUCTS LLC	\$63.48	12/13/2023 R
137719 CONTINENTAL RESEARCH CORP	\$623.98	12/13/2023 R
137720 CRESCENT ELECTRIC SUPPLY CO	\$115.81	12/13/2023 R
137721 DALCO CORPORATION	\$0.00	12/13/2023 C
137722 DALCO CORPORATION	\$0.00	12/13/2023 C
137723 DALCO CORPORATION	\$0.00	12/13/2023 C
137724 DALCO CORPORATION	\$0.00	12/13/2023 C
137725 DALCO CORPORATION	\$0.00	12/13/2023 C
137726 DALCO CORPORATION	\$0.00	12/13/2023 C
137727 DALCO CORPORATION	\$15,285.32	12/13/2023 R
137728 DOOR SERVICE COMPANY	\$0.00	12/13/2023 C
137729 DOOR SERVICE COMPANY	\$10,909.00	12/13/2023 R
137730 EAGLE BROOK CHURCH	\$10,097.64	12/13/2023 R
137731 FLAGSHIP RECREATION	\$8,244.80	12/13/2023 R
137732 FLICEK WELDING LLC	\$3,900.00	12/13/2023 R
137733 GEPHART ELECTRIC CO INC	\$23,265.50	12/13/2023 R
137734 GRAINGER	\$0.00	12/13/2023 C
137735 GRAINGER	\$0.00	12/13/2023 C
137736 GRAINGER	\$2,139.43	12/13/2023 R
137737 INNOVATIVE OFFICE SOLUTIONS	\$15,690.63	12/13/2023 R

137738 JAYTECH INC	\$16,611.00	12/13/2023 R
137739 KRAFT MECHANICAL LLC	\$0.00	12/13/2023 C
137740 KRAFT MECHANICAL LLC	\$0.00	12/13/2023 C
137741 KRAFT MECHANICAL LLC	\$12,156.94	12/13/2023 R
137742 KULLY SUPPLY COMPANY	\$153.10	12/13/2023 R
137743 LVC COMPANIES INC	\$0.00	12/13/2023 C
137744 LVC COMPANIES INC	\$2,802.84	12/13/2023 R
137745 MCDONOUGH'S WATERJETTING AND DRAIN CLEANING	\$125.00	12/13/2023 R
137746 MERLES WATER CONDITIONING	\$199.00	12/13/2023 R
137747 MID MINNESOTA STORAGE	\$1,820.00	12/13/2023 R
137748 MN DEPT OF LABOR & INDUSTRY	\$100.00	12/13/2023 R
137749 O'REILLY AUTOMOTIVE INC	\$9.71	12/13/2023 R
137750 PAUL THE PLUMBER INC	\$340.00	12/13/2023 R
137751 PELCO CONSTRUCTION LLC	\$2,985.00	12/13/2023 R
137752 PRESS PUBLICATIONS	\$1,259.25	12/13/2023 R
137753 REPUBLIC SERVICES #899	\$14,833.71	12/13/2023 R
137754 ROOF SPEC INC	\$421.00	12/13/2023 R
137754 ROOF SPEC INC	(\$421.00)	12/13/2023 V
137755 STATE SUPPLY CO	\$33,608.09	12/13/2023 R
137756 STERICYCLE, INC.	\$715.66	12/13/2023 R
137757 SUNDE LAND SURVEYING LLC	\$1,452.32	12/13/2023 R
137758 SWEETWATER EDUC TECH DIVISION	\$2,650.00	12/13/2023 R
137759 SYNCHRONY BANK	\$94.17	12/13/2023 R
137760 TORMACH INC	\$369.80	12/13/2023 R
137761 TR ENVIRONMENTAL CONSULTING LLC	\$275.00	12/13/2023 R
137762 TWIN CITY JANITOR SUPPLY CO	\$3,180.00	12/13/2023 R
137763 UHL COMPANY INC	\$21,020.00	12/13/2023 R
137764 VIKING AUTOMATIC SPRINKLER CO	\$2,325.00	12/13/2023 R
137765 VIKING ELECTRIC SUPPLY	\$1,571.94	12/13/2023 R
137766 WHITE BEAR GLASS INC	\$528.00	12/13/2023 R
137767 WHITE BEAR RENTAL EQUIPMENT	\$15.95	12/13/2023 R
137768 WL HALL COMPANY	\$453.00	12/13/2023 R
137769 WURZER, MARY JO	\$614.00	12/13/2023 R
137770 XCEL ENERGY	\$61,896.16	12/13/2023 R
137771 YTS CLEARING	\$12,000.00	12/13/2023 R
137772 ROOF SPEC INC	\$153.00	12/13/2023 R
137773 YOUNGREN, AMY	\$73.30	12/13/2023 R
137774 IUOE LOCAL 70	\$1,455.50	12/19/2023 R
137775 SCHOOL SERVICE EMPLOYEES	\$6,893.84	12/19/2023 R
137776 GURSTEL CHARGO ATTORNEYS AT LAW	\$326.51	12/19/2023 R
137777 MESSERLI & KRAMER PA	\$312.73	12/19/2023 R
137778 RIVERVIEW LAW OFFICE PLLC	\$370.81	12/19/2023 R
137779 SCHWEIGERT, KLEMIN & MCBRIDE, P.C.	\$218.80	12/19/2023 R
137780 ACADEMIC CHOIR APPAREL	\$3,048.00	12/20/2023 R
137781 AI TECHNOLOGIES LLC	\$5,501.25	12/20/2023 R
137782 AMAZON CAPITAL SERVICES	\$0.00	12/20/2023 C
137783 AMAZON CAPITAL SERVICES	\$0.00	12/20/2023 C

137784	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137785	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137786	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137787	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137788	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137789	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137790	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137791	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137792	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137793	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137794	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137795	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137796	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137797	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137798	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137799	AMAZON CAPITAL SERVICES	\$0.00	12/20/2023	C
137800	AMAZON CAPITAL SERVICES	\$12,953.15	12/20/2023	R
137801	BENNEK, JOE	\$160.00	12/20/2023	R
137802	BENSON, WILLIAM P.	\$188.00	12/20/2023	R
137803	BEST BUY BUSINESS ADVANTAGE ACCT	\$1,299.35	12/20/2023	R
137804	BEVSO	\$0.00	12/20/2023	C
137805	BEVSO	\$20,213.53	12/20/2023	R
137806	BLADE, JULIE M.	\$475.36	12/20/2023	R
137807	BLICK ART MATERIALS	\$607.56	12/20/2023	R
137808	BLUE NILE ETHIOPIAN REST AND BAR	\$808.71	12/20/2023	R
137809	BOWMAN, DON	\$84.00	12/20/2023	R
137810	BRAINERD HIGH SCHOOL	\$350.00	12/20/2023	R
137811	BSN SPORTS, LLC	\$0.00	12/20/2023	C
137812	BSN SPORTS, LLC	\$17,093.25	12/20/2023	R
137813	CAMPBELL, BENTON	\$177.00	12/20/2023	R
137814	CANEFF, CURT	\$160.00	12/20/2023	R
137815	CAPITAL ONE TRADE CREDIT	\$12.29	12/20/2023	R
137816	CDW GOVERNMENT INC	\$95.38	12/20/2023	R
137817	COGENT COMMUNICATIONS	\$1,845.00	12/20/2023	R
137818	COLLEGE BOARD	\$2,255.04	12/20/2023	R
137819	COMCAST	\$306.72	12/20/2023	R
137820	COMMERCIAL KITCHEN SERVICES	\$4,258.25	12/20/2023	R
137821	CONCORDIA ACADEMY	\$220.00	12/20/2023	R
137822	COOK, GERIAND	\$95.00	12/20/2023	R
137823	CRANKWHEEL	\$245.00	12/20/2023	R
137824	DONATELLI'S	\$301.00	12/20/2023	R
137825	DONOHOO, TIM	\$66.00	12/20/2023	R
137826	DREES, DIANA	\$200.00	12/20/2023	R
137827	DEFINITIVE TECHNOLOGY SOLUTIONS	\$44.00	12/20/2023	R
137828	DEFINITIVE TECHNOLOGY SOLUTIONS	\$10,323.00	12/20/2023	R
137829	FESTIVAL FOODS-KNOWLAN'S	\$13.01	12/20/2023	R
137830	FIDELITY SECURITY LIFE INSURANCE CO	\$5,348.98	12/20/2023	R

137831 FLOWERS, CHRIS	\$66.00	12/20/2023	R
137832 FOLLETT CONTENT SOLUTIONS LLC	\$492.54	12/20/2023	R
137833 GALLOWAY, NATHANIEL	\$66.00	12/20/2023	R
137834 GANYAW, SAMUEL M.	\$81.00	12/20/2023	R
137835 GARDNER, TRAVIS	\$84.00	12/20/2023	R
137836 GENERAL PARTS LLC	\$444.95	12/20/2023	R
137837 THE GOOD ACRE	\$466.73	12/20/2023	R
137838 GOPHER	\$50.00	12/20/2023	R
137839 GULENCHYN, MICHAEL	\$97.00	12/20/2023	R
137840 HANSON, GENO	\$84.00	12/20/2023	R
137841 HARRIS, JOSEPH W.	\$97.00	12/20/2023	R
137842 HISDAHL INC	\$224.00	12/20/2023	R
137843 HOULE, THOMAS A.	\$84.00	12/20/2023	R
137844 IFD	\$507.57	12/20/2023	R
137845 INTERMIX BEVERAGE	\$861.12	12/20/2023	R
137846 JUNIOR LIBRARY GUILD	\$1,823.64	12/20/2023	R
137847 JW PEPPER & SON INC	\$95.00	12/20/2023	R
137848 KAEHLER, MATTHEW P.	\$97.00	12/20/2023	R
137849 KATH FUEL OIL SERVICE CO	\$5,580.48	12/20/2023	R
137850 KAUFMAN, MICHAEL	\$66.00	12/20/2023	R
137851 KELLY, JASON	\$188.00	12/20/2023	R
137852 KIRCHBERG, PAUL	\$188.00	12/20/2023	R
137853 LANCASTER ARCHERY SUPPLY, INC	\$38.76	12/20/2023	R
137854 LANDGRAFF, MARCIA J.	\$557.80	12/20/2023	R
137855 LANIGAN, CHERYL D.	\$262.30	12/20/2023	R
137856 LARSON, VAUGHN P.	\$76.50	12/20/2023	R
137857 LEDER, JARROD D.	\$54.00	12/20/2023	R
137858 LEE, ISABELLA G.	\$76.50	12/20/2023	R
137859 LEVINSKI, MARY	\$300.00	12/20/2023	R
137860 LINZMEIER, STEVEN J.	\$66.00	12/20/2023	R
137861 LORENZ BUS SERVICE INC	\$3,578.84	12/20/2023	R
137862 MAHTOMEDI COMMUNITY EDUCATION	\$1,088.00	12/20/2023	R
137863 MARCO TECHNOLOGIES LLC	\$3,327.17	12/20/2023	R
137864 MN ASSOC OF SECONDARY SCHOOL PRINCIPALS	\$350.00	12/20/2023	R
137865 MCMASTER-CARR	\$20.24	12/20/2023	R
137866 MCNERTNEY, HOWARD	\$500.00	12/20/2023	R
137867 MENTH, MICHAEL	\$120.00	12/20/2023	R
137868 MOUNDS PARK ACADEMY	\$50.00	12/20/2023	R
137869 NEWTRAX	\$4,921.50	12/20/2023	R
137870 NORTH CENTRAL TRUCK EQUIPMENT	\$5,102.50	12/20/2023	R
137871 NORTHEAST METRO INTERMEDIATE DISTRICT 916	\$90,950.00	12/20/2023	R
137872 NOVAK, JAMES	\$66.00	12/20/2023	R
137873 O'REILLY AUTOMOTIVE INC	\$436.68	12/20/2023	R
137874 ODP BUSINESS SOLUTIONS, LLC	\$123.85	12/20/2023	R
137875 OPITZ, LAURIE A.	\$1,587.00	12/20/2023	R
137876 ORTIZ, KLEBER I.	\$1,800.00	12/20/2023	R
137877 OSMAN, BADASO	\$84.00	12/20/2023	R

137878 OXYGEN SERVICE COMPANY INC	\$9.72	12/20/2023 R
137879 PAIN IN THE GLASS	\$175.00	12/20/2023 R
137880 PAR INC	\$115.00	12/20/2023 R
137881 PICTURE THAT!	\$195.00	12/20/2023 R
137882 POWERSCHOOL GROUP LLC	\$19,410.30	12/20/2023 R
137883 PREMIER BIOTECH	\$234.96	12/20/2023 R
137884 RADAR CONSULTING LLC	\$3,000.00	12/20/2023 R
137885 REAGAN, JOHN	\$66.00	12/20/2023 R
137886 REDWOOD TOXICOLOGY LABORATORY	\$89.28	12/20/2023 R
137887 ROBBINS, AARON K.	\$240.15	12/20/2023 R
137888 SAMUELSON, CHASE	\$95.00	12/20/2023 R
137889 SEEVER, GRAY	\$320.00	12/20/2023 R
137890 SHERBARTH-LYNCH, SANDRA	\$2,178.00	12/20/2023 R
137891 SOLIANT HEALTH, LLC	\$2,812.50	12/20/2023 R
137892 STANDARD INSURANCE COMPANY	\$39,623.89	12/20/2023 R
137893 STAPLES	\$231.98	12/20/2023 R
137894 STRAUSS SKATES AND BICYCLES	\$392.00	12/20/2023 R
137895 SYN-TECH SYSTEMS INC	\$1,175.00	12/20/2023 R
137896 TEACHER SYNERGY LLC	\$19.60	12/20/2023 R
137897 TEACHERS ON CALL	\$0.00	12/20/2023 C
137898 TEACHERS ON CALL	\$38,654.47	12/20/2023 R
137899 TRADE PRESS INC	\$116.00	12/20/2023 R
137900 UNIVERSITY OF MN	\$145.00	12/20/2023 R
137901 US POSTAL SERVICE	\$3,300.00	12/20/2023 R
137902 VEVEA, JACOB P.	\$128.00	12/20/2023 R
137903 WHITE BEAR LAKE SPORTS CENTER	\$6,503.75	12/20/2023 R
137904 WEST MUSIC COMPANY	\$217.83	12/20/2023 R
137905 WHISLER, ERIC	\$177.00	12/20/2023 R
137906 ZABADAL, GEORGE J.	\$103.00	12/20/2023 R
137907 ZEPOL RESTAURANT SUPPLY	\$28,116.46	12/20/2023 R
137908 ADVANCE TERRAZZO & TILE CO INC	\$10,854.43	12/20/2023 R
137909 AMAZON CAPITAL SERVICES	\$220.86	12/20/2023 R
137910 ANCHOR SOLAR INVESTMENTS LLC	\$2,353.24	12/20/2023 R
137911 ARAMARK	\$89.47	12/20/2023 R
137912 BARTHOLD	\$2,656.50	12/20/2023 R
137913 BOND TRUST SERVICES CORP	\$2,850.00	12/20/2023 R
137914 CAPITAL ONE TRADE CREDIT	\$79.72	12/20/2023 R
137915 CITY OF VADNAIS HEIGHTS	\$110.00	12/20/2023 R
137916 CITY OF WHITE BEAR LAKE	\$21,281.67	12/20/2023 R
137917 DALCO CORPORATION	\$0.00	12/20/2023 C
137918 DALCO CORPORATION	\$34,426.93	12/20/2023 R
137919 DOOR SERVICE COMPANY	\$295.00	12/20/2023 R
137920 EBERT INC	\$69,046.00	12/20/2023 R
137921 FOREST LAKE CONTRACTING INC	\$18,602.92	12/20/2023 R
137922 GAMETIME PLAYCORE CO	\$8,652.53	12/20/2023 R
137923 GRAYBAR ELECTRIC COMPANY	\$59.84	12/20/2023 R
137924 HILLYARD INC MINNEAPOLIS	\$0.00	12/20/2023 C

137925 HILLYARD INC MINNEAPOLIS	\$1,938.80	12/20/2023 R
137926 IDEAL ENERGIES SOLAR LEASING LLC	\$10,556.33	12/20/2023 R
137927 INNOVATIVE OFFICE SOLUTIONS	\$14,091.09	12/20/2023 R
137928 KENNEDY & GRAVEN CHARTERED	\$175.00	12/20/2023 R
137929 LINDE GAS & EQUIPMENT INC	\$71.35	12/20/2023 R
137930 MAERTENS-BRENNY CONSTRUCTION	\$9,820.55	12/20/2023 R
137931 MCDONOUGH'S WATERJETTING AND DRAIN CLEANING	\$2,962.05	12/20/2023 R
137932 MED COMPASS	\$36.00	12/20/2023 R
137933 MEISINGER CONSTRUCTION COMPANY	\$12,872.50	12/20/2023 R
137934 MULCAHY NICKOLAUS LLC	\$8,122.60	12/20/2023 R
137935 MURPHY CONSTRUCTION SERVICES	\$10,404.00	12/20/2023 R
137936 O'NEILL ELECTRIC INC	\$303,050.00	12/20/2023 R
137937 PHASOR ELECTRIC COMPANY	\$4,102.36	12/20/2023 R
137938 RACHEL CONTRACTING LLC	\$9,382.77	12/20/2023 R
137939 RED CEDAR STEEL ERECTORS INC	\$15,359.55	12/20/2023 R
137940 RM COTTON COMPANY	\$358.00	12/20/2023 R
137941 SCHADEGG MECHANICAL INC	\$9,921.80	12/20/2023 R
137942 SONUS INTERIORS INC	\$7,110.00	12/20/2023 R
137943 SUMMIT FIRE PROTECTION	\$4,075.50	12/20/2023 R
137944 SVL SERVICE CORPORATION	\$1,160.41	12/20/2023 R
137945 TARACON PRECAST LLC	\$1,046,628.83	12/20/2023 R
137946 VAL PRO WINDOWS, LLC	\$38,372.33	12/20/2023 R
137947 VIKING ELECTRIC SUPPLY	\$318.75	12/20/2023 R
137948 WASCHE COMMERCIAL FINISHES INC	\$2,012.50	12/20/2023 R
137949 WHITE BEAR GLASS INC	\$2,088.00	12/20/2023 R
137950 WEIDNER PLUMBING & HEATING CO	\$147,867.50	12/20/2023 R
137951 WINNICK SUPPLY	\$43.60	12/20/2023 R
137952 XCEL ENERGY	\$0.00	12/20/2023 C
137953 XCEL ENERGY	\$100,203.78	12/20/2023 R
9995297 AIG	\$5,599.23	12/15/2023 R
9995298 AMERICAN FUNDS	\$79,052.13	12/15/2023 R
9995299 AMERIPRISE FINANCIAL SERVICES	\$24,385.71	12/15/2023 R
9995300 AXA EQUITABLE	\$27,535.11	12/15/2023 R
9995301 BENEFIT RESOURCE, INC	\$88,517.10	12/15/2023 R
9995302 EDUCATION MN ESI BILLING TRUST	\$31,762.63	12/15/2023 R
9995303 INTERNAL REVENUE SERVICE	\$0.00	12/15/2023 C
9995304 INTERNAL REVENUE SERVICE	\$0.00	12/15/2023 C
9995305 INTERNAL REVENUE SERVICE	\$0.00	12/15/2023 C
9995306 INTERNAL REVENUE SERVICE	\$0.00	12/15/2023 C
9995307 INTERNAL REVENUE SERVICE	\$0.00	12/15/2023 C
9995308 INTERNAL REVENUE SERVICE	\$766,531.86	12/15/2023 R
9995309 METROPOLITAN LIFE	\$1,329.60	12/15/2023 R
9995310 MN DEPT OF HUMAN SERVICES	\$2,540.50	12/15/2023 R
9995311 MN DEPT OF REVENUE	\$0.00	12/15/2023 C
9995312 MN DEPT OF REVENUE	\$124,521.85	12/15/2023 R
9995313 MN REVENUE	\$1,039.81	12/15/2023 R
9995314 MN STATE RETIREMENT	\$4,002.02	12/15/2023 R

9995315 PCS RETIREMENT - ASPIRE FINANCIAL SERVICES	\$4,608.42	12/15/2023 R
9995316 PUBLIC EMP RETIREMENT ASSOC	\$134,564.87	12/15/2023 R
9995317 TEACHERS RETIREMENT ASSOC	\$0.00	12/15/2023 C
9995318 TEACHERS RETIREMENT ASSOC	\$0.00	12/15/2023 C
9995319 TEACHERS RETIREMENT ASSOC	\$417,818.87	12/15/2023 R
9995320 VANGUARD SMALL BUSINESS SERVICES	\$40,719.09	12/15/2023 R
9995321 WHITE BEAR LAKE TEACHERS ASSOC (WIRE)	\$38,898.08	12/15/2023 R
9995346 AIG	\$5,599.23	12/29/2023 R
9995347 AMERICAN FUNDS	\$0.00	12/29/2023 C
9995348 AMERICAN FUNDS	\$80,817.26	12/29/2023 R
9995349 AMERIPRISE FINANCIAL SERVICES	\$25,188.35	12/29/2023 R
9995350 AXA EQUITABLE	\$27,535.11	12/29/2023 R
9995351 BENEFIT RESOURCE, INC	\$88,327.36	12/29/2023 R
9995352 EDUCATION MN ESI BILLING TRUST	\$31,762.63	12/29/2023 R
9995353 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995354 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995355 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995356 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995357 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995358 INTERNAL REVENUE SERVICE	\$0.00	12/29/2023 C
9995359 INTERNAL REVENUE SERVICE	\$781,583.94	12/29/2023 R
9995360 METROPOLITAN LIFE	\$1,329.60	12/29/2023 R
9995361 MN DEPT OF HUMAN SERVICES	\$2,540.50	12/29/2023 R
9995362 MN DEPT OF REVENUE	\$0.00	12/29/2023 C
9995363 MN DEPT OF REVENUE	\$127,545.52	12/29/2023 R
9995364 MN REVENUE	\$544.86	12/29/2023 R
9995365 MN STATE RETIREMENT	\$4,002.02	12/29/2023 R
9995366 PCS RETIREMENT - ASPIRE FINANCIAL SERVICES	\$4,768.42	12/29/2023 R
9995367 PUBLIC EMP RETIREMENT ASSOC	\$0.00	12/29/2023 C
9995368 PUBLIC EMP RETIREMENT ASSOC	\$144,296.30	12/29/2023 R
9995369 TEACHERS RETIREMENT ASSOC	\$0.00	12/29/2023 C
9995370 TEACHERS RETIREMENT ASSOC	\$416,962.10	12/29/2023 R
9995371 VANGUARD SMALL BUSINESS SERVICES	\$41,046.67	12/29/2023 R
9995372 WHITE BEAR LAKE TEACHERS ASSOC (WIRE)	\$38,770.70	12/29/2023 R
232400486 MALOY, MARY M.	\$685.77	12/6/2023 A
232400487 ALLEN, HANNAH M.	\$104.71	12/13/2023 A
232400488 ANDERSON, JON C.	\$337.64	12/13/2023 A
232400489 ANDERSON, LEIGH A.	\$182.84	12/13/2023 A
232400490 ARREGUIN, JONATHAN L.	\$5.85	12/13/2023 A
232400491 BASHORE, MEGAN L.	\$109.41	12/13/2023 A
232400492 BOWEN, SUSAN M.	\$140.00	12/13/2023 A
232400493 BURDICK, NATHAN I.	\$32.42	12/13/2023 A
232400494 CARLEY, ANDREA J.	\$81.82	12/13/2023 A
232400495 CATES, TAMMY J.	\$117.90	12/13/2023 A
232400496 COE, MEGAN N.	\$130.35	12/13/2023 A
232400497 DEEN, DENISE T.	\$141.61	12/13/2023 A
232400498 DESJARDINS, RUTH E.	\$26.20	12/13/2023 A

232400499	DEVET, NICHOLAS M.	\$56.81	12/13/2023	A
232400500	DRANGE, ANGELA M.	\$174.12	12/13/2023	A
232400501	ENGSTRAN, PAUL A.	\$65.00	12/13/2023	A
232400502	ERICKSON, KAROLYN M.	\$85.14	12/13/2023	A
232400503	ERICKSON, KRISTIN L.	\$2,079.44	12/13/2023	A
232400504	EVERT, ELIZABETH M.	\$33.75	12/13/2023	A
232400505	FERNANDEZ, KEVIN M.	\$390.00	12/13/2023	A
232400506	FINKE, CARLA J.	\$35.00	12/13/2023	A
232400507	FROST, MEGAN A.	\$195.00	12/13/2023	A
232400508	GALYON, AMY R.	\$62.88	12/13/2023	A
232400509	GILE, KRISTI L.	\$74.67	12/13/2023	A
232400510	GILLESPIE, ALISON C.	\$195.00	12/13/2023	A
232400511	GUSTAFSON, CYNTHIA	\$234.80	12/13/2023	A
232400512	HALVERSON, CHLOE E.	\$35.10	12/13/2023	A
232400513	HARRIMAN, GRETCHEN E.	\$538.77	12/13/2023	A
232400514	HURT, JON-MYCHAL B.	\$131.32	12/13/2023	A
232400515	JONES, MERCEDES D.	\$321.86	12/13/2023	A
232400516	KAROUSO, ZEEBO B.	\$195.00	12/13/2023	A
232400517	KAZMIERCZAK, WAYNE A.	\$195.00	12/13/2023	A
232400518	KIEGER, MOLLY A.	\$130.00	12/13/2023	A
232400519	KRUSEMARK, CARY L.	\$1,506.70	12/13/2023	A
232400520	LAMWERS, LINDSAY M.	\$260.00	12/13/2023	A
232400521	LANDA, ALICIA	\$80.91	12/13/2023	A
232400522	LINZMEIER, STEVEN J.	\$11.46	12/13/2023	A
232400523	LOFQUIST, GARY A.	\$232.42	12/13/2023	A
232400524	MALONEY, JESSE E.	\$17.98	12/13/2023	A
232400525	MANLEY, KATHLEEN M.	\$58.93	12/13/2023	A
232400526	MARIER, JAMES J.	\$830.35	12/13/2023	A
232400527	MARKUSON, RACHAEL J.	\$195.00	12/13/2023	A
232400528	MARSH, KATHERINE M.	\$15.45	12/13/2023	A
232400529	MAURER, TIMOTHY J.	\$449.95	12/13/2023	A
232400530	MCGARTHWAITE, MICHAEL R.	\$19.65	12/13/2023	A
232400531	MENIER, MATTHEW M.	\$84.00	12/13/2023	A
232400532	MERSCH, NICOLE A.	\$54.57	12/13/2023	A
232400533	MILLER, MOLLY M.	\$37.66	12/13/2023	A
232400534	MOSSER, LORI J.	\$390.00	12/13/2023	A
232400535	MUNSON, KARI LYNN	\$51.09	12/13/2023	A
232400536	MYERS, ANN A.	\$104.63	12/13/2023	A
232400537	NACHTSHEIM, JOHN J.	\$87.12	12/13/2023	A
232400538	NADEAU, MARGARET M.	\$1,109.96	12/13/2023	A
232400539	NELSON, ANGELA A.	\$477.09	12/13/2023	A
232400540	OLSON, KATHLEEN F.	\$57.51	12/13/2023	A
232400541	PATTON, VINCENT W.	\$945.82	12/13/2023	A
232400542	PIERRE, CHRISTINA K.	\$438.92	12/13/2023	A
232400543	PINNOW, PAIGE E.	\$115.61	12/13/2023	A
232400544	PYLKAS-BOCK, KELLY A.	\$12.19	12/13/2023	A
232400545	RANCOUR, RACHEL	\$147.20	12/13/2023	A



232400546 REED, TAMMY L.	\$83.51	12/13/2023 A
232400547 REETZ, RUSSELL A.	\$515.77	12/13/2023 A
232400548 REEVES, BROOKE E.	\$21.62	12/13/2023 A
232400549 REMITZ, KYLE P.	\$130.00	12/13/2023 A
232400550 RODRIGUEZ, DARCY A.	\$738.98	12/13/2023 A
232400551 ROSSITER, DANIEL J.	\$147.05	12/13/2023 A
232400552 RUHLAND, JENNIFER G.	\$36.22	12/13/2023 A
232400553 SAMPOANG, DESSERAY R.	\$235.27	12/13/2023 A
232400554 SCHMID, NICOLE R.	\$250.35	12/13/2023 A
232400555 SCHOENTHALER, MATTHEW W.	\$226.36	12/13/2023 A
232400556 SHAVERS, BRENTON D.	\$195.00	12/13/2023 A
232400557 STAFKI, MEGAN E.	\$206.34	12/13/2023 A
232400558 STEWART, SCOTT J.	\$19.00	12/13/2023 A
232400559 STONEHOUSE, JULIA L.	\$155.65	12/13/2023 A
232400560 THOMPSON, NATHAN G.	\$147.00	12/13/2023 A
232400561 VANG, JULIE	\$65.00	12/13/2023 A
232400562 VANG, PANG K.	\$71.99	12/13/2023 A
232400563 VANG, SANDRA X.	\$66.89	12/13/2023 A
232400564 WANLESS, TAMELA K.	\$119.95	12/13/2023 A
232400565 WILLITS, ROBERT E.	\$140.98	12/13/2023 A
232400566 ZAKRZEWSKI, JACLYN V.	\$51.09	12/13/2023 A
232400567 ASPER, STEVEN M.	\$2,765.78	12/20/2023 A
232400568 BOEKE, ALISON A.	\$60.68	12/20/2023 A
232400569 BRADT, EMILY M.	\$62.22	12/20/2023 A
232400569 BRADT, EMILY M.	(\$62.22)	12/20/2023 V
232400570 BURDICK, NATHAN I.	\$87.45	12/20/2023 A
232400571 CHASE, KRISTIN E.	\$297.00	12/20/2023 A
232400572 COE, MEGAN N.	\$65.00	12/20/2023 A
232400573 DERBY, SARA A.	\$128.46	12/20/2023 A
232400574 GILE, KRISTI L.	\$146.72	12/20/2023 A
232400575 HARRIMAN, DION D.	\$390.00	12/20/2023 A
232400576 HEATON, BRENDA B.	\$73.10	12/20/2023 A
232400577 HENNESSEY, ALEXANDER M.	\$65.00	12/20/2023 A
232400578 JAHNKE, TAMI L.	\$10.16	12/20/2023 A
232400579 JONES, MERCEDES D.	\$65.00	12/20/2023 A
232400580 JORGENSEN, AMY L.	\$185.62	12/20/2023 A
232400581 KAZMIERCZAK, CLARE C.	\$185.37	12/20/2023 A
232400582 KILGO, GRACE C.	\$163.29	12/20/2023 A
232400583 KIRSCHLING, JULIENNE R.	\$65.00	12/20/2023 A
232400584 KLECKER, KEVIN W.	\$553.61	12/20/2023 A
232400585 KUEMMEL, JANEEN E.	\$69.91	12/20/2023 A
232400586 LARSON, TIMOTHY J.	\$32.93	12/20/2023 A
232400587 LEE, MOLLY E.	\$99.23	12/20/2023 A
232400588 LEHN, BRIDGET N.	\$354.67	12/20/2023 A
232400589 LEININGER, JOHN M.	\$1,407.79	12/20/2023 A
232400590 LEISTICO, VICTORIA M.	\$160.48	12/20/2023 A
232400591 MISGEN, MARK A.	\$699.76	12/20/2023 A

232400592 NELSON, LISA C.	\$96.42	12/20/2023 A
232400593 O'LEARY, CHADRICK J.	\$110.38	12/20/2023 A
232400594 ORLANDO, GORDON J.	\$14.00	12/20/2023 A
232400595 PLACHY, REBECCA A.	\$297.00	12/20/2023 A
232400596 QUIRK, CHRISTINE N.	\$255.43	12/20/2023 A
232400597 ROLOFF, STEPHANIE H.	\$100.67	12/20/2023 A
232400598 SCHMID, NICOLE R.	\$76.31	12/20/2023 A
232400599 SELLKE, KELLY	\$81.25	12/20/2023 A
232400600 SKATRUD, MAX P.	\$65.00	12/20/2023 A
232400601 STANKE, JULIAN L.	\$327.40	12/20/2023 A
232400602 THOMPSON, NATHAN G.	\$31.44	12/20/2023 A
232400603 ULVIN, JOHN M.	\$164.56	12/20/2023 A
232400604 VAN LOH, NICHOLAS J.	\$25.70	12/20/2023 A
232400605 VETTE, MARISA A.	\$195.00	12/20/2023 A
232400606 VOLLMER, JENNA D.	\$735.32	12/20/2023 A
232400607 BRADT, EMILY M.	\$31.11	12/20/2023 A
	\$7,178,366.99	

**RESOLUTION FOR ACCEPTANCE OF GIFTS**

WHEREAS, the School Board believes it necessary and appropriate to accept the gifts that are reflected upon the following pages; and

WHEREAS, these gifts are consistent with State laws, School Board policy, and administrative practices; and

WHEREAS, acceptance of these gifts are consistent with the mission and educational programs of the White Bear Lake Area Schools; and

THEREFORE BE IT RESOLVED, that the School Board authorizes the acceptance and use of the following gifts:

AGENDA ITEM: **Acceptance of Gifts**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Action Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent of Finance and Operations;**  
**Andi Johnson, Director of Finance**

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Donation	Donor	Recipient
\$222.83	Lakeaires PTO	Lakeaires Elementary
\$10,047.39	Fidelity Charitable Chris and Rachel Senkler	Otter Lake Elementary Special Education
\$200.00	Maplewood Toyota	Sunrise Park Middle School
\$1,000.00	Redeemer Lutheran Church	WBLAHS - South Campus Black Student Union
\$1,750.00	Bald Eagle Sportsmen's Assn	WBLAHS - South Campus Trap & Skeet Team
\$105.00	Twin Cities in Motion	WBLAHS - South Campus
\$50.00	Cane's Chicken Fingers	WBLAHS - South Campus Boys High School Tennis Team
\$1,000.00	St Paul & MN Foundation	WBLAHS - South Campus Week Without Walls
Kleenex, dry erasers spiral notebooks, hand sanitizer, sanitizing wipes, sticky notes, highlighters, pencils, index cards, colored pencils, and candy canes	Mollie Lund	Area Learning Center
\$100.00	Richard Ziertman	Senior Center
\$200.00	Kathleen & Frederick Eberwine	Senior Center
\$50.00	Janet Bowser	Senior Center
\$50.00	Judith Peters	Senior Center
\$180.00	Shirley Lockbeam	Senior Center Meals on Wheels

\$418.75	Barbara Guiser	Senior Center Meals on Wheels
\$25.00	Kathleen & Anthony Zajac	Senior Center Meals on Wheels
\$14.80	Steve Manke	Senior Center Meals on Wheels

**RECOMMENDED ACTION:**

Approve.

**AGENDA ITEM:** **Field Trip Request**

MEETING DATE: **January 8, 2024**

**SUGGESTED DISPOSITION:**      **Action Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning**

## BACKGROUND:

School Board Policy #610 – Field Trips, requires School Board approval of any overnight field trip. The following field trips are being presented by the administration to the School Board for approval.

Date and Destination	Requesting Staff Member	Grade/ Team	School Days Missed	Students Attending	Total Cost per Student	Total Cost of Trip and Source of Revenue	Transportation
4/18 - 4/21/2024  Lifesmarts Nationals San Diego, CA	Ann Myers	MAAP Stars	2	5	airfare and personal spending money	Most of the cost is covered by a grant.  The rest of the cost would be covered by fundraisers and families	District bus and flight
<p><b>Purpose:</b> MAAP Stars is a student leadership organization. This group applied for and was granted a Norton Wild Card Stipend to attend. This is a once in a lifetime opportunity for these students.</p>							

Date and Destination	Requesting Staff Member	Grade/ Team	School Days Missed	Students Attending	Total Cost per Student	Total Cost of Trip and Source of Revenue	Trans- portation
1/26 - 1/27/2024 Moorhead, MN	Traci Bowermaster	Speech Team	0	up to 10	\$75.00	\$1510.00 + bus  Speech team funds and families	District bus
<b>Purpose:</b> Participation in the Moorhead Speech Invitational Tournament.							

**RECOMMENDED ACTION:**

Approve the field trips listed as recommended by the administration.

**RESOLUTION FOR HUMAN RESOURCES ITEMS**

WHEREAS, the School Board believes it necessary and appropriate to approve the human resources items that are reflected upon the following pages; and

WHEREAS, that human resources items, A-6(f), as revised be approved on the premise that they conform to previously Board approved actions or contractual agreements.

THEREFORE BE IT RESOLVED, that the School Board authorizes the approval of the human resources items listed in Consent Agenda Items A-6(f).



**RESIGNATION/TERMINATION/NON-RENEWAL - CLASSIFIED STAFF**

**REAANN BRUSTEN** – OST Program Assistant - Birch Lake Elementary

Employed by District 624 since 03/14/2022

Effective Date: 06/09/2023

**RANDI LAVENDER** – NS Assistant - WBLAHS - North Campus

Employed by District 624 since 09/05/2023

Effective Date: 12/20/2023

**KRISANNE NESKE** – Paraeducator - WBLAHS - North Campus

Employed by District 624 since 09/28/2020

Effective Date: 12/15/2023

**BREEANN VOLK** – OST Program Assistant - Birch Lake Elementary

Employed by District 624 since 08/30/2002

Effective Date: 08/18/2023

**RESIGNATION/TERMINATION/NON-RENEWAL - NON-AFFILIATED**

**KELLY SELLKE** – District Lead Nurse - District Wide

Employed by District 624 since 02/06/2023

Effective Date: 12/15/2023

**RETIREMENT - CLASSIFIED STAFF**

**ANITA BEIER** – Bus Aide - Bus Garage

Employed by District 624 since 02/18/2014

Effective Date: 01/12/2024

**CHANGE IN ASSIGNMENT - NON-AFFILIATED**

**KEVIN FERNANDEZ** – From Construction Project Manager - District Center

To - Director of Building Operations - District Center

Annual salary \$122,000

Effective Date: 01/15/2024

**MEGAN FROST** – From AA to Assistant Superintendent - District Center

To - Accounting Specialist - District Center

Annual salary \$67,000

Effective Date: 01/03/2024

**CHANGE IN ASSIGNMENT - CERTIFIED STAFF**

**CHRISTINE BALGORD** – From Special Education Teacher - Lincoln Elementary  
To Instructional Coach - Lincoln & Vadnais Heights Elementary  
Effective Date: 01/29/2024

**FULL-TIME LEAVE OF ABSENCE - CERTIFIED STAFF**

**RYAN ABRAHAMSON** – Special Education Teacher - Central Middle School  
Employed by District 624 since 08/29/2022  
Effective Date: 11/15/2023 - 12/20/2023

**NEW PERSONNEL - CLASSIFIED STAFF**

**CASEY CUNNINGHAM** – Tier 1 Technician - District Wide  
\$24.75 per hr., 40 hrs. per wk.  
Effective Date: 12/13/2023

**LYNSIE JONES** – OST Paraeducator - Otter Lake Elementary  
\$20.61 per hr., 15 hrs. per wk.  
Effective Date: 12/14/2023

**MARISSA HAYNES** – Nutrition Services Assistant - Otter Lake Elementary  
\$17.50 per hr., 15 hrs. per wk.  
Effective Date: 12/11/2023

**NEW PERSONNEL - CERTIFIED STAFF**

**ALEXANDRA BEDORE** – ELL Teacher - Matoska & Lincoln Elementary  
1.0 FTE BA Step 3 \$37,662.33  
Effective Date: 11/13/2023

**JOHN LEE** – Speech Language Pathologist - ECSE & Central Middle School  
1.0 FTE BA + 15 Step 3 \$37,662.33  
Effective Date: 12/14/2023

**LONG-TERM SUBSTITUTE - CERTIFIED STAFF**

**JILL ENGWER** – Science Teacher - ALC  
1.0 FTE BA Step 1 \$ 6,669.40  
Effective Date: 12/04/2023 - 01/15/2024

AGENDA ITEM: **Quarterly Investment Update**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Action Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent for Finance and Operations;**  
**Andi Johnson, Director of Finance**

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**BACKGROUND:**

Policy 705 states, “The investment officer shall prepare and submit to the School Board a quarterly investment report that summarizes recent market conditions, economic developments, and anticipated investment conditions.”

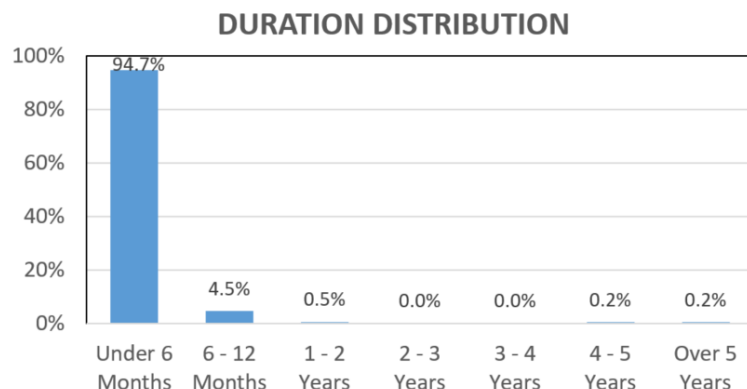
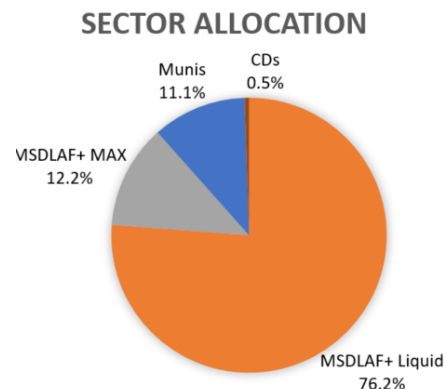
Below you will find the information concerning our investments as of quarter-end. A myriad of economic headwinds are mounting, including still-elevated prices, the resumption of student loan payments, stock market volatility, and near 7% mortgage rates. Coupled with declining real household income and lower personal savings rates, the consumer’s willingness to continue spending will be key to achieving an economic “soft landing.” The District’s total overall aggregate general operating funds and bond proceeds funds follow the District’s investment policy statement and Minnesota state statutes (Minnesota Statute 118A.04) as all the investment holdings are of extremely high quality. In addition, the District’s Other Post-Employment Benefits (“OPEB”) Trust fund is also in compliance with Minnesota Statute 356A.

As a reminder, the District can invest its operating general funds and bond proceeds funds in only the most high-quality (minimal risk) securities as allowed by Minnesota state statutes and the District’s investment policy. This includes government securities (U.S. Treasuries and Federal Agencies such as Fannie Mae, Freddie Mac, and mortgage-backed federal investments, and instruments of other government-sponsored enterprises); high-grade commercial paper, which is short-term, highly-rated debt of corporate issuers; certificates of deposit (collateralized and FDIC-insured); municipal bonds (state and local government securities); collateralized investment agreements; banker’s acceptances; repurchase agreements; and cash/money market funds or local government investment pools. Since the permitted investments as allowed by state statute are of the highest safety (and least risk), general operating fund and bond fund investment earnings generated by governmental entities like the District tend to be low relative to portfolios managed with more latitude.

This quarterly memorandum is submitted in compliance with the Board Policy mandate. For the period ending December 31, 2023, the District's overall operating and bond proceeds funds had the following characteristics:

Operating and Debt Funds Portfolio Summary		
Portfolio Holdings	Closing Market Value	Current Yield
MSDLAF+ Liquid Class	\$119,665,371.05	5.30%
MSDLAF+ MAX Class	\$19,196,815.21	5.40%
MSDLAF+ Managed Accounts	\$18,143,593.11	N/A
<b><u>Total</u></b>	<b><u>\$157,005,779.37</u></b>	
Operating and Debt Funds Portfolio Summary		
Type of Funds	Market Value	% of Assets
Temporarily Restricted Funds	\$142,668,565.46	90.9%
Unrestricted Funds	\$14,337,213.91	9.1%
<b><u>Total</u></b>	<b><u>\$157,005,779.37</u></b>	<b><u>100.0%</u></b>

Operating and Debt Funds Investment Allocation		
Investment Type	Closing Market Value	Percent
U.S. Treasuries	\$0.00	0.00%
Federal Agencies	\$0.00	0.00%
Certificates of Deposit	\$777,393.03	0.50%
Commercial Paper	\$0.00	0.00%
Municipal Bonds	\$17,366,200.08	11.06%
LGIP	\$138,862,186.26	88.44%
<b><u>Total</u></b>	<b><u>\$157,005,779.37</u></b>	<b><u>100.00%</u></b>



The Federal Reserve raised borrowing costs four times in calendar year 2023 (on top of the seven interest rate hikes in 2022) in its battle against inflation, putting rates at their highest in over two decades. The central bank paused its rate hiking campaign in the summer after annual inflation dropped closer to its 2.0% target, but the sky-high rates caused chaos in the bond market, prompted layoffs in the tech industry, and pummeled commercial real estate. Fed Chair Jerome Powell will likely remain a main character in 2024 when the Fed is expected to start cutting rates.

The U.S. economy ended the 2023 calendar year amid a year-end deceleration, with recent data signaling slowing aggregate demand. This has left the market with the view that real GDP growth will transition from an extraordinarily strong near 5% annualized pace in the third quarter of calendar year 2023, to a below-trend rate close to 1% in the fourth quarter. In 2024, it is expected that tighter credit conditions will continue to weigh on consumer and business activity – with growth remaining soft, ranging from 1.0% – 1.5% through the year.

It should be noted that a period of below-trend growth and an accompanying lift in unemployment is deemed necessary to reduce inflation to a range consistent with the Federal Reserve's 2.0% objective. On that front, the latest reports on CPI and other data suggest core prices rose 3.1% over the twelve months ending in November, a notable improvement from 2022, when the Fed's preferred measure was above 5.0% for most of the year.

The key question now is whether disinflation – via a broad rebalancing of supply/demand dynamics across product and labor markets – can continue to make progress, given prevailing policy and market sentiment. To the latter, financial conditions have loosened of late, as markets are concluding that the Fed is done hiking and may start cutting rates rapidly and deep early in the 2024 calendar year. These sentiments have been increasingly reflected in lower term interest rates, with the 2 and 10-year U.S. Treasury yields down by over 80 and 110 basis points, respectively, since late October. Likewise, much of the declines have passed through to lower mortgage and corporate borrowing rates, implying less drag on the economy. This simply offers a reminder that many factors can affect prevailing conditions and that covering the last distance to a sustained 2.0% rate of inflation might still prove difficult.

The federal budget deficit for fiscal year 2023 was \$1.7 trillion, a 23% increase from the prior year. Total outlays fell, but revenues declined by more as individual income tax fell by 17%. Net interest on the public debt increased by \$177 billion. The U.S. Treasury announced that it expects funding needs for the next six months to be \$1.59 trillion, representing a reduction relative to its initial estimates.

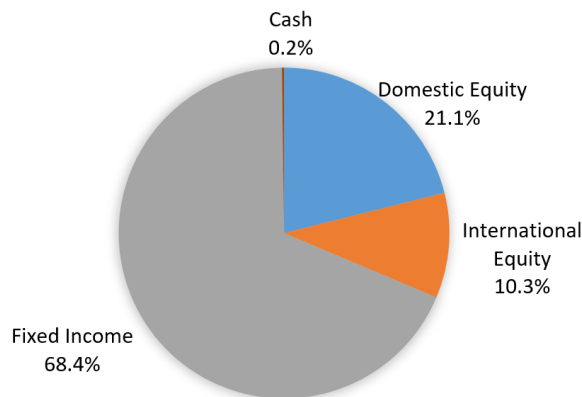
The dysfunction of federal budget negotiations has raised concerns for U.S. debt, as credit rating firms consider potentially downgrading the economy. The rating risk, combined with the Federal Reserve's actions that have created a much costlier environment for government borrowing, will continue to weigh heavily on the growing U.S. budget.

The economy faces a myriad of intensifying headwinds as the new calendar year begins. These include a prolonged government shutdown, strike activity, student loan distress, and the possibility of higher oil prices amid an intensification of regional conflicts – Israel's declaration of war against Hamas being the latest. None by themselves could push the economy completely over the edge, but collectively make activity especially vulnerable – with the odds that the U.S. economy enters a mild recession within the next twelve months still relatively high.

For fiscal year-to-date 2024, actual earned income in the MSDLAF+ accounts amounted to \$3,230,102.18. Short-term credit (commercial paper and certificates of deposit) spreads have tightened along with the broad corporate sector. Though not as wide as in recent months, short credit remains a solid alternative, especially for maturities beyond six months. As a result, the budget for interest income in FY 2024 is projected to be approximately \$6.0 million.

The OPEB Trust account managed by the District at the end of the quarter totaled: ~\$32,373,694.98. As of December 31, 2023, the OPEB investment portfolio was diversified and allocated as follows:

### OPEB TRUST SECTOR ALLOCATION



Global stock markets had their best year since 2019, as the 2023 calendar year provided investors plenty of reasons to celebrate. All three major U.S. indexes finished the year higher than they started it, with tech company gains pushing the Nasdaq up the most. Even among tech giants, Nvidia was a standout, boosted by AI suddenly being everywhere. One-year stock market index data returns closed out 2023 as follows: +44.52% for Nasdaq; +24.73% for the S&P 500; and +13.74% for the Dow.

The 2023 calendar year was every bit as volatile as the peak Covid-19 era was. Bank crashes, natural disasters, and devastating wars in the Middle East and Ukraine were among the events that had the biggest impact on the markets this past calendar year. Moreover, 2023 could also be seen as the year that defied almost everyone's expectations with a recession that never came, rate cuts that did not materialize, bond markets that did not bounce back except in short-lived vicious spurts, and rising equities that pained investors who may have remained cautiously underweight.

The narratives behind 2023 year-end economic headlines tend to lean toward a rosier outlook as: the Congressional Budget Office ("CBO") is confident that the U.S. economy remains on track to avoid a recession in the 2024 calendar year; the Federal Reserve has held interest rates steady as inflation has normalized; and employers added approximately 199,000 jobs in November with the unemployment rate at just 3.7%. That all seems great for now, but broad economic uncertainty still reigns supreme as the 2024 calendar year begins. For every good number, many people are still waiting for a

different shoe to drop. Case in point, here is the flip side of the numbers above: the CBO sees unemployment rising to 4.7% by the end of 2024; the New York Fed president recently called the idea of lowering rates “premature”; and a recent survey of business executives found 38% expecting more layoffs in 2024, with more than 50% anticipating, at minimum, hiring freezes.

Nonetheless, the economy ended the 2023 calendar year on a high note, despite it being the biggest-ever year for U.S. bank failures, as banks with \$548.7 billion in combined assets folded. It turns out that recency bias can be a beautiful thing though. Since most of that damage was done in the year’s first half, investor concerns appear to be alleviated at the moment.

Some market participants believe that we could be on the brink of a recession that might hit in the next four to seven months. The factors contributing to this prediction include consumer overstretch, elevated rates, and soaring borrowing levels.

Recent market readings are supportive of numerous central banks’ decisions to leave interest rates unchanged at their last meetings. Domestic markets are now beginning to focus on future rate cuts rather than new rate hikes, though the timing and direction of the next rate decisions are not entirely clear as inflation remains above targets and may yet see another uptick.

For the period ending December 31, 2023, the OPEB Trust account had the following preliminary returns:

Other Post-Employment Benefits (“OPEB”) Trust Fund Returns		
Portfolio / Benchmark	Quarter-To-Date Return	Year-To-Date Return
OPEB Trust Account	7.61%	9.96%
Blended Benchmark	7.55%	9.99%
<i>Difference</i>	<i>+0.06%</i>	<i>-0.03%</i>

# B. PUBLIC FORUM

Listed below are the procedures for addressing the School Board on a topic of interest or concern.

1. Speakers must reside in the District, be a guardian of a student(s) in the District, be a student in the District, or be employed by the District. The School Board will give priority to individuals who wish to address a specific item that is on the agenda for that meeting. After this priority has been applied, any remaining openings to speak - up to the total of ten individuals - will be determined by lot.
2. Public Forum will be open for up to 30 minutes (3 minutes per speaker, 10 minutes per topic, no more than 3 speakers per topic). Speakers are encouraged to avoid repeating comments that other speakers have made.
3. Those who wish to address the School Board must submit a written request to speak before 3:00 pm on the day of the School Board meeting. Requests must be submitted to the following email address: [publiccomment@isd624.org](mailto:publiccomment@isd624.org), or by phone at 651-407-7563.
4. The School Board Chair will call speakers to the microphone and will recognize one speaker at a time. Speakers must be in person to be recognized. Only those individuals who have been recognized by the School Board Chair will be allowed to speak during the public comment period.
5. School District policy and data privacy laws preclude the School Board from publicly discussing personnel and student matters or data, including information, which, if discussed in a public meeting could violate law or policy.
6. Members of the public may not engage in conduct that materially and substantially disrupts any part of a School Board meeting, or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion.
7. If a speaker violates any of the established procedures or engages in any prohibited conduct, the Board Chair will rule the speaker out of order.
8. An appropriate school district official may be assigned to contact the speaker with answers to their questions or with follow-up information.
9. A handout on the purpose of the Public Forum and the process is available at each regular School Board meeting.
10. Citizens may be asked to address the School Board on a particular subject during the discussion of that item.



# **C. INFORMATION ITEMS**

AGENDA ITEM: **Overview of Welcome to White Bear and  
Update on Registration Information for 2024-25**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Information Item**

CONTACT PERSON(S): **Marisa Vette, Director of Communications and  
Community Relations**

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**BACKGROUND:**

Director of Communications and Community Relations Marisa Vette will be joined by elementary, middle school and high school principals to present information about January's Welcome to White Bear activities. The schedule of events will be covered, along with elements of the enrollment process that allow us to serve each family.



# Elementary



## Elementary

### Enrollment

Online enrollment and paper enrollment forms are available on the district's [Enroll](#) page.

### Welcome to White Bear!

We are excited to welcome families and let them check out our buildings and programs in person. If you are interested in touring any of our district elementaries, contact the school and we will personalize a tour at a time that works best for you. School contact information can be found [here](#). Those families who have not already done so may register their child(ren) for kindergarten at the school tours.

### Kindergarten Gathering

Students will have a chance to meet the kindergarten teachers and tour their schools at in-person events planned at the district's elementary buildings later this spring.

Find additional information about our Kindergarten and Elementary offerings [here](#).

# Elementary

**I'm a Bear!**  
Enroll to receive a Kindergarten Welcome Packet, including a special "I'm a Bear" t-shirt!



2024-25  
ELEMENTARY GUIDE  
GRADES K THROUGH 5

**White Bear Lake Area Schools**

GO LEAD GO PERFORM GO SUCCEED GO BEARS GO GRADUATE GO I  
EMPOWER GO EXCEL GO EXPLORE GO SUCCEED GO BEARS GO ACHIEVE  
GO GO PERFORM GO EXCEL GO EXPLORE GO SUCCEED GO BEARS GO ACHIEVE  
GO GO PERFORM GO EXCEL GO EXPLORE GO SUCCEED GO BEARS GO ACHIEVE

**PLEASE NOTE:** Children develop at different rates, and some may require additional support. During the kindergarten year, it is not expected that every child will be able to perform all of the skills listed below. The goal is to provide a challenging and supportive environment for all children.

**Help your child develop skills for kindergarten by providing experiences in the following areas:**

**Self-Concept**

**Relational Skills**

- Know first and last name (e.g., I am John Anderson.)
- Identify and express feelings ("I am sad.")
- Initiate and join in with other children (ask to play, share, or be part of a group).
- Share and take turns (cooperatively play games with others).
- Listen to a speaker (one washing, one listening, quiet and ready).

**Self-Aid Skills**

- Use the bathroom independently.
- Practice good hygiene (hand wash, wash hands, etc.).
- Put on and take off shoes, socks, pants, etc.
- Ask for help when needed.
- Follow simple step directions (e.g., "First roller, then cut. Now these pieces are up.")
- Check up when finished with a task.
- Follow classroom rules, routines, and transitions (hand in, out, sit, stand, etc.).

**Physical**

**Motor Skills**

- Use scissors.
- Experiment with a variety of outdoor play activities (running, climbing, jumping, etc.).
- Use simple, precise, and accurate (cut, color, draw, write).
- Draw a self-portrait (two shapes and lines to show a person).
- Play with objects to develop fine motor skills (lacing, stringing beads, play dough, etc.).

**Cognitive**

**Language**

- Listen to books read aloud daily.
- Understand positional words and opposites (above, below, in, on, top, bottom, etc.).
- Recognize if two words rhyme (cat, dog, bag).
- Recognize environmental print (Target, McDonald's, STOP, etc.).
- Identify short capital and lowercase letters (show letters in random order and name in their names).
- Identify function of a book (when asked, child can point to the title, front, back, etc.).
- Recall stories and events with details (e.g., child can share story about their trip to the park or about a favorite story).

**Math**

- Count to ten (child counts out loud from 1 to ten).
- Count at least 10 objects (group of objects, the child has more or less).
- Identify number of a book (when asked, child can point to the first, front, back, etc.).
- Identify number of objects in a set when out of order (e.g., child can count 10 objects in a set).
- Identify number and shapes (circle, square, triangle, rectangle).

**Inquiry (Thinking and Learning)**

- Use creativity and imagination (engage in imaginary play, drawing, etc.).
- Ask questions about the world around them (where, how, and a sense of wonder in their eyes).
- Connect and describe a variety of art structures (draw, paint, model, etc.).
- Connect life experiences and school learning.
- Engage in open-ended questions ("How do you think that could be improved?", "How do you know?", "What could you try differently?", "Tell me about you.")

(List based on 22 child outcomes in our district Early Childhood program.)

**2024-25 Incoming Sixth Grade Registration**

- Jan. 3 - Fifth grade students receive registration information.
- Jan. 8 - Registration deadline.

**2024-25 Incoming Seventh & Eighth Grade Registration**

- Jan. 4-17 - Registration window is open.

# Middle School



## Middle School

Attend Q&A sessions (optional for new students)

- Central - Jan. 4 at 6-7:30 p.m. in District Center Auditorium
- Sunrise/Mariner - Jan. 4 at 6-7 p.m. virtual session

### 2024-25 Incoming Sixth Grade Registration

- Jan. 3 - Fifth grade students receive registration information.
- Jan. 8 - Registration deadline.

### 2024-25 Incoming Seventh & Eighth Grade Registration

- Jan. 4-17 - Registration window is open.

Find additional information about our Middle School offerings [here](#).

# Middle School



White Bear Lake Area Schools



2024 - 25  
Registration Guide  
Grades 6 through 8



# High School



## High School

### Parent Information Night:

- Jan. 11, 2024 at WBLAHS - South Campus Theater
  - 9th grade Presentation at 6 p.m.
  - 10-12 grade presentation at 7 p.m.

*There will be opportunities to meet with department leaders following each presentation.*

### 2024-25 Incoming 9-12 Grade Registration

- Registration window opens Jan. 8.

Find additional information about our High School offerings [here](#).



# High School



2024 - 2025  
REGISTRATION GUIDE  
GRADES 9 THROUGH 12

White Bear Lake Area  
High School



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# Early Childhood



## Early Childhood

### 2024-25 Preschool Open Houses

- Feb. 13 from 5-6 p.m. - Open House for preschool programs located at Birch Lake, Lakeaires, Normandy Park, Oneka, Otter Lake, Vadnais Heights, Willow Lane
- Feb. 20 from 5-6 p.m. - Open House for preschool program located at Tamarack Nature Center

### Preschool Registration

- Registration window opens at 8 a.m. on Tuesday, March 5.

Find additional information about our Early Childhood program [here](#).

AGENDA ITEM: **Student Recognition**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Informational Item**

CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent;**  
**Marisa Vette, Director of Communication and**  
**Community Relations**

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**BACKGROUND:**

We will recognize students who represented the district at a state or national level during tonight's meeting. Certificates and Bear pins have been distributed to the students. Congratulations, students!

Honoree Name	Honor
Hayden Crawford, 10th grade	Bowling Team State Tournament Participant
Branden Schmid, 10th grade	Bowling Team State Tournament Participant, Boys Bowling State Singles - 5th Place, and 1st Team All Conference - 3rd Place
Oto Babrans, 11th grade	Bowling Team State Tournament Participant
Dalton Jones, 11th grade	Bowling Team State Tournament Participant
Kayelee Grealish, 12th grade	Bowling Team State Tournament Participant

AGENDA ITEM: **Superintendent's Report**  
MEETING DATE: **January 8, 2024**  
SUGGESTED DISPOSITION: **Information Item**  
CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

Dr. Kazmierczak will provide information on current issues and events pertaining to the White Bear Lake Area Schools.



# **D. DISCUSSION ITEMS**

# **E. OPERATIONAL ITEMS**

AGENDA ITEM: **Action on Bids for Sunrise Park Conversion and Renovation Project**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent for Finance and Operations;**  
**Dan Roeser, Director of Building Operations**

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**BACKGROUND:**

Attached please find the recommendation letter and bid tabulation sheet for the Sunrise Park Conversion and Renovation Project. Bids were opened on December 7, 2023. After reviewing the bids with our Construction Manager, Kraus Anderson, it is recommended we award to the lowest responsible bidders for a total project amount of \$24,836,263.00. This includes the base bid work and Alternate #1.

**RECOMMENDED ACTION:**

Accept the overall bid for the Sunrise Park Conversion and Renovation Project as presented in the amount of \$24,836,263.00



December 28<sup>th</sup>, 2023

Mr. Tim Wald  
White Bear Lake Area Schools, ISD 624  
4855 Bloom Avenue  
White Bear Lake, MN 55110

RE: **White Bear Lake Sunrise Park District Center**

Dear Mr. Wald,

This letter is concerning the contract awards for the White Bear Lake Sunrise Park District Center project that was bid on December 7, 2023. Kraus-Anderson has verified bidders and we submit the following lowest responsible bidders and their bid amount.

<b><i>Work Scope</i></b>		<b><i>Contractor, City, State</i></b>	<b><i>Bid Amount</i></b>	
WS 02-A	Demolition	<b>Lloyd's Construction Services, Inc</b> Shakopee, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$1,092,365.00 \$21,370.00
WS 03-A	Concrete & Masonry	<b>Maertens-Brenny Construction Company</b> Minneapolis, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$989,600.00 \$5,300.00
WS 05-B.1	Structural Steel	<b>Construction Systems, Inc.</b> Maple Plain, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$454,945.00 \$0.00
WS 06-A	Carpentry	<b>Kellington Construction, Inc.</b> Minneapolis, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$992,000.00 \$17,500.00
WS 06-D	Architectural Millwork – Material Only	<b>TMI Systems Corporation</b> Dickinson, ND	<b>Base Bid:</b> <b>Alt # 1:</b>	\$369,123.00 (-\$9,461.00)
WS 07-H	Roofing	<b>Central Roofing Company</b> Minneapolis, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$616,020.00 \$30,410.00
WS 07-L	Interior Sealants	<b>Right-Way Caulking, Inc.</b> Minneapolis, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$110,200.00 \$500.00
WS 08-A	Doors, Frames & Hardware – Material Only	<b>Kendell Doors &amp; Hardware, LLC</b> Mendota Heights, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$664,659.00 \$28,422.00
WS 08- F	Glass & Glazing	<b>Murphy Window and Door Commercial, Inc.</b> Princeton, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$575,262.00 \$0.00
WS 09-A	Drywall	<b>Custom Drywall, Inc.</b> Saint Paul, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$1,050,000.00 \$40,000.00

WS 09-B	Tile	<b>Super Set Tile &amp; Stone, LLC</b> Plymouth, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$485,000.00 \$75,000.00
WS 09-C	Ceiling & Acoustical Treatment	<b>Acoustics Associates, Inc.</b> Brooklyn Park, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$286,442.00 \$2,460.00
WS 09-D	Flooring	<b>MCI Inc. DBA Multiple Concepts interiors</b> Waite Park, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$994,780.00 (-\$3,200.00)
WS 09-K	Painting & Wall Covering	<b>Admiral Coatings Inc.</b> Maple Lake, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$277,480.00 \$3,000.00
WS 11-F	Food Service Equipment	<b>Horizon Equipment, LLC</b> Eagan, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$486,375.00 \$0.00
WS 21-A	Fire Suppression	<b>Lifesaver Fire Protection, LLC</b>	<b>Base Bid:</b> <b>Alt # 1:</b>	\$547,768.00 \$3,843.00
WS 22-A	Plumbing	<b>Kraft Contracting, LLC dba Kraft Mechanical, LLC</b> Woodbury, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$1,369,000.00 \$60,000.00
WS 23-A	HVAC	<b>Kraft Contracting, LLC dba Kraft Mechanical, LLC</b> Woodbury, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$8,257,000.00 \$46,000.00
WS 26-A	Electrical	<b>A.J Moore Electric, Inc.</b> Burnsville, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$4,287,000.00 \$11,300.00
WS 31-A	Site Clearing & Earthwork	<b>Urban Companies, LLC</b> Saint Paul, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$270,000.00 \$0.00
WS 32-A	Site Paving	<b>Ebert, Inc. dba Ebert Companies</b> Corcoran, MN	<b>Base Bid:</b> <b>Alt # 1:</b>	\$208,800.00 \$0.00
WS 32-F	Landscaping	<b>Urban Companies, LLC</b> Saint Paul, MN	<b>Base Bid:</b> <b>Alt # 1: Bid:</b>	\$120,000.00 \$0.00

**Total: \$24,503,819.00**  
**Alternate 1: \$332,444.00**

The total amount of the base bids and Alternate #1 excluding 08-E & 09-G is Twenty-Four Million Eight Hundred Thirty-Six Thousand Two Hundred Sixty-Three dollars and zero cents.

Please note, EnviroBate, Ebert Inc., Tim's Construction, Nasseff Mechanical and Breth-Zenzen requested to withdraw their bid from consideration due to an error in preparing their bid-

We have enclosed the Bid Tabulation sheets that reflect the bids received.

Approximate Amount of Work Scope 08-E to be Awarded = \$12,639.00

Approximate Amount of Work Scope 09-G to be Awarded = \$77,550.00

Approximate Amount of Work Scope 11-K to be Awarded = \$119,888.00

If you have any questions regarding this information, please do not hesitate to contact me at 612.505.8453.

Very truly yours,  
KRAUS-ANDERSON® CONSTRUCTION COMPANY



Brian Johnson  
Project Manager

Cc: Dan Roeser, White Bear Lake Area Schools  
Kevin Fernandez, White Bear Lake Area Schools  
Tyler Ertl, Wold Architects & Engineers  
Paul Apilkowski, Wold Architects & Engineers  
AJ Lillesve, Kraus-Anderson Construction



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 02-A Demolition

[illegible]



**ARCHITECT:** Wold Architects & Engineers

**December 7th 2023 at 2:00 PM**

### Work Scope 03-A Concrete & Masonry

[illegible]





**ARCHITECT: Wold Architects & Engineers**

**December 7th 2023 at 2:00 PM**

## Work Scope 05-B1 Combined Structural Steel

[illegible]



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 06-A Carpentry

[illegible]



## BID TABULATIONS

December 7th 2023 at 2:00 PM

**ARCHITECT:** Wold Architects & Engineers

**Work Scope 06-D Architectural Millwork - Material Only**

[illegible]



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 07-H Roofing

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## Work Scope 07-L Interior Sealants

[illegible]



# BID TABULATIONS

December 7th 2023 at 2:00 PM

**ARCHITECT: Wold Architects & Engineers**

**Work Scope 08-A Doors, Frames, & Hardwar - Material Only**

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## Work Scope 08-E Overhead Door

[illegible]



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 08-F Glass & Glazing

[illegible]





**ARCHITECT: Wold Architects & Engineers**

## BID TABULATIONS

December 7th 2023 at 2:00 PM

## Work Scope 09-A Drywall

[illegible]



**ARCHITECT:** Wold Architects & Engineers

**December 7th 2023 at 2:00 PM**

## Work Scope 09-B Tiles

[illegible]



## BID TABULATIONS

**ARCHITECT:** Wold Architects & Engineers

## Work Scope 09-C Ceiling and Acoustical Treatment

[illegible]



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 09-D Flooring

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## Work Scope 09-G Terrazzo

[illegible]



## BID TABULATIONS

**ARCHITECT:** Wold Architects & Engineers

## Work Scope 09-K Painting & Coverings

[illegible]



## BID TABULATIONS

December 7th 2023 at 2:00 PM

**ARCHITECT:** Wold Architects & Engineers

## Work Scope 11-F Food Service Equipment

[illegible]



**ARCHITECT:** Wold Architects & Engineers

**December 7th 2023 at 2:00 PM**

## Work Scope 11-K Gymnasium Equipment

[illegible]





**ARCHITECT: Wold Architects & Engineers**

**December 7th 2023 at 2:00 PM**

## Work Scope 21-A Fire Suppression

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## BID TABULATIONS

## Work Scope 22-A Plumbing

[illegible]



## BID TABULATIONS

December 7th 2023 at 2:00 PM

**ARCHITECT:** Wold Architects & Engineers

## Work Scope 23-B HVAC

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## Work Scope 23-B HVAC

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## BID TABULATIONS

## Work Scope 26-A Electrical

[illegible]



## BID TABULATIONS

December 7th 2023 at 2:00 PM

## Work Scope 31-A Earthwork & Utilities

**ARCHITECT: Wold Architects & Engineers**

[illegible]



**ARCHITECT: Wold Architects & Engineers**

## Work Scope 32-A Site Paving

[illegible]



**ARCHITECT:** Wold Architects & Engineers

## Work Scope 32-F Landscaping

[illegible]



AGENDA ITEM: **School Board Operating Procedures for 2024**  
MEETING DATE: **January 8, 2024**  
SUGGESTED DISPOSITION: **Operational Item**  
CONTACT PERSON(S): **School Board Chair**

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**BACKGROUND:**

At the organizational meeting of the White Bear Lake Area School Board the School Board members approve the Rules of Order and Board Agenda format for the year.

Attached are the recommended Rules of Order and Board Agenda format.

**RECOMMENDED ACTION:**

Approve the Rules of Order and Board Agenda format for 2024.

## **RULES OF ORDER**

Roll call vote shall be made on all items with any financial impact, and on any items where dissent is noted on a voice vote and a division of the house is requested.

Roll call votes shall always proceed alphabetically with the first member to be called rotated alphabetically at successive Board meetings.

Any item may be changed on the agenda, either in placement or in status (discussion, action...) by consensus or by passage of a motion to suspend the rules for that purpose.

Any items for which no written explanatory information is supplied in the Board packet, will be treated as items in the Public or Board Forum with no action unless the Board suspends the rules and places the item on the agenda for action.

The Chair and the superintendent shall develop the meeting agenda. Board members may request items to be placed on an upcoming agenda by contacting the Chair, or in the Chair's absence the superintendent by Tuesday prior to the Board meeting. All written material and appropriate explanatory material for agenda items must be provided to the superintendent's office by noon on the Wednesday prior to the meeting for inclusion in the agenda packet. If such written material is required and not provided in a timely manner, the topic may be pulled from the agenda.

Members of the public may make requests to have items placed on a Board agenda by contacting the Chair in the same manner as Board members. If the Chair does not honor the request, the request shall be made known to the Board and the Board shall determine the disposition of the request.

Robert's Rules of order will be followed except that:

- a. Suspension of the rules and limitation of debate require only a simple majority of those voting rather than a 2/3 majority.
- b. If no motion is immediately forthcoming on an action item when requested by the Chair, a nominal period of time, not to exceed five minutes, is allowed for questions before a motion for action is required.
- c. Board business will automatically terminate at 8:00 p.m. and the Chair will declare the meeting adjourned unless there is a motion, supported by a majority vote, extending the meeting by a specific amount of time.

## BOARD AGENDA

<b>A. PROCEDURAL ITEMS</b>	Roll call, Pledge of Allegiance, approve agenda, approve consent agenda to include minutes, payment of invoices, correspondence, gifts, field trips and personnel items.
<b>B. PUBLIC FORUM</b>	During the Public Forum any person may address the School Board on a topic of interest or concern.
<p><u>Public Forum Guidelines</u></p> <p>Listed below are the procedures for addressing the School Board on a topic of interest or concern.</p> <ol style="list-style-type: none"> <li>1. Speakers must reside in the District, be a guardian of a student(s) in the District, be a student in the District or be employed by the District. The School Board will give priority to individuals who wish to address a specific item that is on the agenda for that meeting. After this priority has been applied, any remaining openings to speak - up to the total of ten individuals - will be determined by lot.</li> <li>2. Public Forum will be open for up to 30 minutes. (3 minutes per speaker, 10 minutes per topic, no more than 3 speakers per topic). Speakers are encouraged to avoid repeating comments that other speakers have made.</li> <li>3. Those who wish to address the School Board must submit a written request to speak before 3:00 pm on the day of the School Board meeting. Requests must be submitted to the following email address: publiccomment@isd624.org, or by phone at 651-407-7563.</li> <li>4. The School Board Chair will call speakers to the microphone and will recognize one speaker at a time. Speakers must be in person to be recognized. Only those individuals who have been recognized by the School Board Chair will be allowed to speak during the public comment period.</li> <li>5. School District policy and data privacy laws preclude the School Board from publicly discussing personnel and student matters or data, including information, which, if discussed in a public meeting could violate law or policy.</li> <li>6. Members of the public may not engage in conduct that materially and substantially disrupts any part of a School Board meeting, or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion.</li> <li>7. If a speaker violates any of the established procedures or engages in any prohibited conduct, the Board Chair will rule the speaker out of order.</li> <li>8. An appropriate school district official may be assigned to contact the speaker with answers to their questions or with follow-up information.</li> <li>9. A handout on the purpose of the Public Forum and the process is available at each regular School Board meeting.</li> <li>10. Citizens may be asked to address the School Board on a particular subject during the discussion of that item.</li> </ol>	
<b>C. INFORMATION ITEMS</b>	No discussion.
<b>D. DISCUSSION ITEMS</b>	An instructional report, first reading of new policies, etc.
<b>E. OPERATIONAL ITEMS</b>	All non-personnel action items.
<b>F. BOARD FORUM</b>	Board "news"; same guidelines as Public Forum.
<b>G. ADJOURNMENT</b>	

AGENDA ITEM: **School Board Members' Compensation for 2024**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **School Board Chair**

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**BACKGROUND:**

The board member's compensation for the year is set at our organizational meeting. State law allows the clerk, treasurer, and superintendent of any district to receive such compensation as may be fixed by the board. The law also allows the board to fix compensation for the other members of the Board (Minnesota Statute 123B.09, Subd. 12).

White Bear School Board members were compensated at the following rates in 2023:

Year	Chair	Vice-Chair	Clerk	Treasurer	Members
2023	\$5,450	\$5,250	\$5,450	\$5,250	\$5,050

**RECOMMENDED ACTION:**

The School Board recommends keeping the same compensation levels for 2024.

Year	Chair	Vice-Chair	Clerk	Treasurer	Members
2024	\$5,450	\$5,250	\$5,450	\$5,250	\$5,050

AGENDA ITEM: **Action on Appointment of Intermediate  
School District 916 Representative for 2024**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **School Board Chair**

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**BACKGROUND:**

Each year the White Bear Lake Area School Board appoints a member of our School Board to serve on the Intermediate School District 916 Board. We recommend that Kathleen Daniels serve on the Intermediate School District 916 Board for 2024.

**RECOMMENDED ACTION:**

Appoint Kathleen Daniels as White Bear Lake Area School's representative to Intermediate School District 916 Board for 2024.

AGENDA ITEM: **Action on Regular and Work Session Meeting  
Schedule for 2024-25**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

The White Bear Lake Area School Board holds their regular School Board meetings on the second Monday of the month, and work sessions on the fourth Monday of the month except during the months of June, July and December when there is no work session scheduled. The March 2024 and 2025 regular meetings will be held on the first Monday of the month due to spring break and the May 2024 and 2025 work sessions will be held on the third Monday of the month due to Memorial Day.

**RECOMMENDED ACTION:**

Approve the Regular and Work Session Meeting Schedule for January 2024 to August 2025.

**2024-2025 Meeting Schedule**  
**White Bear Lake Area School Board**  
**District Center, 4855 Bloom Avenue, White Bear Lake**

Date	Meeting Type	Tentative Time*	Location
January 8, 2024	Organizational and Regular	5:30 p.m.	District Center – Room 112
January 22, 2024	Work Session	5:30 p.m.	District Center – Room 112
February 12, 2024	Regular	5:30 p.m.	District Center – Room 112
February 26, 2024	Work Session	5:30 p.m.	District Center – Room 112
March 4, 2024**	Regular	5:30 p.m.	District Center – Room 112
March 25, 2024	Work Session	5:30 p.m.	District Center – Room 112
April 8, 2024	Regular	5:30 p.m.	District Center – Room 112
April 22, 2024	Work Session	5:30 p.m.	District Center – Room 112
May 13, 2024	Regular	5:30 p.m.	District Center – Room 112
May 20, 2024***	Work Session	5:30 p.m.	District Center – Room 112
June 10, 2024	Regular	5:30 p.m.	District Center – Room 112
July 8, 2024	Regular	5:30 p.m.	District Center – Room 112
August 12, 2024	Regular	5:30 p.m.	District Center – Room 112
August 26, 2024	Work Session	5:30 p.m.	District Center – Room 112
September 9, 2024	Regular	5:30 p.m.	District Center – Room 112
September 23, 2024	Work Session	5:30 p.m.	District Center – Room 112
October 14, 2024	Regular	5:30 p.m.	District Center – Room 112
October 28, 2024	Work Session	5:30 p.m.	District Center – Room 112
November 11, 2024	Regular	5:30 p.m.	District Center – Room 112
November 25, 2024	Work Session	5:30 p.m.	District Center – Room 112
December 9, 2024	Regular	5:30 p.m.	District Center – Room 112
January 13, 2025	Organizational and Regular	5:30 p.m.	District Center – Room 112
January 27, 2025	Work Session	5:30 p.m.	District Center – Room 112
February 10, 2025	Regular	5:30 p.m.	District Center – Room 112
February 24, 2025	Work Session	5:30 p.m.	District Center – Room 112
March 3, 2025**	Regular	5:30 p.m.	District Center – Room 112
March 24, 2025	Work Session	5:30 p.m.	District Center – Room 112
April 14, 2025	Regular	5:30 p.m.	District Center – Room 112
April 28, 2025	Work Session	5:30 p.m.	District Center – Room 112
May 12, 2025	Regular	5:30 p.m.	District Center – Room 112
May 19, 2025***	Work Session	5:30 p.m.	District Center – Room 112
June 9, 2025	Regular	5:30 p.m.	District Center – Room 112
July 14, 2025	Regular	5:30 p.m.	District Center – Room 112
August 11, 2025	Regular	5:30 p.m.	District Center – Room 112
August 25, 2025	Work Session	5:30 p.m.	District Center – Room 112

*\*If a School Board meeting is canceled or held virtually due to inclement weather or other unforeseen circumstances, the meeting time and date may be adjusted.*

*\*\*The March 2024 and 2025 School Board Regular meetings are scheduled for the first Monday in March because spring break starts on the second Monday of March.*

*\*\*\*The May 2024 and 2025 School Board Work Sessions are scheduled for the third Monday in May because the fourth Monday in May is a holiday.*

Approved by the School Board on \_\_\_\_\_.

AGENDA ITEM: **Action on Official Publication for the School District for 2024**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

In past years, legal notices and minutes have been published in the White Bear Press. In addition, the full minutes are available on the district's website [www.isd624.org](http://www.isd624.org).

A proposal has been submitted by Press Publications to name the White Bear Press as the official school district/legal publication newspaper for 2024. The White Bear Press will increase from \$21.90 per column inch, in 7-point type at 9 lines per inch to \$22.95 per column inch, in 7-point type at 9 lines per inch. The discounted rate for the Vadnais Heights Press and The Citizen for a second insertion will increase from \$13.25 per column inch to \$13.91 per column inch for both papers.

Our recommendation below is based on our review of Minnesota Statutes pertaining to the requirements of the School District's official newspaper.

**RECOMMENDED ACTION:**

Approve the White Bear Press as the legal publication for White Bear Lake Area Schools for 2024.



AGENDA ITEM: **Action on Appointment of Compliance Officers**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne A. Kazmierczak, Superintendent**

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**BACKGROUND:**

Each November the administration certifies to the Minnesota Department of Education that we are in compliance with federal laws and regulations and state laws and rules prohibiting discrimination.

Some of our policies specifically state that a legal responsibility for receiving complaints is assigned to a position, (e.g., the Director of Human Resources). Other policies require that the School Board “annually designate the person” to whom the responsibility is assigned.

To remove ambiguity and assure compliance in all of our policies we are asking the School Board to take action on the following appointments:

District ADA/504 Coordinator:  
Lisa Ouren  
Director of Student Support Services  
White Bear Lake Area Schools  
4855 Bloom Avenue  
White Bear Lake, MN 55110

District Human Rights Officer:  
Matthew Mons  
Director of Human Resources and  
General Counsel  
White Bear Lake Area Schools  
4855 Bloom Avenue  
White Bear Lake, MN 55110

Title IX Coordinator:  
Dr. Alison Gillespie  
Assistant Superintendent for Teaching and Learning  
White Bear Lake Area Schools  
4855 Bloom Avenue  
White Bear Lake, MN 55110

**RECOMMENDED ACTION:**

Approve the appointment of Matthew Mons, Director of Human Resources and General Counsel, as the District Human Rights Officer; Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning, as the Title IX Coordinator; and Lisa Ouren, Director of Student Support Services, as the District ADA/504 Coordinator in conformance with School Board policies.

AGENDA ITEM: **Action on Local Education Agency  
Authorization**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

The School Board of White Bear Lake Area Schools authorizes the Superintendent as the Local Education Agency (LEA) representative for the purpose of reviewing and approving documents required for compliance to federal programs included in the Elementary and Secondary Education Act (ESEA). The LEA Representative will ensure the school district will maintain compliance with the appropriate federal statutes, regulations, and procedures and will act as the responsible authority in all matters relating to the administration of federal programs.

**RECOMMENDED ACTION:**

Authorize Dr. Wayne Kazmierczak, Superintendent, as the Local Education Agency (LEA) representative for the purpose of reviewing and approving documents required for compliance to federal programs included in the Elementary and Secondary Education Act (ESEA) for 2024.

AGENDA ITEM: **Action on Designation of Legal Counsel**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne Kazmierczak, Superintendent**

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**BACKGROUND:**

It is recommended that the School Board of White Bear Lake Area Schools designate: *Knutson, Flynn and Deans, P.A.; Ratwik, Roszak and Maloney, P.A.; Squires, Waldsperger and Mace, P.A.; and others as needed* as our legal counsel for the calendar year 2024. Mathew Mons, Director of Human Resources, will also be acting as our general counsel.

Authorized personnel to contact legal counsel includes: School Board Chair, School Board Vice-Chair, Superintendent, Assistant Superintendent for Teaching and Learning, Assistant Superintendent for Finance and Operations, Director of Human Resources, Director of Student Support Services, Director of Community Services and Recreation, Director of Communications and Community Relations, and Director of Technology and Innovation.

**RECOMMENDED ACTION:**

Approve *Knutson, Flynn and Deans, P.A.; Ratwik, Roszak and Maloney, P.A.; Squires, Waldsperger and Mace, P.A.; and others as needed* as our legal counsel for the calendar year 2024. The School Board approves authorized personnel to contact legal counsel, including: School Board Chair, School Board Vice-Chair, Superintendent, Assistant Superintendent for Teaching and Learning, Assistant Superintendent for Finance and Operations, Director of Human Resources, Director of Student Support Services, Director of Community Services and Recreation, Director of Communications and Community Relations, and Director of Technology and Innovation.

AGENDA ITEM: **Action on Official Depositories for School District Funds and Authorized Bank Accounts and Signatures**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent for Finance and Operations;**  
**Andi Johnson, Director of Finance**

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**BACKGROUND:**

*Be it resolved by the School Board of Independent School District #624, White Bear Lake, MN, that the following bank accounts are designated as official depositories January 8, 2024 to January 13, 2025 and that the authorized signers and those designated to electronically transfer funds be approved.*

<b><u>Account Name</u></b>	<b><u>Bank Name</u></b>	<b><u>Authorized Signers</u></b>
General Account	MSDLAF US Bank	*Board Chair *Board Clerk *Board Treasurer
Business Account	Bremer Bank	Wayne A. Kazmierczak Timothy Wald Andrea Johnson
Cafeteria Account	Bremer Bank	Wayne A. Kazmierczak Timothy Wald Andrea Johnson
Dist. Petty Cash Acct	Bremer Bank	Wayne A. Kazmierczak Timothy Wald Andrea Johnson
Central Petty Cash	Bremer Bank	Cathryn Peterson Timothy Wald Andrea Johnson

Sunrise Petty Cash	Bremer Bank	Christina Pierre Timothy Wald Andrea Johnson
North Petty Cash	Bremer Bank	Russell Reetz Carrie Barth Dion Harriman Timothy Wald
South Petty Cash	Bremer Bank	Russell Reetz Donald Bosch Matthew Young Timothy Wald

\*Facsimile signature to be used: with all three signatures required.

### **Electronic Transfers**

The following individuals are authorized to initiate electronic transfers from the above designated accounts:

Wayne A. Kazmierczak  
Timothy Wald  
Andrea Johnson  
Sarah Andre  
Stephanie Wendel  
Amanda Harris  
Megan Frost

### **RECOMMENDED ACTION:**

Approve the list of official depositories for School District funds and authorized bank accounts and signatures for 2024.

AGENDA ITEM: **Action on Annual Authorization Allowing  
Administration to Contract for Budgeted  
Items**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Wayne A. Kazmierczak, Superintendent;  
Tim Wald, Assistant Superintendent for  
Finance and Operations**

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**BACKGROUND:**

Minnesota Statutes section 123B.52 addresses the Superintendent's and Business Manager's authority to lease, purchase, and contract for goods and services. In our Administration, the title of the Business Manager is Assistant Superintendent for Finance and Operations. Subdivision 2 states, "The board may authorize its superintendent or business manager to lease, purchase, and contract for goods and services within the budget as approved by the board." The Board's delegation of authority under this provision applies so long as the estimated amount of a transaction does not exceed \$175,000. In those instances, the Board must explicitly authorize the transaction. The Board renews this authority to enter into contracts at its annual organizational meeting in January.

**RECOMMENDED ACTION:**

Confirm the School Board's understanding that the Superintendent and Assistant Superintendent for Finance and Operations have been duly authorized to lease, purchase, and contract for goods and services within the budget as approved by the Board in amounts up to \$175,000 and restatement of authorization for the same pursuant to Minnesota Statutes section 123B.52, subdivision 2.

AGENDA ITEM: **Action on Annual Resolution to Increase Micro Purchase Threshold**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent for Finance and Operations;**  
**Andi Johnson, Director of Finance**

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**BACKGROUND:**

State and federal statutes currently establish different purchasing thresholds related to contracting and bidding. Federal statute allows school districts to establish alternate thresholds as long as the school board annually approves this resolution, which will allow the school district to follow state purchasing procedures for all contracting and bidding, regardless of funding source.

Summary of the purchasing thresholds:

	<b>State Statute Threshold</b>	<b>Federal Statute Threshold</b>	<b>State &amp; Federal Thresholds after Resolution</b>
Sealed bids required	\$175,000+	\$250,000+	\$175,000+
Two or more quotes required	\$25,000 - \$175,000	\$10,000 - \$250,000	\$25,000 - \$175,000
Single quote permitted (two or more encouraged if practicable)	< \$25,000	< \$10,000	< \$25,000

**RECOMMENDATION:**

Approve the Annual Resolution to Increase Micro Purchase Threshold.

EXTRACT OF MINUTES OF MEETING  
OF SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 624  
(WHITE BEAR LAKE)  
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 624 was held on the 8th day of January, 2024, at 5:30 p.m.

The following Board members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION TO INCREASE MICRO PURCHASE THRESHOLD**

WHEREAS, a School District entering into an agreement for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property must abide by the Minnesota statutes relating to contracting and bidding.

Minn. Stat. § 471.345, the Uniform Municipal Contracting Law, was established to provide dollar limits for all municipalities upon contracts which shall or may be entered into on the basis of competitive bids, quotations, or purchase or sale in the open market. Minn. Stat. § 471.345. Generally, the following thresholds apply:

1. For contracts over \$175,000 – sealed bids, solicited by public notice and subject to the particular requirements of the governmental subdivision.
2. For contracts from \$25,000 to \$175,000 – sealed bids or direct negotiation, with two quotations whenever possible.
3. For contracts of \$25,000 or less – open market or quotations (with at least two contract quotations, if practicable).

WHEREAS, the School District must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this 2 CFR § 200.318, for the acquisition of property or services required under a Federal award or subaward.



WHEREAS, all procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of 2 CFR § 200.319 and 2 CFR § 200.320.

2 CFR § 200.320 Methods of Procurement to be followed:

1. For contracts over the Simplified Acquisition Threshold, generally defined as \$250,000 in the Federal Acquisition Regulations (FAR) – formal procurement methods such as sealed bids or proposals are appropriate.
2. For contracts determined to be “small purchases”, that is the aggregate dollar amount of which is higher than the micro-purchase threshold and smaller than the Simplified Acquisition Threshold, price or rate quotations must be obtained from an adequate number of qualified sources.
3. For contracts determined to be “Micro-purchases”, currently defined in the Federal Acquisition Regulations (FAR) as \$10,000 or less– Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

WHEREAS, *2 CFR 200.320 (a)(1)(iv) allows for the School District to increase their micro-purchase threshold up to \$50,000.* Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The School District may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of a higher threshold consistent with State law.

THEREFORE; BE IT RESOLVED that the School Board approves an increase to White Bear Lake Area Schools’ federal Micro-purchase threshold of \$10,000 to \$25,000 to be consistent with Minnesota Stat. § 471.345, subd. 5, as allowed by 2 CFR § 200.320(a)(1)(iv), for the acquisition of property or services under a Federal award.

The motion for the adoption of the foregoing resolution was duly seconded by Member \_\_\_\_\_, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA     )  
  ) SS.  
COUNTY OF RAMSEY     )

I, the undersigned, being the fully qualified and acting Clerk of Independent School District No. 624, State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the School Board of Independent School District No. 624, duly called and held on the date therein indicated, so far as such minutes relate to increasing the micro purchase threshold and that said resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such Clerk this \_\_8th\_ day of \_\_\_\_January\_\_\_\_, 2024.

\_\_\_\_\_  
Clerk  
Independent School District No. 624 (White Bear Lake)  
State of Minnesota

AGENDA ITEM: **Policy 401, Equal Employment Opportunity**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Matt Mons, Director of Human Resources and General Counsel**

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**BACKGROUND:**

School Board Policy 401, Equal Employment Opportunity, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in section I, and the legal references.

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

**RECOMMENDED ACTION:**

Approve School Board Policy 401, Equal Employment Opportunity, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: April 29, 1996*  
*Revised: December 10, 2001*  
*Revised: December 14, 2009*  
*Revised: February 8, 2021*

*White Bear Lake Area*  
*School District #624 Policy 401*

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

## **401 EQUAL EMPLOYMENT OPPORTUNITY**

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

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

42 U.S.C. 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

***Cross References:*** WBLASB Policy 402 (Disability Nondiscrimination)  
WBLASB Policy 405 (Veteran's Preference)  
WBLASB Policy 413 (Harassment and Violence)

AGENDA ITEM: **Policy 407, Employee Right to Know -  
Exposure to Hazardous Substances**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Matt Mons, Director of Human Resources and  
General Counsel**

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**BACKGROUND:**

School Board Policy 407, Employee Right to Know - Exposure to Hazardous Substances, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in section I, and the cross references.

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm.

**RECOMMENDED ACTION:**

Approve School Board Policy 407, Employee Right to Know - Exposure to Hazardous Substances, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: April 29, 1996*  
*Revised: January 11, 2010*  
*Revised: October 13, 2014*  
*Revised: February 8, 2021*

*White Bear Lake Area*  
*School District #624 Policy 407*

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

## **407 EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES**

### **I. PURPOSE**

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm. (~~Minn. Stat. § 182.63, Subd. 2).~~

### **II. GENERAL STATEMENT OF POLICY**

The policy of this school district is to provide information and training to employees who may be “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood-borne pathogen.

### **III. DEFINITIONS**

- A. “Blood-borne pathogen” means pathogenic microorganisms that are present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
- B. “Commissioner” means the Commissioner of Labor and Industry.
- C. “Harmful physical agent” means a physical agent determined by the Commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes but is not limited to radiation, whether ionizing or nonionizing.
- D. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
  - 1. Is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
  - 2. Is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogenic; teratogenic; mutagenic; a reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury

or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or

3. Is determined by the Commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

- E. "Infectious agent" means a communicable bacterium, rickettsia, parasite, virus, or fungus determined by the Commissioner by rule, with approval of the Commissioner of Health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. "Routinely exposed" means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.

#### IV. TARGET JOB CATEGORIES

Annual training will be provided to all full-time and part-time employees who are "routinely exposed" to a hazardous substance, harmful physical agent, infectious agent, or blood-borne pathogen as set forth above.

#### V. TRAINING SCHEDULE

Training will be provided to employees before beginning a job assignment as follows:

- A. Any newly hired employee assigned to a work area where he or she is determined to be routinely exposed under the guidelines above.
- B. Any employee reassigned to a work area where he or she is determined to be routinely exposed under the above guidelines.

**Legal References:** Minn. Stat. Ch. 182 (Occupational Safety and Health)  
Minn. Rule Ch. 5205 (Safety and Health Standards)  
Minn. Rule Ch. 5206 (Employee Right to Know Standards)  
29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)

**Cross References:** WBLASB Policy 420 (Students and Employees with ~~Sexually Transmitted Infections and Diseases and Certain Other~~ Communicable ~~or Diseases and~~ Infectious ~~Diseases~~ ~~Conditions~~)



WBLASB Policy 807 (Health and Safety ~~Policy~~)

AGENDA ITEM: **Policy 413, Harassment and Violence**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Matt Mons, Director of Human Resources and General Counsel**

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**BACKGROUND:**

School Board Policy 413, Harassment and Violence, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections III, and IX.

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

**RECOMMENDED ACTION:**

Approve School Board Policy 413, Harassment and Violence, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: April 29, 1996*  
*Revised: January 10, 2005*  
*Revised: May 12, 2008*  
*Revised: August 8, 2011*  
*Revised: January 13, 2014*  
*Revised: July 11, 2016*  
*Revised: July 15, 2019*  
*Revised: July 11, 2022*

*White Bear Lake Area  
School District #624 Policy 413*

*Revised: September 10, 2012*  
*Revised: October 13, 2014*  
*Revised: March 5, 2018*  
*Revised: March 1, 2021*  
*Revised: \_\_\_\_\_*

## **413 HARASSMENT AND VIOLENCE**

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of Independent School District No. 624 is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school personnel of the school district harasses, threatens to harass or attempts to harass any student, teacher, administrator or other school personnel or group of students, teachers, administrators, or other school personnel through conduct or communication based on a person's Protected Class as defined by this policy. (For purposes of this policy, school district personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the district).
- C. A violation of this policy occurs when any student, teacher, administrator, or other school personnel of the school district inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator or other school personnel or group of students, teachers, administrators, or other school personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence, based on a person's Protected Class, and to discipline or take appropriate action

against any student, teacher, administrator, or other school district personnel found to have violated this policy.

### III. DEFINITIONS

- A. “Assault” is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. “Harassment” prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual’s or group of individuals’ race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, or disability, when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive work or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
  - 3. otherwise adversely affects an individual’s employment or academic opportunities.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
  - 1. “Disability” means, with respect to an individual who:
    - a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
    - b. has a record of such an impairment; or
    - c. is regarded as having such an impairment.
  - 2. “Familial status” means the condition of one or more minors being domiciled with:

- a. their parent, parents or legal guardian; or
  - b. the designee of the parent or parents or legal guardian with the written permission of the parent or parents or legal guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
  5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. “Sexual orientation” means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities. ~~having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.~~
  7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. School district personnel includes School Board members, school employees, agents, volunteers, contractors or other persons' subject to the supervision and control of the district.

G. Sexual Harassment; Definition

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
  - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or

- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

#### H. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts;
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

#### I. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, an individual's Protected Class.

### IV. REPORTING PROCEDURES

- A. Any person who believes **they have** ~~he or she has~~ been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form attached and incorporated by reference to this policy as Addendum A, but oral reports shall be considered complaints as well.
- C. The building principal, principal's designee, or building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receive a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Superintendent or the school district Human Rights Officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district Human Rights Officer or to the Superintendent.
- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- E. Upon receipt of a report, the building report taker must notify the school district Human Rights Officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the Human Rights Officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- F. The School Board hereby designates the Director of Human Resources as the school district Human Rights Officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with the Superintendent.



- G. The school district shall conspicuously post the name of the Human Rights Officer, including mailing address and telephone number.
- H. If the Superintendent is the Human Rights Officer, an alternative individual shall be designated by the School Board. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- I. Use of formal reporting forms is not mandatory.
- J. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- K. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.
- L. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- M. False accusations or reports of violence or harassment against another person are prohibited.
- N. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the Human Rights Officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator, including but not limited to, Addendum B: Responding to a Racial and Biased Harm Protocol, and Addendum C: Administrative Guidelines for Transgender and Gender-Expansive Student Rights and Protections.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district Human Rights Officer shall make a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, the report may be filed directly with the School Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

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

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy; testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence; or testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

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

#### **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, ~~Chapter~~ **Chapter** 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

#### **X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**Attachments:** Addendum A: Harassment and Violence Public Notice  
Addendum B: Responding to a Racial and Biased Harm Protocol  
Addendum C: Administrative Guidelines for Transgender and Gender-Expansive Student Rights and Protections  
Form: Harassment and Violence Report Form

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)

Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

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

AGENDA ITEM: **Policy 416, Drug, Alcohol, and Cannabis Testing**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Matt Mons, Director of Human Resources and General Counsel;**  
**Tim Wald, Assistant Superintendent for Finance and Operations**

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**BACKGROUND:**

School Board Policy 416, Drug, Alcohol, and Cannabis Testing, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in the title, sections I, II, III, and IV and the legal references.

The purpose of this policy is to recognize the significant problems created by drug, alcohol, and cannabis use in public schools and to provide an environment that is safe, healthy, productive, and conducive to effective learning by providing authority so that the School Board may require all employees and/or job applicants to submit to drug, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 181.950-181.957.

**RECOMMENDED ACTION:**

Approve School Board Policy 416, Drug, Alcohol, and Cannabis Testing, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: April 29, 1996*  
*Revised: July 18, 2005*  
*Revised: June 14, 2010*  
*Revised: October 11, 2010*  
*Revised: July 12, 2021*

*White Bear Lake Area*  
*School District #624 Policy 416*  
*Revised: November 14, 2011*  
*Revised: \_\_\_\_\_*

## 416 DRUG, ~~AND-ALCOHOL~~, AND CANNABIS TESTING

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited from entering or remaining on school district property.

- E. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:

1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by section 181.952; or
4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

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

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



A. General Statement of Policy

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

B. Definitions

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

8. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
10. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); or (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (1) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because ~~they~~ ~~he or she~~ ~~have~~ ~~has~~ left before it commences is not deemed to have refused to submit to testing.
11. "Safety-sensitive functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving,

loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.

12. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. "Stand Down" means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before a MRO completes the verification process.
14. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

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

D. Alcohol and Controlled Substances Testing Program Manager

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled

substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.

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

E. Specific Prohibitions for Drivers

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

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

F. Other Alcohol-Related Conduct

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

G. Prescription Drugs/Cannabinoid Products

A driver shall inform their ~~his or her~~ supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

1. Pre-Employment Testing

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

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or greater, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up test), within the preceding two (2) years.
- d. The applicant also must be asked whether ~~they~~ ~~he or she~~ have ~~has~~-tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query (see Attachment C to this policy). The school district shall retain the consent for three (3) years from the date of the query.

## 2. Post-Accident Testing

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver

receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.

- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.
- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

### 3. Random Testing

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.
- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically-valid method for selecting drivers for testing, such as a random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each

driver shall have an equal chance of being tested each time selections are made.

- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

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



suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

5. Return-To-Duty Testing

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

6. Follow-Up Testing

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

7. Refusal to Submit and Attendant Consequences

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

to being considered for reassignment to safety-sensitive functions.

- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment **DE** to this policy.

## I. Testing Procedures

### 1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles; labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

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

## 2. Alcohol Testing

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

J. Driver/Driver Applicant Rights

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

positive test result on a confirmatory test after completion of the program.

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

K. Testing Laboratory

The testing laboratory for controlled substances will be a laboratory certified by the Department of Health and Human Services--SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

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

M. Record-Keeping Requirements and Retention of Records

- 1. The school district shall keep and maintain records, in accordance with the federal regulations, in a secure location with controlled access.
- 2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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“Basic records” includes records of a: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Collection and training records	2 years
Negative and canceled controlled substances tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	Indefinite

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

### 3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse (“Clearinghouse”) as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;
- e. Any report by a supervisor of actual knowledge of use as follows
  - i. Any on-duty alcohol use;
  - ii. Any pre-duty alcohol use;
  - iii. Any alcohol use following an accident; and
  - iv. Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and
- h. Any employer’s report of completion of follow-up testing.

### N. Training

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

### O. Consequences of Prohibited Conduct and Enforcement

#### 1. Removal

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

2. Referral, Evaluation, and Treatment

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

3. Disciplinary Action

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

under this policy but also violates the school district's other rules or policies.

P. Other Testing

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

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where



the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.
4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

#### IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

##### ~~A.~~ General Statement of Policy

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

##### ~~A.B.~~ Definitions

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes,

section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.

2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

3.4. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37. ~~including medical cannabis, regardless of enrollment in the state registry program.~~

4.2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample by a testing laboratory that meets ~~according to the standards established under one of the criteria programs~~ listed in Minnesota Statutes, section ~~Stat. §~~ 181.953, subdivision ~~Subd. 1~~, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.

6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

7.3. "Job applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III).

**8.4.** "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV of this policy and the drivers shall fall within this definition of "other employees."

**9.5.** "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

**10.6.** "Random selection basis" means a mechanism for selection of employees that:

results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and does not give the school district discretion to waive the selection of any employee selected under the mechanism.

**11.7.** "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

**12.8.** "Safety-sensitive position" means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

**B.C.** Circumstances Under Which Cannabis Testing Or Drug Or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

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

## 2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;
- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

## 3.2. Job Applicant Testing

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

- a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.

- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.
- d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

#### 4.3. Random Testing

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

#### 5.4. Reasonable Suspicion Testing

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

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

#### 6.5. Treatment Program Testing

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

**7.6.** Routine Physical Examination Testing

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

**C.D.** No Legal Duty to Test

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

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

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

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

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

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

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

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

**E.F.** Reliability and Fairness Safeguards

1. Pretest Notice

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

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide them ~~him or her~~ with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information (see Attachment G to this policy).

- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.
- d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.
- ~~e.d.~~ Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

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



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

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

Attachments FE and GF to this policy provides the Notices described in paragraphs 2 through 6 of this Section E.

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

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

positive test result on a confirmatory test after completion of the program.

4. Notwithstanding Paragraph 1 of this Section **F.G**, the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in **the employee's** ~~his or her~~ personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process **or cannabis testing process** and conclusions drawn from and actions taken based on the reports or other acquired information.

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

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

## **H.** Chain-of-Custody Procedures

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

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

## **I.** Privacy, Confidentiality and Privilege Safeguards

### 1. Privacy Limitations

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

### 2. Confidentiality Limitations

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

### 3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding paragraphs 1 and 2 above, of this Section **I.**, evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn**esota**

Statutes, chapter ~~Stat. Ch.~~ 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

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

V. POSTING

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 43A (State Personnel Management)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.22 (~~Definitions;~~ Medical Cannabis; ~~Definitions~~)  
Minn. Stat. § 152.23 (~~Limitations;~~ Medical Cannabis; ~~Limitations~~)  
Minn. Stat. § 152.32 (Protections for Registry Program Participation)  
Minn. Stat. § 176.011, Subd. 16 (Definitions; Personal Injury)  
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)  
Minn. Stat. § 221.031 (Motor Carrier Rules)  
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)

49 U.S.C. § 31306(a) (National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators)

49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)  
49 C.F.R. Parts 40 ~~and 382~~ (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)

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

AGENDA ITEM: **Policy 499, Student Teaching**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Matt Mons, Director of Human Resources and General Counsel**

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**BACKGROUND:**

School Board Policy 499, Student Teaching, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. There are no changes recommended to this policy.

The purpose of this policy is to encourage the utilization of student teachers through agreements with approved teacher preparation institutions.

**RECOMMENDED ACTION:**

Approve School Board Policy 499, Student Teaching, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: November 10, 2008*  
*Revised: December 13, 2010*  
*Revised: February 8, 2021*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area  
School District #624 Policy 499*

## **499 STUDENT TEACHING**

### **I. PURPOSE**

It is the policy of the White Bear Lake Area School District to encourage the utilization of student teachers through agreements with approved teacher preparation institutions.

### **II. ADMISSION TO STUDENT TEACHING IN THE DISTRICT**

1. All requests for student teaching in the school district shall be made to the Department of Human Resources.
2. An applicant for a student teaching opportunity in the district shall:
  - a. Have completed the necessary requirements of an approved teacher education program;
  - b. Comply with the Minnesota Code of Ethics for Teachers;
  - c. Have and maintain, throughout the student teaching experience, good academic standing at the cooperating teacher preparation institution;
  - d. Meet all requirements of the cooperating teacher preparation institution for participation in its student teacher program.
3. The cooperating teacher preparation institution must enter into a school district approved agreement, and the agreement must be approved by the School Board.
4. The school district reserves the right to deny a student teaching opportunity to an applicant who is not qualified pursuant to II-2 or II-3, or for whom there is no student teaching position available, for whom no supervising teacher is available, or for any other good and valid reason.
5. The Department of Human Resources shall determine the placement of all student teachers.

### **III. PERFORMANCE OF THE STUDENT TEACHER**

1. A student teacher shall, during the course of the student teaching experience, be exposed to and given an opportunity to participate in the

duties and activities of the teaching experience given the time available, including primary responsibility for substantial, meaningful classroom instruction and its attendant preparation and evaluation.

2. A student teacher shall not act as a substitute teacher in the district. This provision shall not be construed to preclude a student teacher from performing teaching services alone in a classroom as a part of the student teaching experience so long as the student teacher remains under general supervision as provided in Section III-3.
3. While student teaching in the district, a student teacher shall be under the supervision of a fully qualified teacher or principal.
4. A copy of any written evaluation generated from within the district which is intended to contribute to a student teacher's grade or evaluation for the student teaching course or program at the teacher preparation institution may, at the option of the evaluator, be provided to the student teacher. Otherwise, the availability of the evaluation shall be determined by the teacher preparation institution.

#### **IV. CONDUCT OF THE STUDENT TEACHER**

While serving as a student teacher in the district, the student teacher shall:

1. Obey all reasonable directives of administrative and supervisory personnel;
2. Obey all school district rules, regulations, policies, and directives;
3. Not engage in conduct which disrupts, or could reasonably be expected to disrupt the educational process, or which is detrimental to the educational process.

#### **V. TERMINATION OF STUDENT TEACHING ASSIGNMENT**

A student teacher assignment may be terminated by the district for those reasons and causes applicable to a probationary teacher in the school district, or for any other good and sufficient grounds rendering the student teacher unfit to perform assigned duties, including those described in Section IV.

#### **VI. BACKGROUND CHECK**

The district shall perform the background check as required by Minnesota law for district employees. The cost of the background check shall be paid by the student teacher or the placing institution, in accord with the school district agreement with the respective placing institution.

#### **VII. COPY OF POLICY**



A student teacher shall be provided a copy of this policy upon acceptance for a student teaching experience in the district.

#### **VIII. FINANCIAL ARRANGEMENTS**

Stipends to supervising teachers from cooperating colleges and universities will be paid in accordance with the agreement that the district has with the cooperating college and university. The amount of payment may vary depending on the policy of the college.

***Legal References:*** Minn. Stat. § 122A.09

***Cross References:*** WBLASB Policy 404 (Employment Background Checks)  
WBLASB Policy 423 (Employee - Student Relationships)

AGENDA ITEM: **Policy 503, Student Attendance**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Assistant Superintendent  
for Teaching and Learning**

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**BACKGROUND:**

School Board Policy 503, Student Attendance, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections II, and V.

The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

**RECOMMENDED ACTION:**

Approve School Board Policy 503, Student Attendance, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: October 20, 1975*  
*Revised: March 11, 1991*  
*Revised: September 13, 1993*  
*Revised: August 14, 1996*  
*Revised: June 11, 2001*  
*Revised: December 13, 2010*  
*Revised: December 13, 2021*

*White Bear Lake Area  
School District #624 Policy 503*

*Revised: March 27, 2000*  
*Revised: August 25, 2003*  
*Revised: May 12, 2014*  
*Revised: \_\_\_\_\_*

## **503 STUDENT ATTENDANCE**

### **I. PURPOSE**

- A. The School Board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

### **II. GENERAL STATEMENT OF POLICY**

#### **A. Responsibilities**

##### **1. Student's Responsibility**

In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are required to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the School Board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence. It is also the student's responsibility to request and complete any missed assignments due to an absence.

##### **2. Parent or Guardian's Responsibility**

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

### 4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are required to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the School Board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

## B. Attendance Procedures

Attendance procedures shall be presented to the School Board for review and approval. When approved by the School Board, the attendance procedures will be included as an addendum to this policy.

### 1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

- b. The following reasons shall be sufficient to constitute excused absences:
- (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Physical emergency conditions such as fire, flood, storm, etc.
  - (8) Official school field trip or other school-sponsored outing.
  - (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (10) Family emergencies.
  - (11) Active duty in any military branch of the United States.
  - (12) A student's condition that requires ongoing treatment for a mental health diagnosis.
  - (13) Individual need as approved by school principal.
- c. Consequences of Excused Absences
- (1) Students who are absent are expected to work with the classroom teacher on a plan to make-up any assignments that have been missed.
  - (2) As a general guideline, student work assigned during the absence should be completed within two (2) days

per day of absence from the date of the student's return to school. The building principal or the classroom teacher will partner with the student and family on a make-up plan in the case of an extended illness or other extenuating circumstances.

- (3) Students are encouraged to use available technology, including web-based communication, to stay current while absent.

## 2. Unexcused Absences

- a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent/guardian and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family, personal trips to schools or colleges (If the student and parent/guardian have been warned of an attendance issue or the absence has not been pre-approved by a school administrator.)
- (6) Absences resulting from cumulated unexcused tardies (3 tardies equals one-half day unexcused absence).
- (7) Any other absence not included under the attendance procedures set out in this policy.

- b. Consequences of Unexcused Absences

- (1) Students who are absent are expected to work with the classroom teacher on plan to make-up any assignments that have been missed. As a general guideline, student work assigned during the absence should be completed within two (2) days per day of absence from the date of the student's return to

school. The building principal or the classroom teacher will partner with the student and family on a make-up plan in the case of an extended illness or other extenuating circumstances.

- (2) Appropriate discipline from the following list, based on the severity of the issue:
  - (i) Detention
  - (ii) Loss of student privileges
  - (iii) Placement on a supervised attendance program
  - (iv) Truancy petition to juvenile court for those under age 16
  - (v) Other appropriate consequences as determined by parent/guardian and school personnel.
  - (vi) Loss of parking privileges at secondary level
  - (vii) Restriction from participation in extracurricular activities
  - (viii) Saturday School
  - (ix) Make up time missed from school
- (3) Agreed upon goals/plans as determined by the parent/guardian, student and school personnel.
- (4) Other appropriate consequences
  - (i) After three (3) cumulated unexcused absences in a school year, a student will be considered “continuing truant” and parent or guardian will be notified.
- (5) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (6) In cases of recurring unexcused absences, the administration may request the county attorney to file a petition with the juvenile court, pursuant to Minnesota Statutes.

C. Excessive Absences

1. Definition: Students who are absent more than ten percent of student contact days at any time during the school year or any grading period may be considered to have excessive absences.
2. Procedures for addressing students with excessive absences
  - a. School calls parent/guardian to communicate attendance concerns
  - b. School will communicate with parents/guardians in writing concerning attendance concerns
  - c. School will schedule a meeting with parents/guardians and other appropriate school staff to create a plan to address attendance concerns.
  - d. If the student continues to have excessive absences, the school may choose to take the following steps:
    - (1) Consider the absences unexcused according to Minn. Stat. § 120A.22, subd 12.
    - (2) Refer the student to a truancy intervention program.

D. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
  - a. Elementary: Students who arrive late and within 45 minutes after the start of the school day are considered tardy. After 45 minutes, a student is considered absent. ~~it is considered a half-day absence~~ We report elementary absences in quarter, half, three-quarter, and full day segments.
  - b. Secondary: Students are considered tardy if they are late and miss less than ten minutes of any class. If they miss more than ten minutes of class, they are considered absent.
2. Procedures for Reporting Tardiness
  - a. Students who are tardy at the start of school must check-in ~~report to at~~ the school office for a pass. ~~an admission slip.~~



- b. Tardiness between periods will be handled by the teacher.

### 3. Excused Tardiness

Valid excuses for tardiness are:

- a. illness;
- b. serious illness in the student's immediate family;
- c. a death or funeral in the student's immediate family or of a close friend or relative;
- d. medical, dental, orthodontic, or counseling appointment;
- e. court appearances occasioned by family or personal action;
- f. physical emergency conditions such as fire, flood, storm, etc.;
- g. any tardiness for which the student has been excused in writing by an administrator or faculty member;
- h. family emergencies;
- i. individual need as approved by school principal.

### 4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Examples of unexcused tardiness include but are not limited to:
  - (1) not approved by parent/guardian
  - (2) failure to comply with reporting requirements of the school district attendance procedures
  - (3) work at home
  - (4) work at a business (except under a school-sponsored work release program)
  - (5) missed bus
  - (6) overslept

- (7) car trouble
- (8) doing homework

c. Consequences of tardiness may include:

- (1) Detention
- (2) Saturday School
- (3) Loss of parking
- (4) Other consequences as determined by parent/guardian and school personnel
- (5) Combining unexcused tardies into an unexcused absence and enforcing consequences accordingly. The district considers three (3) unexcused tardies equivalent to one half-day unexcused absence.

E. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Program

This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.

- 1. If a student is suspended from any class, the student may not participate in any activity or program that day.
- 2. When students participate in any co-curricular and/or sports activity, they are required to be in attendance at school the entire day of the event, unless they are absent for one of the following reasons:
  - a. School-related activity
  - b. Medical appointment (requires verification by the school office or attendance secretary)
  - c. One period (or less) in the school Health Office
  - d. Funeral or family medical/legal emergency (requires parent/guardian excuse)
  - e. Student safety issues (to be reviewed by WBL administrators)

If the absence is due to any other reason, the student will be declared ineligible for that day's event. The administration retains the right to request verification of any absences presented by a student or parent/guardian.

3. Students must not incur any unexcused absence (as outlined in the student attendance policy) the day after an event if the day is the next consecutive school day of the same week. If an unexcused absence is incurred for this next consecutive school day of the same week, the student will not participate in the next scheduled co-curricular and/or sports event.

### **III. RELIGIOUS OBSERVANCE ACCOMMODATION**

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

### **IV. DISSEMINATION OF POLICY**

- A. Copies of this policy shall be made available to all students, parents/guardians, and staff at the commencement of each school year. This policy shall also be available upon request in each principal's office.
- B. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

### **V. REQUIRED REPORTING**

- A. Continuing Truant

Minnesota Statutes, section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes, section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes, section 120A.05, without valid excuse within a single school year for:

1. three days if the student is in elementary school; or
2. three or more class periods on three days if the student is in middle school or high school.

- B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes, section 260A.03 provides that the school attendance officer or

other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the student is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the student's absences;
3. That the parent or guardian is obligated to compel the attendance of the student at school pursuant to Minnesota Statutes, section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes, section 120A.34;
4. That this notification serves as the notification required by Minnesota Statutes, section 120A.34;
5. That alternative educational programs and services may be available in the district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy;
7. That, if the student continues to be truant, the parent/guardian and student may be subject to juvenile court proceedings under Minnesota Statutes, Chapter 260C;
8. That, if the student is subject to juvenile court proceedings, the student may be subject to suspension, restriction, or delay of the student's driving privilege pursuant to Minnesota Statutes, section 260C.201; and
9. That it is recommended that the parent or guardian accompany the student to school and attend classes with the student for one day.

C. Habitual Truant

1. A habitual truant is a student under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days in a school year if the student is in elementary school or for one or more class periods on seven school days in a school year if the student is in middle school or high school, or a student who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant student and the student's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, Chapter 260A.

**Legal References:** Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)  
Minn. Stat. §§ 121A.40 - 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)  
Minn. Stat. § 260C.007, subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565 (1975)  
*Slocum v. Holton Bd. of Educ.*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Bd. of Educ. of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Bd. of Educ. of Township High School District No. 113*, 66 Ill. App.3d 7, 383 N.E. 2d 231 (1978)  
*Gutierrez v. Sch. Dist. R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Bd. of Educ.*, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:** WBLASB Policy 506 (Student Discipline)

AGENDA ITEM: **Policy 506, Student Discipline Policy**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Assistant Superintendent  
for Teaching and Learning**

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**BACKGROUND:**

School Board Policy 506, Student Discipline Policy, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections III, XII, and XV.

The purpose of this policy is to ensure that students, families, and staff understand and follow the school district's discipline policy and to establish guidelines to assist in maintaining a supportive, safe, welcoming, and inclusive environment.

**RECOMMENDED ACTION:**

Approve School Board Policy 506, Student Discipline Policy, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: August 26, 1996*  
*Revised: August 18, 1997*  
*Revised: September 9, 2002*  
*Revised: January 10, 2005*  
*Revised: March 9, 2009*  
*Revised: March 28, 2010*  
*Revised: June 8, 2015*  
*Revised: October 10, 2022*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area  
School District #624 Policy 506*

*Revised: June 13, 2016*  
*Revised: April 10, 2017*  
*Revised: October 8, 2018*  
*Revised: July 15, 2019*  
*Revised: September 11, 2023*

## **506 STUDENT DISCIPLINE POLICY**

### **I. PURPOSE**

The purpose of this policy is to ensure that students, families and staff understand and follow the school district's discipline policy. The school district understands that behavior and actions of students are part of child development and learning. The intent of this policy is to establish guidelines to assist in maintaining a supportive, safe, welcoming, and inclusive environment. It is the responsibility of the school district to take action when the guidelines established in this policy are not followed, impacting individuals and the school environment.

### **II. GENERAL STATEMENT OF POLICY**

The School Board recognizes that social emotional learning and growth are essential components of the educational process. The School Board further recognizes that providing this learning has a direct impact on student behavior and overall success. The school district will support students in continually learning social emotional skills and understanding school expectations.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Learning best takes place when students feel safe and connected in their environment which provides options and stresses student self-direction, decision-making, and responsibility. When students act in a manner inconsistent with school policies, the school district needs to assist the student in repairing harm caused and engaging in relearning practices.

The school district recognizes that despite efforts to build a safe, welcoming, and inclusive climate for all students, there will be times when the policies will be broken resulting in harm to the learning community. When harm is caused, rebuilding of the community is essential and student actions may result in a variety of interventions. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

In view of the foregoing and in accordance with Minnesota Statutes, section 121A.55, the School Board, with the participation of school district administrators, teachers, employees, students, parents/guardians, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### **III. DEFINITIONS**

- A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under Minnesota Statutes, sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

### **IV. POLICY**

- A. The School Board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02



and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.

- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
  - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
  - 2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
  - 3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

## **V. AREAS OF RESPONSIBILITY**

- A. School Board: The School Board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent: The Superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students and parents/guardians responsible for following this policy, and support all school personnel in performing their duties within the framework of this policy. The Superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents/guardians in upholding this policy. Any guidelines or directives established to implement this policy shall be attached as an addendum to this policy.
- C. Building Administrator: The building administrator is given the responsibility and authority to formulate building rules and regulations

necessary to uphold this policy. The building administrator is responsible for ensuring staff understand this policy as well as ensuring that all students are taught this policy and other relevant policies. The building administrator shall give direction and support to all school personnel performing their duties within the framework of this policy. The building administrator shall consult with parents/guardians of students conducting themselves in a manner contrary to the policy. The building administrator shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents/guardians. A building administrator, in exercising their lawful authority, may use reasonable force only when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.

- D. Teachers: It is recognized that teachers have a direct impact on the culture and climate of their classroom and the school environment as a whole. Teachers are responsible for providing a well-planned teaching/learning environment focused on student needs, teaching and reteaching both academic and social emotional skills. Teaching student expectations, with appropriate assistance from the administration, is a primary task for teachers. When school rules are not followed, teachers must support students relearning of school rules and assist in repairing any harm caused within the community as prescribed by district or individual school/site procedures. In exercising the teacher's lawful authority, a teacher may use reasonable force only when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel: All school district personnel are responsible for contributing to the culture and climate of the school district. All district personnel support efforts to establish a safe, welcoming and inclusive school environment by following district procedures when responding to situations in which school rules are not followed. All staff support students relearning of school rules and assist in repairing any harm caused within the community. School district personnel should only act in ways authorized and directed by the Superintendent. A school employee, school bus driver, or other agent of a school district, in exercising their lawful authority, may only use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- F. Parents and Legal Guardians: Parents/guardians shall be held responsible for the actions of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the actions of their children.

- G. Students: All students shall be held individually responsible for their actions and for knowing and following the Code of Student Conduct and this policy.
- H. Community Members: Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports
  - 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
  - 2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
  - 3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

## **VI. STUDENT RIGHTS**

All students have a right to an education and the right to learn in an environment in which they are supported, valued, respected, and safe.

## **VII. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. To assist in building a school culture and climate where all students are supported, valued, respected and safe;

- B. When rules are not followed, students are to support and engage in repairing any harm caused to others, the community, or the environment;
- C. For their actions and for learning and following all school rules, regulations, policies and procedures;
- D. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- E. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- F. To make necessary arrangements for making up work when absent from school;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and follow federal, state and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health;
- L. To avoid inaccuracies in student newspapers, school-sponsored social media accounts, shared virtual spaces, or publications and refrain from indecent or obscene language; and
- M. To recognize and respect the rights of others.

#### **VIII. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable actions subject to intervention by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be responded to and supported in repairing and restoring harm caused in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all

school-related functions, school-sponsored activities, events, trips, virtual learning spaces, and school-sponsored social media platforms. School district property also may mean a student's walking route to and from school for purposes of attending school or school-related functions, activities, or events. While the school district will provide interventions when students do not follow school rules and policies in this policy and others alike in these locations, settings, and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose actions at any time or in any place, including online, interfere with or obstruct the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language or materials, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Violation of the school district's Student Attendance Policy;
6. Opposition to authority using physical force or violence;
7. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment: Possession and Use of Tobacco, Tobacco-Related Devices and Electronic Devices; Vaping Awareness and Prevention Instructions Policy;
8. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical

cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);

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

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

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

## **IX. RECESS AND OTHER BREAKS**

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for



student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.

- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
  - 1. a student causes or is likely to cause serious physical harm to other students or staff;
  - 2. the student's parent or guardian specifically consents to the use of recess detention; or
  - 3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
- F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.
- G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section, 124D.111 or other state or federal law.

## **X. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive levels of discipline focused on student learning and repairing relationships and the school environment to the extent reasonable and appropriate based upon the

specific facts and circumstances of the incident. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district code of conduct, rules, regulations, policies or procedures will result in a restorative discussion. The school district has authority to impose more severe disciplinary responses for any violation, including exclusion or expulsion, if warranted by the student's actions. However, the school district recognizes that exclusionary practices impact students' achievement and learning. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Teaching and/or reteaching of school policies and expectations;
- B. Engaging with the students in social emotional learning through tiered levels of support based on student need;
- C. Engaging in restorative conversation with students and others involved, which may include staff members. Restorative practices in classrooms or with a targeted group of students are appropriate when others involved consent to participating;
- D. Student conference with the teacher, building administrator, counselor, or other school district personnel, to discuss with the student the cause of the student's actions and alternative actions the student could take in the future when faced with a similar situation. In addition, the staff member facilitating this discussion will determine with the student what supports the student may need in order to be able to engage in those alternative actions in the future. This conversation may also include a review of the Code of Student Conduct and potential responses to future actions;
- E. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or things will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation;
- F. Parent/guardian contact;
- G. Parent/guardian conference;
- H. Removal from class;
- I. In-school suspension;
- J. Suspension from extracurricular activities;
- K. Detention or restriction of privileges;

- L. Loss of school privileges;
- M. In-school monitoring or revised class schedule;
- N. Referral to in-school support services;
- O. Referral to community resources or outside agency services;
- P. Financial restitution;
- Q. Referral to police, other law enforcement agencies, or other appropriate authorities;
- R. Out-of-school suspension under The Pupil Fair Dismissal Act;
- S. Preparation of an admission or readmission plan;
- T. Expulsion under The Pupil Fair Dismissal Act;
- U. Exclusion under The Pupil Fair Dismissal Act; and/or
- V. Other responses as deemed appropriate by the school district.

#### **XI. REMOVAL OF STUDENTS FROM CLASS**

- A. Teachers have the responsibility of teaching school expectations to students, while also maintaining a safe, welcoming and inclusive learning environment for all students. When incidents occur that disrupt the environment, it is the responsibility of the teacher to attempt to redirect actions and restore relationships in the environment within the guidelines established by the school district or school. Teachers may accomplish this by engaging in coaching and listening conversations with the student, using positive reinforcement, providing alternatives in learning practices or the environment to meet students needs, consulting with a student support team or other resources when interfering actions persist, or contacting the student's parents/guardians when ongoing needs arise. The teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, building administrator, or other school district employee to prohibit a student from attending a class or activity for a period of time not to exceed five (5) days, pursuant to this discipline policy.
- B. Grounds for removal from class shall include any of the following:
  - 1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's

ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies, or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which at the discretion of the teacher or administration, requires removal of the student from class.

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

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

- C. Removal from class is the short-term exclusion of a student from class during which the school retains custody of the student. Students violating the Code of Student Conduct may be removed from class at the discretion of the classroom teacher for the duration of the class or activity period. If the student is to be removed for additional time, the duration and the conditions for return to class will be determined at a conference between the principal/designee and the teacher. The principal/designee will have the responsibility, if necessary, to consult with the student's case manager. Students removed from class shall be the responsibility of the principal or designee. The principal or designee shall inform the student and the student's parent/guardian of the condition for returning to class.
- D. If a student is frequently removed from class for recurring behaviors, the school district shall notify the parent/guardian and make reasonable attempts to convene a meeting with the student's parent/guardian to discuss the problem that is causing the student to be removed from class.

## **XII. DISMISSAL**

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

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

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

The use of exclusionary practices for early learners as defined in Minnesota Statutes, section 121A.425 is prohibited. The use of exclusionary practices to address attendance and truancy issues is prohibited.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion and/or exclusion. A student may be dismissed on any of the following grounds:
  - 1. Willful violation of any reasonable School Board regulation, including those found in this policy;
  - 2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
  - 3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.
- C. Disciplinary Dismissals Prohibited
  - 1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
    - a. a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
    - b. kindergarten through Grade 3.
  - 2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes,

chapter 125A and federal law for a student receiving special education services.

3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. "Suspension" means an action taken by the school administration prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the Superintendent or designee with a reason for the longer term of suspension. This definition does not apply to dismissal for ~~one (1) school day or less~~ than one school day, except as may be provided in federal law for a student with a disability.
2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
3. If a student's total days of removal from school exceeds ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent/guardian before subsequently removing the student from school and, with the permission of the parent/guardian, arrange for a mental health screening for the student at the parent/guardian expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent/guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for ~~one school day or less~~ than one day, except as provided under federal law for a student with a disability. Each

suspension action shall include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent/guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent/guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress towards meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.

7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
8. The school district recognizes that exclusionary practices impact student's achievement and learning. Therefore, after school administration notifies a student of the grounds for suspension, school administration may provide alternative options when possible.
9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40 - 121A.56, shall be personally served upon the student at or before the time of suspension is to take effect, and upon the student's parent/guardian by mail within forty-eight (48) hours of the conference.
10. The school administration shall make reasonable efforts to notify the student's parent/guardian of the suspension by telephone as soon as possible following suspension.
11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent/guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
12. Notwithstanding the foregoing provisions, the student may be suspended pending the School Board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures



1. "Expulsion" means a School Board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the School Board.
2. "Exclusion" means an action taken by the School Board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the School Board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40 - 121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent/guardian.
5. The student and parent/guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and their parent/guardian personally or by mail, and shall contain: a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of the hearing; be accompanied by a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40 - 121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and informing the student and parent/guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent/guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department Education (MDE) and is posted on its website.
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent/guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student and the parent/guardian and shall be closed, unless the student or the parent/guardian requests an open hearing.

8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent/guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The School Board may appoint an attorney to represent the school district in any proceedings.
10. If the student designates a representative other than the parent/guardian, the representative must have a written authorization from the student and the parent/guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent/guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent/guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent/guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which will be made to the school district and served upon the parties within two (2) days after closing of the hearing.

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

### **XIII. ADMISSION OR READMISSION PLAN**

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include preventative strategies and skill building. The School Board recognizes that parent/guardian involvement is important for student success. School administrators are expected to involve the parent/guardian in the admission and readmission process. School administrators will review the Code of Student Conduct and potential response to future actions. The readmission plan must

not obligate the parent/guardian to provide mental health or related medication for their child as a condition of readmission.

#### **XIV. NOTIFICATION OF POLICY VIOLATIONS**

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

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

#### **XV. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minnesota Statutes, [Chapter 13](#).

#### **XVI. STUDENTS WITH DISABILITIES**

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the student's IEP team and the student's parent/guardian shall, consistent with federal law, conduct a manifestation determination and determine whether the student's behavior were (i) caused by or had a direct and substantial relationship to the student's disability and (ii) whether the student's conduct was a direct result of a failure to implement the student's IEP. If the student's educational program is appropriate and the behavior were not a manifestation of the student's disability, the school district will proceed with discipline - up to and including expulsion - as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral

assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

## **XVII. OPEN ENROLLED STUDENTS**

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

## **XVIII. DISCIPLINE COMPLAINT PROCEDURE**

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

- A. The Discipline Complaint Procedure must, at a minimum:
1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
  2. provide an opportunity for involved parties to submit additional information related to the complaint;
  3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will

manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;

4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

#### **XIX. DISTRIBUTION OF POLICY**

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

#### **XX. REVIEW OF POLICY**

The building administrator and representatives of parent/guardian, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes will be submitted to the Superintendent for consideration by the School Board, which shall conduct an annual review of this policy.

**Legal Reference:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40 -121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 121A.60 (Definitions)  
 Minn. Stat. § 121A.61 (Discipline and Removal of Students From Class)  
 Minn. Stat. § 122A.42 (General Control of Schools)  
 Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)  
 Minn. Stat. § 124D.03 (Enrollment Options Program)  
 Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)  
 Minn. Stat. Ch. 125A (Special Education and Special Programs)  
 Minn. Stat. § 152.22, Subd. 6 (Definitions)  
 Minn. Stat. § 152.23 (Limitations)  
 Minn. Stat. Ch. 260A (Truancy)  
 Minn. Stat. Ch. 260C (Juvenile Safety and Placement)  
 20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)  
 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
 34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross Reference:** WBLASB Policy 413 (Harassment and Violence)  
 MSBA/MASA Model Policy 419 (Tobacco-Free Environment: Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)  
 WBLASB Policy 501 (School Weapons Policy)  
 WBLASB Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
 WBLASB Policy 503 (Student Attendance)  
 WBLASB Policy 505 (Distribution of Non-School-Sponsored Materials on School Premises by Students and Employees)  
 WBLASB Policy 514 (Bullying Prevention Policy)  
 WBLASB Policy 524 (Electronic Technologies Acceptable Use Policy)  
 WBLASB Policy 525 (Violence Prevention)  
 WBLASB Policy 526 (Hazing Prohibition)  
 WBLASB Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
 WBLASB Policy 610 (Student Field Trips, Fees and Fines)  
 WBLASB Policy 709 (Student Transportation Safety Policy)  
 WBLASB Policy 711 (Video Recording on School Buses)  
 WBLASB Policy 712 (Video Surveillance Other Than on Buses)

AGENDA ITEM: **Policy 507, Corporal Punishment and Prone Restraint**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning**

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**BACKGROUND:**

School Board Policy 507, Corporal Punishment and Prone Restraint, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections II, IV, and VI and the legal references.

The purpose of this policy is to describe limitations on use of corporal punishment and prone restraint upon a student.

**RECOMMENDED ACTION:**

Approve School Board Policy 507, Corporal Punishment and Prone Restraint, as recommended by the School Board Policy Committee and Cabinet.



*Adopted: July 22, 1996*  
*Revised: June 11, 2001*  
*Revised: September 9, 2002*  
*Revised: July 16, 2018*  
*Revised: September 11, 2023*

*White Bear Lake Area  
School District #624 Policy 507*

*Revised: April 11, 2022*  
*Revised: \_\_\_\_\_*

## **507 CORPORAL PUNISHMENT AND PRONE RESTRAINT**

### **I. PURPOSE**

The purpose of this policy is to describe limitations on use of corporal punishment and prone restraint upon a student.

### **II. GENERAL STATEMENT OF POLICY**

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student except as provided below.

### **III. DEFINITIONS**

A. "Corporal punishment" means conduct involving:

1. hitting or spanking a person with or without an object; or
2. unreasonable physical force that causes bodily harm or substantial emotional harm.

B. "Prone restraint" means placing a child in a face-down position.

### **IV. PROHIBITIONS**

- A. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct.
- B. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone or compressive restraint except that the restrictions on prone and compressive restraints do not apply under the circumstances enumerated in Minnesota Statutes, section 609.06, subdivision 1(1). All peace officers, including those who are school resource officers or otherwise agents of a school district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court.

- C. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.
- D. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582.

## V. EXCEPTIONS

An employee or agent of the school district may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

## VI. VIOLATION

Employees and agents of the school district who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to, and in accordance, with applicable statutory authority, collective bargaining agreements and school district policies. Violation of this policy may also result in civil or criminal liability for those school district employees and agents.

**Legal References:** Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 123B.25 (Actions Against Districts and Teachers)  
Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)  
Op. Atty. Gen. 169f (August 22, 2023) (School Pupils: Discipline)  
Op. Atty. Gen. 169f Supp. (September 20, 2023) (School Pupils: Discipline)

**Cross References:** WBLASB Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
WBLASB Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
WBLASB Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
WBLASB Policy 506 (Student Discipline)

AGENDA ITEM: **Policy 510, School Activities**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Tim Wald, Assistant Superintendent for  
Finance and Operations**

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**BACKGROUND:**

School Board Policy 510, School Activities, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections I, III, and IV.

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

**RECOMMENDED ACTION:**

Approve School Board Policy 510, School Activities, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: August 12, 1996*  
*Revised: June 11, 2001*  
*Revised: June 8, 2015*  
*Revised: December 10, 2018*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area*  
*School District #624 Policy 510*

*Revised: December 14, 2020*

## **510 SCHOOL ACTIVITIES**

### **I. PURPOSE**

The purpose of this policy is to impart to students, employees and **the** community the school district's policy related to the student activity program. This policy does not address field trips (refer to Policy 610, Student Field Trips, Fees, and Fines).

### **II. GENERAL STATEMENT OF POLICY**

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental, and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development. School activities, referred to as extra Co-Curricular Activities by the Minnesota State High School League, include:

- A. Competitive athletic activities
- B. Competitive enrichment activities
- C. Non-competitive athletic activities
- D. Non-competitive enrichment activities

### **III. RESPONSIBILITY**

- A. The School Board expects all students who participate in school-sponsored activities to represent the school and community in a responsible manner. All rules pertaining to student conduct and student discipline extend to school activities.
- B. The School Board expects all spectators at school-sponsored activities, including students, parent(s)/guardian(s), employees, and other members of the public, to behave in an appropriate manner at those activities. Students and employees may be subject to discipline and parent(s)/guardian(s) and other spectators may be subject to sanctions for engaging in misbehavior or inappropriate, illegal or unsportsmanlike behavior at these activities or events.

White Bear Lake Schools is committed to providing a safe and welcoming environment for all participants, coaches, officials, and spectators. Sportsmanship and fair play are at the center of education based athletics and activities. We expect spectators to be positive in support of our teams. We are committed to fostering a respectful and inclusive environment where everyone feels valued and safe, regardless of their race, gender, gender identity, sexual orientation, socioeconomic status, ability, home of first language, religion, national origin, age, and/or physical appearance. Any individual or group that demonstrates behaviors that do not support this belief statement are subject to removal from all White Bear Lake Schools events.

ACTS OF MISCONDUCT:

1. Use of artificial noisemakers - examples: megaphones, compressed air horns, duck calls, whistles, cowbells, firecrackers, etc.,
  2. Display of signs, flags, banners and/or placards,
  3. Throwing of objects - examples: silly string, beach balls, confetti makers, baby powder, flour, coins, pop bottles, folded programs etc.,
  4. Use of obscene or abusive language that seeks to offend, intimidate or show prejudice toward a player, cheerleader, official or spectator, including the derogatory use of the names or numbers of opponents,
  5. Being on the premises of a contest while under the influence of or in possession of alcohol or chemicals or in violation of the school's tobacco free policy, and
  6. Unauthorized entry into any scheduled contest or playing surface.
- C. The Superintendent or designee shall be responsible for disseminating information needed to inform students, parent(s)/guardian(s), staff and community of the opportunities available within the school activity program and the rules of participation.
- D. Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the League rules. Those employees who conduct MSHSL activities shall be responsible for familiarizing

students and parent(s)/guardian(s) with all applicable rules, penalties, and opportunities.

- E. The Superintendent or designee shall be responsible for conducting an annual evaluation of school activity programs and presenting the results and any recommendation to the School Board.
- F. The School Board will ensure that any funds raised for extracurricular activities will be spent only on extracurricular activities.

#### IV. STUDENT ACTIVITY FEES

Activity fees will be established in a manner as provided by law. Fees will be reviewed and set annually by the administration and reviewed by the School Board. ~~Refer to Addendum 510.1 for activity fees, terms and conditions.~~

The School Board believes in the benefits derived from participation in district-sponsored activities and supports involvement by all students. Activity fees shall be waived for students whose families qualify for ~~educational benefits~~ ~~free or reduced priced lunch~~. The administration shall establish procedures that ensure proper implementation of this policy provision.

**Legal References:** Minn. Stat. §123B.49 (Extracurricular Activities Insurance)

**Cross References:** WBLASB Policy 503 (Student Attendance)  
WBLASB Policy 506 (Student Discipline)  
WBLASB Policy 713 (Student Activity Accounting)

AGENDA ITEM: **Policy 515, Protection and Privacy of Student Records**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning; and**  
**Matt Mons, Director of Human Resources and General Counsel**

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**BACKGROUND:**

School Board Policy 515, Protection and Privacy of Student Records, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are throughout. The procedural portions of the policy are being recommended to be moved into an addendum.

The purpose of this policy is to recognize the school district's responsibility in regard to the collection, maintenance and dissemination of student records and the protection of the privacy rights of students as provided in federal law and state statutes.

**RECOMMENDED ACTION:**

Approve School Board Policy 515, Protection and Privacy of Student Records, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: September 8, 1997*  
*Revised: June 12, 2000*  
*Revised: April 9, 2001*  
*Revised: September 9, 2002*  
*Revised: November 8, 2007*  
*Revised: March 8, 2010*  
*Revised: September 10, 2012*  
*Revised: January 8, 2018*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area  
School District #624 Policy 515*

*Revised: May 9, 2005*  
*Revised: January 14, 2008*  
*Revised: September 12, 2011*  
*Revised: April 14, 2014*  
*Revised: December 14, 2020*

## **515 PROTECTION AND PRIVACY OF STUDENT RECORDS**

### **I. PURPOSE**

The school district recognizes its responsibility in regard to the collection, maintenance and dissemination of student 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 United States Code, section 1232g, *et seq.*, (Family Educational Rights and Privacy Act [FERPA]), 34 Code of Federal Regulations 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. 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.

### **IV. CONFIDENTIAL RECORDS**

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

## **V. DIRECTORY INFORMATION**

A. "Directory Information," under federal law, 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 the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; 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.

- 1. Under Minnesota law, a school district may not designate a student's home address, telephone number, email address, or other personal contact information as "directory information."
- 2. The directory information described is the White Bear Lake Area

School District's listing of public information.

- a) Student's name
- b) Photograph
- c) Information provided by the student for inclusion in school-approved publications, including district and school social media sites; yearbooks; electronic newsletters; cable TV or newspapers
- d) Participation in officially recognized activities and sports
- e) Weight and height of members of athletic teams
- f) Names and pictures of students participating in or attending extra-curricular activities, school events, and High School League activities or events
- g) Major field of study
- h) Dates of attendance
- i) Grade level
- j) Enrollment status (i.e., full-time or part-time
- k) Degrees, honors, and awards received
- l) Previous educational agency or institution attended

B. 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.

1. Disclosure of directory information will be limited to the following individuals, agencies, or parties:

- a) companies that have a contract with the district to publish yearbooks or distribute class rings;
- b) organizations that exist to promote the school district's interest, such as parent-teacher organizations and area education foundations; and
- c) other organizations determined by the district to promote the interests of the district's students.

2. In addition, Military Recruitment Officers and Post-Secondary Educational Institutions are able to request and access Federal Directory Information.

C. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.

1. The school district shall give annual public notice by any means that are reasonably likely to inform the parents and eligible students of:

- a. the types of personally identifiable information regarding

students and/or parents that the school district has designated as directory information;

b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and

c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI.C. of this policy.

D. 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.

## **VI. EDUCATIONAL RECORDS**

A. "Educational Record," 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. 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.C. 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 service 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. Consent Required for Disclosure

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.

#### E. Prior Consent Not Required for Disclosure

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 to 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;
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;
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 their 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;
6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed;
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;
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;
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;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonable 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 V. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section VII. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide 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;
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, upon 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. 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 or administrator of the school 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;
20. To the principal or administrator of the school 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;
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;

22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 25 United States Code, section 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;
23. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

**F. 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. MILITARY RECRUITMENT OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS DATA DISCLOSURE**

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

and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must make a written request to the office of the Superintendent within thirty (30) days after the date of the last publication of the public notice.

- D. 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 V.D. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

## **VIII. STATEMENT AND ANNUAL NOTIFICATION OF RIGHTS**

- A. 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, except those records which are made confidential by state or federal law and the procedure for inspecting and reviewing education records;
  2. That the parent or eligible student has a right to request the 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. The right to a hearing if the school district refuses to amend the education records of a student 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.
  4. 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;



5. That the parent or eligible student has a right to refuse release of students' names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;

6. 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;

7. 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;

8. 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;

9. The right to be informed about rights under the federal law; and

10. The right to obtain a copy of this policy at the location set forth in Section XV of this policy.

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

## **IX. LIMITS ON REDISCLOSURE**

A. 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. 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.

C. The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section.

#### **XI. 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 or designee.

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.

#### **XII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA**

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

#### **XIII. WAIVER**

A parent or eligible student may waive any of their 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.

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

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

#### **XV. COPIES OF POLICY**

Copies of the school district's policy regarding the protection and privacy of school records are located on the school district's website at <https://www.isd624.org/about/district-policies> and may be obtained at the office of the Superintendent.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.32, Subd. 5 (Directory Information)  
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. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
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)  
Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

**Cross References:** WBLASB Policy 413 (Addendum B: Responding to a Racial and Biased Harm Protocol)  
WBLASB Policy 413 (Addendum C: Administrative Guidelines for Transgender and Gender-Expansive Students)  
WBLASB Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
WBLASB Policy 417 (Chemical Use and Abuse)  
WBLASB Policy 506 (Student Discipline)

WBLASB Policy 519 (Interviews of Students by Outside Agencies)  
WBLASB Policy 520 (Student Surveys)  
WBLASB Policy 529 (Notification to Staff Regarding Placement of Students with Violent Behavior)  
WBLASB Policy 711 (Videotaping on School Bus)  
WBLASB Policy 722 (Public Data Requests)  
WBLASB Policy 906 (Community Notification of Predatory Offenders)  
MSBA School Law Bulletin "I" (School Records - Privacy - Access to Data)

## **~~II. GENERAL STATEMENT OF POLICY~~**

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

## **DEFINITIONS**

### **~~A. Authorized Representative~~**

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

### **~~B. Biometric Record~~**

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

### **~~C. Dates of Attendance~~**

~~“Dates of attendance”, as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, internet or other electronic communication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study~~

~~program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.~~

~~D. Directory Information~~

~~“Directory information” means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes: the student's name; photograph, information that a student provides for inclusion in the yearbook, 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.~~

~~E. Education Records~~

~~1. “Education records” mean those records which: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.~~

~~2. “Education records” do not include:~~

~~a. Records of instructional personnel which:~~

~~(1) are in the sole possession of the maker of the record; and~~

~~(2) are not accessible or revealed to any other individual except a substitute teacher; and~~

~~(3) are destroyed at the end of the school year.~~

~~b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:~~

~~(1) maintained separately from education records;~~

~~(2) maintained solely for law enforcement purposes; and~~

~~(3) disclosed only to law enforcement officials of the same jurisdiction.~~

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

~~(1) are made and maintained in the normal course of~~

~~business;~~

~~(2) — relate exclusively to the individual in that individual's capacity as an employee; and~~

~~(3) — are not available for use for any other purpose.~~

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

~~d. — Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:~~

~~(1) — made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;~~

~~(2) — made, maintained, or used only in connection with the provision of treatment to the student; and~~

~~(3) — disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.~~

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

#### ~~F. — Eligible Student~~

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

#### ~~G. — Juvenile Justice System~~

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

#### ~~H. — Legitimate Educational Interest~~

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

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

#### ~~I. — Parent~~

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

#### ~~J. — Personally Identifiable~~

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

#### ~~K. — Record~~

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

~~L. — Responsible Authority~~

~~“Responsible authority” means the district’s superintendent or designee.~~

~~M. — 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.~~

~~N. — Students~~

~~“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 an applicant for enrollment or registration at the school district, and individuals who receive shared time educational services from the school district.~~

~~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.~~

## **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.~~

## **STATEMENT OF RIGHTS**

### ~~J. 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 students' 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.~~

### ~~K. Eligible Students~~

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

~~§ 99.31(a).~~

~~C. Disabled Students~~

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

~~**DISCLOSURE OF EDUCATION RECORDS**~~

~~L. 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 5e. above, both at the time of the disclosure and at any time in the future; and~~
  - ~~g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for (i) life insurance or non-cancelable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L., which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.~~

~~6. Eligible Student Consent.~~

~~Whenever a student has attained eighteen (18) years of age or is attending an institution of postsecondary 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.~~

~~M. 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 to 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 (ESSA) and, if applicable, data regarding a student's history of violent behavior. The record also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with section XV of this policy;~~
- ~~4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;~~

~~5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:~~

~~a. determine eligibility for the aid;~~

~~b. determine the amount of the aid;~~

~~c. determine conditions for the aid; or~~

~~d. enforce the terms and conditions of the aid.~~

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

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

~~a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or~~

~~b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.~~

~~7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than~~

~~representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy or return to the school district 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 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 educational records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;~~
- ~~12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonable 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~~

~~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;~~

~~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, attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers.~~

~~b. the existence of the following information about a student, not the actual data or other information contained in the student's educational record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.~~

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



19. ~~To the principal or administrator of the school where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minn. Stat. § 260B.171, Subd. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notice 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 or administrator of the school where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's educational record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is~~

~~private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.~~

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

- ~~21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate 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 authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.~~
- ~~22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 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.~~

~~N. — 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.~~

~~RELEASE OF DIRECTORY INFORMATION~~

~~O. — Classification~~

~~Directory information is public except as provided herein.~~

~~P. — 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).~~

~~Q. — 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.~~
  - ~~d. Disclosure of directory information will be limited to the following individuals, agencies, or parties: companies that have a contract with the district to publish yearbooks or distribute class rings; organizations that exist to promote the school district's interest, such as parent teacher organizations and area education foundations; and other organizations determined by the district to promote the interests of the district's students. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information names, addresses and telephone listings unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. [Note: These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).]~~
- ~~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.~~

~~R. — 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 are not to be made public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.~~

~~S. — 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.~~

**~~DISCLOSURE OF PRIVATE RECORDS~~**

~~T. — 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.~~

~~U. 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 service provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.~~

~~V. 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.~~

## **DISCLOSURE OF CONFIDENTIAL RECORDS**

### **W. 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.~~

### **X. Reports Under the Maltreatment of Minors Reporting Act**

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

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

### **Y. Investigative Data**

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

- ~~1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.~~
- ~~2. A complainant has access to a statement he or she provided to the school district.~~

- ~~3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.~~
- ~~4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
  - ~~a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;~~
  - ~~b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or~~
  - ~~c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.~~~~
- ~~5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative or arbitration proceedings.~~

~~Z. 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.~~

~~DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING~~

~~At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based;~~



~~pursuant to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §121A.40, et. seq.~~

## **~~DISCLOSURE OF DATA TO MILITARY RECRUITMENT OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS~~**

~~AA.—The school district will release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within 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.~~

~~BB.—Data released to military recruiting officers under this provision:~~

~~1. —may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and~~

~~2. —cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.~~

~~CC.—A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the Superintendent of Schools or designee, in writing by October 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 recruiters 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.~~

~~DD.—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.~~

~~EE. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.~~

## **LIMITS ON REDISCLOSURE**

### **FF. 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.~~

### **GG. 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.~~

#### ~~HH. — 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.~~

#### ~~II. — 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 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.~~

### ~~RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING~~

#### ~~JJ. — Responsible Authority~~

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

#### ~~KK. — 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.~~

#### ~~LL. — 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.~~

~~MM. 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.~~

~~NN. Record Keeping~~

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

- ~~b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and~~
  - ~~c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.~~
- ~~3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1 of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.~~
- ~~4. The record of requests of disclosures may be inspected by:~~
  - ~~a. the parent of the student or the eligible student;~~
  - ~~b. the school official or his or her assistants who are responsible for the custody of the records; and~~
  - ~~c. the parties authorized by law to audit the record-keeping procedures of the school district.~~
- ~~5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:~~
  - ~~a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and~~

~~b. the parties to whom the school district disclosed the information.~~

~~6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.~~

## **~~RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS~~**

### ~~OO. 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 parents 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.~~

### ~~PP. 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.~~

### ~~QQ. 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.~~

### ~~RR. 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.~~

~~SS. — 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.~~

~~TT. — 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.~~

~~UU. — 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.~~

~~VV. — 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.~~

## ~~REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA~~

### ~~WW. 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.~~

### ~~XX. 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.~~~~

~~YY. 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.~~

#### ~~ZZ.—Appeal~~

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

### ~~PROBLEMS ACCESSING DATA~~

~~AAA.—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.~~

~~BBB.—Data practices official means superintendent or designee.~~

~~CCC.—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.~~

### ~~COMPLAINTS FOR NONCOMPLIANCE WITH FERPA~~

#### ~~DDD.—Where to File Complaints~~

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

#### ~~EEE.—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.~~

### ~~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.~~

### ~~ANNUAL NOTIFICATION OF RIGHTS~~

#### ~~FFF.—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 request the 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.~~

~~GGG. 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.~~

~~HHH. 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.~~

## **~~DESTRUCTION AND RETENTION OF RECORDS~~**

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

## **~~COPIES OF POLICY~~**

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

**~~Legal References:~~** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 14 (Administrative Procedures Act)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 121A.40—121A.56 (The Pupil Fair Dismissal Act)  
Minn. Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)  
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)  
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services) Minn. Minn. Stat. § 260B.171. Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)  
Minn. Stat. § 363A.42 (Public Records Accessibility)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) Minn. 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)  
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)  
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)  
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)  
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)  
*Gonzaga University v. Doe*, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)

**~~Cross References:~~** WBLASB Policy 413 (Addendum B: Responding to a Racial and Biased Harm Protocol)  
WBLASB Policy 413 (Addendum C: Administrative Guidelines for Transgender and Gender-Expansive Students)  
WBLASB Policy 414 (Mandated Reporting of Child Neglect or

~~Physical or Sexual Abuse)~~  
~~WBLASB Policy 417 (Chemical Use and Abuse)~~  
~~WBLASB Policy 506 (Student Discipline)~~  
~~WBLASB Policy 519 (Interviews of Students by Outside Agencies)~~  
~~WBLASB Policy 520 (Student Surveys)~~  
~~WBLASB Policy 529 (Notification to Staff Regarding Placement of  
Students with Violent Behavior)~~  
~~WBLASB Policy 711 (Videotaping on School Bus)~~  
~~WBLASB Policy 906 (Community Notification of Predatory  
Offenders)~~  
~~MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School  
Records Privacy Access to Data)~~

AGENDA ITEM: **Policy 516, Student Medication**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Lisa Ouren, Director of Student Support Services**

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**BACKGROUND:**

School Board Policy 516, Student Medication, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections I, II, and III, and the legal references.

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

**RECOMMENDED ACTION:**

Approve School Board Policy 516, Student Medication, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: September 8, 1997*  
*Revised: August 27, 2001*  
*Revised: September 9, 2002*  
*Revised: February 10, 2003*  
*Revised: January 14, 2013*  
*Revised: December 14, 2020*

*White Bear Lake Area  
School District #624 Policy 516*

*Revised: May 9, 2005*  
*Revised: December 9, 2019*  
*Revised: \_\_\_\_\_*

## 516 STUDENT MEDICATION

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require ~~prescribed~~ drugs or medication during the school day. The school district's licensed school nurse or trained designee will administer medications, except any form of medical cannabis, in accordance with law and school district procedures.

### ~~III. DEFINITION~~

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

### ~~III.~~ IV. REQUIREMENTS

- A. The administration of ~~prescription and nonprescription~~ medication requires a completed ~~signed~~ "Authorization for Administration of Medication at School" form signed by ~~authorization from~~ the student's parent or guardian and medical provider. The school district may rely on an oral parent/guardian request to administer medication for up to two school days, after which a written authorization is required from both the parent/guardian and medical provider.
- B. An "Authorization for Administration of ~~Prescription~~ Medication at School" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes, ~~section~~ Stat. § 152.22, subdivision Subd. 6.
- C. All medication must come to school in the original container. Prescription medication must be labeled for the student by an authorized medical professional in accordance with law, and must be

administered in a manner consistent with the instructions on the label and prescriber instructions. The medication cannot be expired.

- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (Individual Education Program), Section 504 plan, or IHP (Individual Health Plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization and container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medication used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the "Authorization for Administration of Prescription Medications at School" form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minnesota Statutes, section ~~Stat. §~~ 121A.21).
- J. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.



K. Specific Exceptions:

1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feeding do not constitute administration of drugs and medicine.
2. Emergency health situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay ~~procedures, including emergency administration of drugs and medicine~~ are not subject to this policy.
3. Drugs or medication provided or administered by a public health agency to prevent or control an illness or a disease outbreak is not governed by this policy.
4. Drugs or medication used at school in connection with services for which a minor may give effective consent are not governed by this policy. The "Authorization for a Administration of m Medication at School" paperwork signed by a licensed prescriber, must still be on file in the health office.
5. Drugs or medicines that are prescription asthma or reactive airway disease medications may be self-administered by a student with an asthma inhaler if:
  - a. The school district has received a written authorization from the pupil's parent/guardian permitting the student to self-administer the medication;
  - b. The inhaler is properly labeled for that student; and
  - c. The parent has not requested school personnel to administer the medication to the student.

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

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the

student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's health record a plan to implement safe possession and use of asthma inhalers.

6. Medications:
  - a. that are used off school grounds;
  - b. that are used in connection with athletics or extracurricular activities; or
  - c. that are used in connection with activities that occur before or after the regular school day are not governed by this policy.
7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. ~~Except as stated in this paragraph, only prescription medications are governed by this policy.~~
8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed non-syringe injectors of epinephrine that enables the student to:
  - a. possess epinephrine auto-injectors; or
  - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including

recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. 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 healthcare professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

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

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

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

N. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes, [section §-152.01](#), subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.

3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section §-152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

**Legal References:** Minn. Stat. § 13.32 (Educational Data~~Student Health Records~~)  
Minn. Stat. § 121A.21 (Hiring of Health Personnel)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)  
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)  
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)  
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)  
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)  
Minn. Stat. § 152.02 (Definitions)  
~~Minn. Stat. § 151.212 (Label of Prescription Drug Containers)~~  
Minn. Stat. § 152.22 (~~Medical Cannabis~~, Definitions)  
Minn. Stat. § 152.23 (~~Medical Cannabis~~, Limitations)  
20 U.S.C. § 1400, *et seq.* (Individuals with Disabilities Education ~~Improvement Act of 2004~~)  
29 U.S.C. 794, *et. seq.* (Rehabilitation Act of 1973, § 504)

**Cross References:** WBLAS Policy 418 (Drug-Free Workplace/Drug Free School)

AGENDA ITEM: **Policy 529, Staff Notification of Violent Behavior By Students**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Superintendent for Teaching and Learning;**  
**Lisa Ouren, Director of Student Support Services**

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**BACKGROUND:**

School Board Policy 529, Staff Notification of Violent Behavior By Students, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections III, IV, VII, and the legal and cross references.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding the placement of students with a history of violent behavior.

**RECOMMENDED ACTION:**

Approve School Board Policy 529, Staff Notification of Violent Behavior By Students, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: August 27, 2001*  
*Revised: July 18, 2005*  
*Revised: November 8, 2007*  
*Revised: February 8, 2021*

*White Bear Lake Area  
School District #624 Policy 529*

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

## **529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS**

### **I. PURPOSE**

In an effort to provide a safe school environment, the assigned classroom teacher and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to manage such a student.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding the placement of students with a history of violent behavior.

### **II. GENERAL STATEMENT OF POLICY**

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

### **III. DEFINITIONS**

For the purposes of this policy, the following terms have the meaning given them.

- A. Administration  
“Administration” means the Superintendent, building principal, or other designee.
- B. Classroom Teacher

“Classroom Teacher” means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

1. A student will be considered to have a history of violent behavior if incident(s) of violence, including any documented physical assault of a school district employee by the student, have occurred during the current or previous school year.
2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.

D. Incident(s) of Violence

“Incident(s) of violence” means willful conduct in which a student endangers or causes physical injury to themselves, other students, a school district employee, or surrounding person(s), or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.

E. Legitimate Educational Interest

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

1. Perform an administrative task required in the school or the 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.

F. School Staff Member

“School Staff Member” includes:

1. A person duly elected to the sSchool bBoard;

2. A person employed by the sSchool bBoard in an administrative, supervisory, instructional, or other professional position;
3. A person employed by the sSchool bBoard as a temporary substitute in a professional position for the period of ~~their~~ his-or-her performance as a substitute; and
4. A person employed by, or under contract to, the sSchool bBoard to perform a special task such as a secretary, clerk, public information officer, or data practices compliance official, an attorney, or an auditor for the period of ~~their~~ his-or-her performance as an employee or contractor.

#### IV. PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR

A. Reports of Violent Behavior

Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.

B. Recipients of Notice

Each classroom teacher of a student with a history of violent behavior (see Section III.C., above) will receive written notification from the administration prior to placement of the student in the teacher's classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher's classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior.

The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

C. Determination of Who Receives Notice

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the sSchool



~~b~~Board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

D. Form of Written Notice

The notice given to classroom teachers and school staff members will be in writing and will include the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.
2. Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved school district Records Retention Schedule.

F. Meeting Regarding Students with a History of Violent Behavior

1. If the administration determines, ~~in his or her discretion~~, that the classroom teacher and/or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.
2. The persons present at the meeting may have access to the data described in Section IV.D., above.

G. Law Enforcement Reports

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate,

information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

## V. MAINTENANCE AND TRANSFER OF RECORDS

A report, notice, or documentation pertaining to a student with a history of violent behavior are educational records of a student and will be retained, maintained, and transferred to a school or school district in which a student seeks to enroll in accordance with Policy 515, Protection and Privacy of Pupil Records.

## VI. PARENTAL/GUARDIAN NOTICE

- A. The administration will notify parents or guardians annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.
- B. Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge records or data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

## VII. TRAINING NEEDS

Representatives of the ~~s~~School ~~b~~Board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and may discuss necessary intervention services such as student behavioral assessments.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.22, Subd. 7 (~~Compulsory Instruction~~ ~~School Attendance—Education Records~~)  
Minn. Stat. § 121A.45 (Grounds for Dismissal)  
Minn. Stat. § 121A.64 (Notification; ~~Teachers' Legitimate Educational Interest of Students with Violent Behavior~~)  
Minn. Stat. § 121A. 75 (~~Receipt of Records; Sharing~~ ~~Law Enforcement Notice to School~~)  
Minn. Rules Parts 1205.0100 - 1205.2000 (Data Practices)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)  
Minn. Laws 2003, 1<sup>st</sup> Sp., Ch. 9, Art 2, § 53

***Cross References:*** WBLASB Policy 515 (Protection and Privacy of Student ~~Public~~ Records)

AGENDA ITEM: **Policy 607, Organization of Grade Levels**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Superintendent for Teaching and Learning**

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**BACKGROUND:**

School Board Policy 607, Organization of Grade Levels, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in section II, and the legal references.

The purpose of this policy is to address the grade level organization of schools within the school district.

**RECOMMENDED ACTION:**

Approve School Board Policy 607, Organization of Grade Levels, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: September 8, 1997*  
*Revised: June 11, 2001*  
*Revised: January 11, 2021*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area*  
*School District #624 Policy 607*

## **607 ORGANIZATION OF GRADE LEVELS**

### **I. PURPOSE**

The purpose of this policy is to address the grade level organization of schools within the school district.

### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to address the groupings of grade levels as recognized in Minnesota Statutes, section ~~Stat. §~~ 120A.05, as follows:

Elementary: Grades K through 5    Grades ~~p~~Prekindergarten through 5

Middle:            Grades 6 through 8

Senior High: Grades 9 through 12

- B. The Superintendent may seek School Board approval to administer certain programs on a nongraded basis or a design different from that indicated. Program proposals that seek school board approval must meet all state requirements and reflect the rationale for the modification.
- C. The school district may request documentation that verifies a student falls within the school's minimum and maximum age requirements for admission to publicly funded prekindergarten, preschool, kindergarten, or grades 1 through 12. Documentation may include a passport, a hospital birth record or physician's certificate, a baptismal or religious certificate, an adoption record, health records, immunization records, immigration records, previously verified school records, early childhood screening records, Minnesota Immunization Information Connection records, or an affidavit from a parent.

### **III. DEFINITIONS**

- A. "Kindergarten" means a program designed for students five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter first grade the following school year.

- B. “Prekindergarten” means a program designed for students younger than five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter kindergarten the following school year.

**Legal References:** Minn. Stat. § 120A.05, Subds. 9, 10a, 11, 13, 17 (~~Definitions~~ ~~Public Schools~~)  
Minn. Stat. § 120A.20, Subd. 4 (~~Verification of Age for~~ Admission to Public School)  
Minn. Stat. § 123B. 02, Subd. 2 (General Powers of Independent School Districts)

**Cross References:**

AGENDA ITEM: **Policy 613, Graduation Requirements**

MEETING DATE: **January 8, 2024**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON(S): **Dr. Alison Gillespie, Superintendent for Teaching and Learning**

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**BACKGROUND:**

School Board Policy 613, Graduation Requirements, was reviewed by the School Board Policy Committee and Cabinet, had a first reading in December and is being recommended for a second reading. The changes recommended to this policy are in sections VI, and VII.

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

**RECOMMENDED ACTION:**

Approve School Board Policy 613, Graduation Requirements, as recommended by the School Board Policy Committee and Cabinet.

*Adopted: September 8, 1997*  
*Revised: June 11, 2002*  
*Revised: July 18, 2005*  
*Revised: November 8, 2007*  
*Revised: April 11, 2011*  
*Revised: November 12, 2019*  
*Revised: \_\_\_\_\_*

*White Bear Lake Area  
School District #624 Policy 613*

*Revised: December 14, 2009*  
*Revised: February 13, 2012*  
*Revised: September 11, 2023*

## **613 GRADUATION REQUIREMENTS**

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

### **III. DEFINITIONS**

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district. **An academic year of study is equivalent to two (2) full credits.**
- B. “English language learners” or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.
- C. “Individualized Education Program” or “IEP” means a written statement developed for a student eligible by law for special education and services.
- D. “Required standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, and the arts, and (2) a locally adopted expectation for student learning in health.
- E. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.



#### **IV. DISTRICT ASSESSMENT COORDINATOR**

The Superintendent or designee shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures.

#### **V. GRADUATION REQUIREMENTS**

Students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

- A. Achievement and career and college readiness tests in mathematics, reading, and writing, as measured against a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation and which facilitates the:
  - 1. monitoring of students' continuous development of and growth in requisite knowledge and skills; analysis of students' progress and performance levels, identification of students' academic strengths and diagnosis of areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and
  - 2. determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on analysis of students' progress and performance data; and
- B. Consistent with this paragraph and Minnesota Statutes, section 120B.125 (see Policy 604, Section II.H.), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
- C. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.
- D. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core

subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.

- E. Students meeting the state graduation requirements under this section and who are students in grade 11 or 12 and who are identified as academically ready for a career or college are actively encouraged by the school district to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment to graduate from high school.
- F. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

## VI. GRADUATION CREDIT REQUIREMENTS

Students who enter grade 9 the Fall of 2025 and later must successfully complete, as determined by the school district, the following high school level credits for graduation:

- A. ~~Four~~ Eight credits of language arts sufficient to satisfy all academic standards in English language arts;
- B. ~~Three~~ Six credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics.
- C. An algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;
- D. ~~Three~~ Six credits of science, including at least: (a) one credit of biology; (b) one credit of chemistry or physics; and (c) one elective credit of science. The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;
- E. ~~Three and one-half~~ Seven credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
- F. ~~One~~ Two credits in the arts sufficient to satisfy all of the state or local academic standards in the arts; ~~and~~
- G. Three credits in physical education and health;
- H. One credit in personal finance; and
- G.I. A minimum of ~~seven~~ twenty-two elective credits.

## **H.J.** Credit equivalencies

1. **A trimester class is equivalent to one full academic credit.**
- ~~2.1.~~ A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under Paragraph E., above, if the credit is sufficient to satisfy all of the academic standards in economics.
- ~~3.2.~~ An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph D., above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph D., above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry or physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph D., above.
- ~~4.3.~~ A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph B. or Paragraph F., above.
- ~~5.4.~~ A computer science credit may fulfill a mathematics credit requirement under Paragraph B., above, if the credit meets state academic standards in mathematics.
- ~~6.5.~~ A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph B. or Paragraph D., above, if the credit meets the state academic standards in mathematics or science.
- ~~7.6.~~ An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.
8. **Addendum A provides a detailed credit conversion chart for students who entered 9th grade in the Fall of 2024, 2023, and 2022. (Note: One credit of personal finance is required for 9th grade students who started in Fall of 2024 and later.)**

## VII. GRADUATION STANDARDS REQUIREMENTS

- A. All students must demonstrate their understanding of the following academic standards:
  - 1. School District Standards, Health (K-12);
  - 2. School District Standards, Career and Technical Education (K-12); and
  - 3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical education will be reviewed on an annual basis.\* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.

\* Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.
- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
  - 1. Minnesota Academic Standards, English Language Arts K-12;
  - 2. Minnesota Academic Standards, Mathematics K-12;
  - 3. Minnesota Academic Standards, Science K-12;
  - 4. Minnesota Academic Standards, Social Studies K-12; and
  - 5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except ~~the very few~~ students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

## VIII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minnesota Statutes, section 120B.07, upon meeting the following conditions:

- A. All course, standards, and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the Superintendent and School Board.

**Legal References:** Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.021 (Required Academic Standards)  
Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.024 (Credits)  
Minn. Stat. § 120B.07 (Early Graduation)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)  
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)  
Minn. Rules Parts 3501.0660 (Graduation Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Graduation Standards for Mathematics)  
Minn. Rules Parts 3501.0820 (Graduation Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0960 (Graduation Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Graduation Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Graduation Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

**Cross References:** WBLASB Policy 601 (School District Curriculum and Instruction Goals)  
WBLASB Policy 614 (School District Testing Plan and Procedure)  
WBLASB Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
WBLASB Policy 616 (School District System Accountability)  
White Bear Lake Area High School Registration Guide