



EDEN PRAIRIE SCHOOLS

Inspiring each student every day

SCHOOL BOARD Regular Meeting

Monday, August 26, 2024

6:00 PM

MEETING AGENDA

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

1. CONVENE: **6:00 PM**

Call to Order - School Board Roll Call

Steve Bartz, Aaron Casper, Abby Libsack, Kim Ross, Charles "CJ" Strehl, Dennis Stubbs

Board Member, Debjyoti "DD" Dwivedy, will participate remotely under MN Statue 13D.01, Subdivision 1(b)(1)

2. Pledge of Allegiance

3. Agenda Review and Approval **(Action)**

Approval of the agenda for the Monday, August 26, 2024, meeting of the School Board of Independent School District 272, Eden Prairie Schools.

Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___

Kim Ross Yes___ No___ Dennis Stub Yes___ No___

Aaron Casper Yes___ No___ Steve Bartz Yes___ No___

Debjyoti Dwivedy Yes___ No___

4. Approval of Previous Minutes **(Action)**

Approval of the UNOFFICIAL Minutes of the School Board Regular Meeting for the June 24, 2024, and the July 22, 2024 Meetings.

Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___

Kim Ross Yes___ No___ Dennis Stub Yes___ No___

Aaron Casper Yes___ No___ Steve Bartz Yes___ No___

Debjyoti Dwivedy Yes___ No___

A. June 24, 2024 Minutes

10

B. July 22, 2024 Minutes

14

5. Public Comment: **6:05 PM**

6. Announcements: **6:15 PM** **(Information)**

7. Board Work: **6:20 PM** **(Action)**

A. Decision Preparation

B. Required Board Action

C. Policy Monitoring **(Action)**

1) EL 2.1 Emergency Superintendent Succession **(Action)**

15

To protect the Board from sudden loss of Superintendent services, the Superintendent shall not permit there to be fewer than two other staff members sufficiently familiar with Board and Superintendent issues and processes who would be able to take over with reasonable proficiency as an interim successor.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___

Kim Ross Yes___ No___ Dennis Stub Yes___ No___

Aaron Casper Yes___ No___ Steve Bartz Yes___ No___

Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

2) EL 2.2 Treatment of Students (Action)

19

The Superintendent shall not cause or allow an educational environment that is unsafe, unwelcoming, inequitable, disrespectful, unnecessarily intrusive, or that otherwise inhibits the effective learning needs of each student.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

a. EL 2.2.1 - Allow student to be unprotected against violence or harassment.**OI Motion _____ Seconded _____**

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

b. EL 2.2.2 - Allow private student data to be unprotected.**OI Motion _____ Seconded _____**

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

c. EL 2.2.3 - Unfairly or inequitably identify and address student behavior violations.**OI Motion _____ Seconded _____**

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

d. EL 2.2.4 - Hire paid personnel without first completing an appropriate background violations.**OI Motion _____ Seconded _____**

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes²___ No___

Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

e. EL 2.2.5 - Allow any volunteer unsupervised time with students without first completing an appropriate background check.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

f. EL 2.2.6 - Neglect to assure an equitable system for access to academic programming.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

g. EL 2.2.7 - Allow students to be uninformed of their protections under this policy.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

h. EL 2.2.8 - Neglect to assure that all allegations of student maltreatment are handled in a timely manner.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

i. EL 2.2.9 - Neglect to provide adequate minimum eating times and access to school meals for students.

OI Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ **Seconded** _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

j. EL 2.2.10 - Neglect to provide adequate minimum time and access to recess for elementary students.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

3) EL 2.7 Asset Protection **(Action)**

55

The Superintendent shall not cause or allow district assets to be unprotected, inadequately maintained, inappropriately used, or unnecessarily risked.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

a. 2.7.1 - Develop a facilities construction renovation and maintenance plan that is not part of a comprehensive rolling five-year plan.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

b. 2.7.2 - Fail to insure against theft and casualty losses at 100 percent of replacement value and against liability losses to School Board members, staff, and the district itself in an amount greater than the average for comparable districts.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

c. 2.7.3 - Subject facilities and equipment to improper wear and tear or insufficient maintenance.

OI Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

Evidence Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

d. 2.7.4 - Allow external guests or user groups access to the facilities or assets without procedures in place to protect district concerns.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

Evidence Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

e. 2.7.5 - Unnecessarily expose the district, its School Board, or its staff to claims of liability.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

Evidence Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

f. 2.7.6 - Endanger the district's public image, its credibility, or its ability to accomplish ends.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

Evidence Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

g. 2.7.7 - Allow uninsured personnel access to material amounts of funds.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

Evidence Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

h. 2.7.8 - Receive, process, or disburse funds under controls that are insufficient to meet the School Board-appointed auditor's standards.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

Evidence Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes___ No___
Kim Ross	Yes___ No___	Dennis Stub	Yes___ No___
Aaron Casper	Yes___ No___	Steve Bartz	Yes___ No___
Debjyoti Dwivedy	Yes___ No___		

i. 2.7.9 - Compromise the independence of the School Board's audit or other external monitoring or advice.

OI Motion _____ **Seconded** _____

Abby Libsack	Yes___ No___	Charles Strehl	Yes ⁵ ___ No___
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Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___
Evidence Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

j. 2.7.10 - Substantially change the principal educational purpose of a school by closing, repurposing, consolidating, combining or creating new or choice destination schools without School Board approval.

OI Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___
Evidence Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

k. 2.7.11- Allow anyone other than the School Board to name facilities, schools, classrooms, or spaces within the district.

OI Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___
Evidence Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

l. 2.7.12 - Eliminate any non-state-required programs that would adversely affect our reputation and/or diminish the value of our broad-based educational opportunities without School Board approval.

OI Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___
Evidence Motion _____ Seconded _____
 Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

4) Ends 1.6 - Monitoring Measuring Plan **(Action)**

88

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___
 Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
 Debjyoti Dwivedy Yes___ No___

D. Record of Board Self-Evaluation **(Action)**

1) 2024-25 Record of Board Policy Monitoring - *Board-Management Delegation (BMD) & Governance Policies (GP) (No Updates)*

93

2) 2024-25 Record of Board Policy Monitoring - *Executive Limitations (No Updates)*

99

3) 2024-25 Record of Board Policy Monitoring - *Ends (Action)*

100

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
 Kim Ross Yes___ No___ Dennis Stub Yes___ No___

Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

8. Superintendent Consent Agenda: 7:30 PM (Action)

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

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

A. Monthly Reports

1) Human Resources Report 102

2) Business Services Reports

a. Board Business 108

B. Approval of Updated District Policies - See Appendix "A" (Individual Detail Listing of Policies)

1) Memo to the Board - Summary - District Policies 109

2) District Policy 102 - Equal Educational Opportunity

3) District Policy 413 - Harassment & Violence

4) District Policy 418 - Drug Free Workplace

5) District Policy 419 - Tobacco Free Environment

6) District Policy 506 - Student Discipline

7) District Policy 507 - Corporal Punishment

8) District Policy 512 - School-Sponsored Student Publications and Activities

9) District Policy 513 - Student Promotion, Retention and Program Design

10) District Policy 515 - Protection and Privacy of Student Records

11) District Policy 515-F - Public Notice

12) District Policy 516 - Student Medication

13) District Policy 521 - Student Disability Nondiscrimination

14) District Policy 522 - Title IX Nondiscrimination Policy, Grievance Procedure and Process

15) District Policy 532 - Use of Peace Officer & Crisis Teams to Remove Students with IEP from School Grounds

16) District Policy 607 - Organization of Grade Levels

17) District Policy 609 - Religion and Cultural Observance

18) District Policy 624 - Online Instruction

19) District Policy 708 - Transportation of Nonpublic School Students

20) District Policy 709 - Student Transportation Safety Policy

C. Approval of Agreement: Classified and Administrative Support Staff (CLASS) 112

D. Seek Bid: Valley View Property Remodel 113

9. Superintendent's Incidental Information Report: 7:35 PM (Information)

Incidental Information is considered as "nice to know" information regarding district business. Monitoring and decision-making information are handled elsewhere on the agenda. These items are not open for debate, but rather for awareness and understanding. (Supports EL 2.9 in general and 2.9.6 specifically)

A. Superintendent Update

10. Board Action on Committee Reports & Minutes: 7:45 PM (Action)

A. Board Development Committee

B. Community Linkage Committee

1) CLC Minutes for July 18, 2024 Meeting

114

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

2) Approval of September 2025 Inspiring News Article - MWM Prudent Fiscal Management

115

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

C. Negotiations Committee

D. Policy Committee

11. **Other Board Updates (AMSD, BrightWorks, ISD 287 & MSHSL): 8:05 PM (Information)**

A. AMSD (Association of Metropolitan Schools) - *Abby Libsack/Kim Ross*

B. BrightWorks (formerly ECSU) - *Dennis Stubbs*

C. ISD 287 (Intermediate School District 287) - *Kim Ross*

D. MSHSL (Minnesota State High School League) - *Dennis Stubbs*

12. **Board Work Plan: 8:10 PM (Action)**

A. Work Plan "Changes" Document **(Action)**

119

Motion _____ Seconded _____

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

B. 2024-25 Board Annual Work Plan **(Information)**

120

13. **Adjournment: (Action)**

Motion _____ Seconded _____ to adjourn meeting at _____ **PM**

Abby Libsack Yes___ No___ Charles Strehl Yes___ No___
Kim Ross Yes___ No___ Dennis Stub Yes___ No___
Aaron Casper Yes___ No___ Steve Bartz Yes___ No___
Debjyoti Dwivedy Yes___ No___

14. **Appendix "A" (Reference Item 8,B)**

A. District Policy 102

133

B. District Policy 413

135

C. District Policy 418

145

D. District Policy 419

151

E. District Policy 506

155

F. District Policy 507

179

G. District Policy 512

182

H. District Policy 513

188

I. District Policy 515

190

J. District Policy 515-F

224

K. District Policy 516

234

L. District Policy 521

241

M. District Policy 522	243
N. District Policy 532	303
O. District Policy 607	308
P. District Policy 609	310
Q. District Policy 624	312
R. District Policy 708	319
S. District Policy 709	323

INDEPENDENT SCHOOL DISTRICT 272 ~ EDEN PRAIRIE SCHOOLS
UNOFFICIAL MINUTES OF THE JUNE 24, 2024
SCHOOL BOARD MEETING

A Regular Meeting of the Independent School District 272, Eden Prairie Schools, was held on June 24, 2024, in the Eden Prairie District Administrative Offices, 8100 School Road, Eden Prairie, MN 55344.

1. Convene: 6:00 PM (Roll Call)

School Board Members:

Present: Steve Bartz, Aaron Casper, Abby Libsack, Kim Ross, Charles "CJ" Strehl, Dennis Stubbs and Board Member Debjyoti "DD" Dwivedy joined meeting remotely.

Present: Superintendent Josh Swanson

2. Pledge of Allegiance

3. Agenda Review and Approval – Motion by S. Bartz, **Seconded** by C. Strehl to approval of the agenda for the Monday,

June 24, 2024, meeting of the School Board of Independent School District 272, Eden Prairie Schools; **Motion Amended** by D. Dwivedy, **Seconded** by D. Stubbs to remove "Discussion: School Board Member Long-term Absence" from Work Plan (Item #11) and place Discussion before Item #10, Board Action on Committee Reports & Minutes – Passed 6-1 (Yes-AC, DD, SB, KR, AL, DS; No-CS); **Original Motion** Passed Unanimously

4. Approval of Previous Minutes – Motion by S. Bartz, **Seconded** by K. Ross to approval of the UNOFFICIAL Minutes of the School Board Regular Business Meetings on May 28, 2024, and the Workshop Notes for June 10, 2024, Passed Unanimously

5. Public Comment (4) – Graduation & District Policies (2), Violence at CMS & EPHS, Elementary Behavior and Accountability

6. Announcements

Eagle Excellence is never hard to find in June, when we celebrate the year-end achievements of our students. Despite some of the challenges of this year's graduation ceremony, I know we were all filled with pride watching the newest Eden Prairie Schools alumni cross the stage and accept their diplomas, especially in this historic year. I, and all of our staff, wish the Class of 2024 all the best as they move into their futures ready to contribute to their communities and inspire others.

- I want to extend a specific congratulations to our [44 EPHS AVID Class of 2024 graduates](#)! AVID, which stands for Advancement Via Individual Determination, is a 7 through 12th grade cohort program that supports students with academic and personal skill development as well as college and career readiness. The Class of 2024 is our largest AVID graduating class so far, with 44 students! The class has been awarded countless merit scholarships to support them in pursuit of their postsecondary goals.
- Over 60 seniors at Eden Prairie High School were celebrated with scholarships during the [Celebration of Excellence](#) on May 16. The event showcased the community's pride in and support for these outstanding students, and scholarships for our seniors were generously provided by various local organizations and foundations, including the Foundation for Eden Prairie Schools, Grace Church, the Eden Prairie Education Association, Eden Prairie Lions, Eden Prairie Noon Rotary, and many more. **Thank you** to our amazing community partners for nurturing the potential and success of our students at this exciting time in their lives!
- Well done and **Congratulations** to the EPHS softball team for winning all four Section 2AAAA games and advancing to the state tournament for the first time in five years, finishing in 3rd place.
- Our Marketing & Communications team continues to earn national recognition, most recently with seven awards from the National School Public Relations Association. These awards recognized the team's excellence in strategy, emergency communications, newsletters, marketing, video, and branding. As you all know, Executive Director of Marketing & Communications Dirk Tedmon is a finalist for the association's National School Communicator of the Year Award, and we're wishing him luck as he travels to Seattle next month for the national conference!

- **Congratulations** to CMS eighth grader Sahil Parasharami for winning first place in the 13th annual World of 8 Billion international student video contest! His 60-second video, "Coastal Communities," explores climate migration due to sea level rise affecting cities like New York, Miami, San Francisco, and Mumbai. In addition to being on the CMS speech and debate team, Sahil won second place in the junior Olympics for pickleball, is a state champion for ATA Taekwondo, and is also an avid cricketer. Way to go, Sahil!
- **Kudos** to Eden Lake's fifth grade student Atharv Wani for being a top state winner in the 2024 Math Masters competition. Atharv had a first-place tie in the 5th grade face drill round! As a top winner, he was awarded tickets to an upcoming Minnesota Twins baseball game.
- **Congratulations** to the EPHS boys' tennis team. They had an impressive performance in the 2024 State Class AA State Championship, with a fifth-place finish!

7. Board Work

A. Decision Preparation

B. Required Board Action

- 1) *Resolution* Awarding the 2024 Certificates of Participation for Property Purchase
 - a. Ehlers presents "Sale Day Report"
 - b. Board Resolution to Ratify Sale of Bonds – **Motion** by A. Libsack, **Seconded** by A. Casper to approve and adopt as presented – Passed Unanimously
 - c. Taxable Certificates of Participation, Series 2024A
 - d. General Certificate of the District
- 2) Approval of FY 2024-25 Adopted Budget – **Motion** by A. Libsack, **Seconded** by A. Casper to approve as presented – Passed Unanimously
 - a. Executive Summary
 - b. Budget Presentation
 - c. Budget Report
- 3) ISD 287 10-Year Facilities Maintenance Resolution – **Motion** by A. Libsack, **Seconded** by A. Casper to approve as presented – Passed Unanimously
 - a. Executive Summary
 - b. ISD 287 LTFM Expenditure Application
 - c. Resolution - *Roll Call*

C. Approval of FY 2024-25 School Meal Prices **Motion** by K. Ross, **Seconded** by S. Bartz to approve as presented – Passed Unanimously

D. Policy Monitoring

- 1) 2023-2024 Ends 1.1, 1.2, 1.3, 1.4, 1.5, 1.6 Operational Interpretation (OI) & Measurement Plan
 - a. Ends 1.1 OI and Measurement Plan
Motion by K. Ross, **Seconded** by S. Bartz, OI is reasonable – Passed Unanimously
Motion by K. Ross, **Seconded** by A. Casper, Measurement Plan evidence supports OI – Passed Unanimously 5-2 (Yes-AC,DD,ST,KR,DS; No-CS,AL)
 - b. Ends 1.2 OI and Measurement Plan
Motion by S. Bartz, **Seconded** by A. Casper, OI is reasonable – Passed Unanimously
Motion by S. Bartz, **Seconded** by A. Libsack, Measurement Plan evidence supports OI – Passed Unanimously
 - c. Ends 1.3 OI and Measurement Plan
Motion by A. Casper, **Seconded** by S. Bartz, OI is reasonable – Passed Unanimously
Motion by A. Casper, **Seconded** by A. Libsack, Measurement Plan evidence supports OI – Passed Unanimously
 - d. Ends 1.4 OI and Measurement Plan
Motion by A. Casper, **Seconded** by S. Bartz, OI is reasonable – Passed Unanimously
Motion by A. Casper, **Seconded** by K. Ross, Measurement Plan evidence supports OI – Passed Unanimously
- Motion** by A. Casper, **Seconded** by S. Bartz to recess at 8:38 p.m. – Passed Unanimously; resumed at 8:39 p.m.

- e. Ends 1.5 OI and Measurement Plan
 - Motion** by A. Casper, **Seconded** by K. Ross, OI is reasonable – Passed Unanimously
 - Motion** by A. Casper, **Seconded** by S. Bartz, Measurement Plan evidence supports OI – Passed Unanimously
- f. Ends 1.6 OI and Measurement Plan
 - Motion** by S. Bartz, **Seconded** by A. Casper, OI is Reasonable – Passed Unanimously
 - Motion** by A. Casper, **Seconded** by K. Ross, Measurement Plan evidence supports OI – **Motion Failed** 1-6; Yes (1) K. Ross; No (6) AC,DD,SB,CS,AL,DS
- E. Record of Board Self-Evaluation - *No Updates*
 - 1) 2023-24 Record of Board Policy Monitoring - Governance Process (GP's) & Board-Management Delegation (BMD's)
 - 2) 2023-24 Record of Board Policy Monitoring - Executive Limitations (EL's)
 - 3) 2023-24 Record of Board Policy Monitoring - Ends
- 8. **Superintendent Consent Agenda – Motion** by A. Casper, **Seconded** by C. Strehl to approve as presented – Passed Unanimously
 - A. Monthly Reports
 - 1) Resolution of Acceptance of Donations
 - 2) Human Resources Report
 - 3) Business Services Reports
 - a. Board Business
 - b. Financial Report - Monthly Revenue/Expenditure Report
 - B. Q-Comp Annual Report
 - C. EPS 10-Year Facilities Maintenance Plan
 - 1) Executive Summary
 - 2) Long Term Facility Maintenance (LTFM) 10-Year Expenditure Application
 - 3) Long Term Facility Maintenance (LTFM) 10-Year Revenue Projection
 - D. MSHSL Resolution for Membership
 - E. Annual Review of District Mandated Policies
 - F. 2024 Joint Powers Agreement - Metro South
 - 1) Executive Summary
 - G. 2023-2025 MOU Read Act: Letter of Agreement
- 9. **Superintendent's Incidental Information Report**
- 10. **School Board Member Long-term Absence – Discussion – Motion** by C. Strehl to table discussion, **No Second, Motion Failed**
- 11. **Board Action on Committee Reports & Minutes**
 - A. Board Development Committee
 - B. Community Linkage Committee
 - 1) CLC Minutes from June 20, 2024 – **Motion** by A. Libsack, **Seconded** by K. Ross to accept as presented – Passed Unanimously
 - 2) Review Updated "DRAFT" Topic for Inspiring News Article - *September 2024* – **Motion** by A. Casper, **Seconded** by D. Stubbs to approve article as presented – Passed Unanimously
 - 3) Measuring What Matters (MWM): Prudent Fiscal Management Release
 - C. Negotiations Committee
 - D. Policy Committee
 - 1) ENDS Policy Monitoring Process with Flow Chart Updated – **Motion** by A. Casper, **Seconded** by S. Bartz accepted as presented – Passed Unanimously
- 12. **Other Board Updates (AMSD, BRIGHTWORKS, ISD 287, MSHSL)**
 - A. AMSD – No Update
 - B. ISD 287 – Board Updated
 - C. BRIGHTWORKS – No Update
 - D. MSHSL (Minnesota State High School League) – Board Updated

13. Board Work Plan

A. Work Plan Changes Document – **Motion** by S. Bartz, **Seconded** by D. Stubbs to approve w/changes – Passed Unanimously

Eden Prairie School Board

2023–24 WORK PLAN CHANGES

“Proposed” Changes – June 24, 2024

Date of Meeting/Workshop	Changes Requested
Monday, July 22, 2024 (7:30 a.m.)	
Monday, August 26, 2024	- ADD: Ends 1.6 - Monitoring Measuring Plan
Monday, September 9, 2024 – Workshop	- ADD: Discussion: School Board Member Long-term Absence – Moved to Discussion on Agenda for 6/24/24 Meeting, Item #10
Monday, September 23, 2024	
Monday, October 14, 2024 (5:00 p.m.) – Joint Meeting with the Eden Prairie City Council	
Monday, October 14, 2024 (6:30 p.m.) – Workshop	
Monday, October 28, 2024	
Tuesday , November 12, 2024 – Special Business Meeting (Canvass Elections)	
Tuesday , November 12, 2024 – Workshop	
Monday, November 25, 2024	
Monday, December 9, 2024	
Monday, January 6, 2025 (6:00 p.m.) Annual Org. Meeting	
Monday, January 6, 2025 (6:30 p.m.) – Workshop	
Monday, January 27, 2025	
Monday, February 10, 2025 – Workshop	
Monday, February 24, 2025	
Monday, March 10, 2025 – Workshop	
Monday, March 24, 2025	
Monday, April 14, 2025 – Workshop	
Monday, April 28, 2025	
Monday, May 12, 2025 - Workshop	
Tuesday , May 27, 2025	
Monday, June 9, 2025 – Workshop	
Monday, June 23, 2025	
Placeholder – General Board Work	
Placeholder – Policy Review	

B. School Board Annual Work Plan

- 1) 2023-24 - June
- 2) 2024-25 - July-June

14. **Adjournment** – **Motion** by A. Casper, **Seconded** by S. Bartz to adjourn at 10:28 **PM** – Passed Unanimously

Abby Libsack – Board Clerk

**INDEPENDENT SCHOOL DISTRICT 272 ~ EDEN PRAIRIE SCHOOLS
UNOFFICIAL MINUTES OF THE JULY 22, 2024
SCHOOL BOARD MEETING**

A Regular Meeting of the Independent School District 272, Eden Prairie Schools, was held on July 22, 2024, in the Eden Prairie District Administrative Offices, 8100 School Road, Eden Prairie, MN 55344.

1. Convene - 7:30 AM (Roll Call)

School Board Members:

Present: Steve Bartz, Aaron Casper, Abby Libsack, Kim Ross, Charles "CJ" Strehl, Dennis Stubbs and Board Member Debjyoti "DD" Dwivedy attended remotely

Present: Superintendent Josh Swanson

2. Agenda Review and Approval – Motion by K. Ross, **Seconded** by A. Libsack to approve the agenda for Monday, July 22, 2024, meeting of the School Board of Independent School District 272, Eden Prairie Schools – Passed Unanimously

3. Board Work:

A. Required Board Action – **Motion** by A. Libsack, **Seconded** by S. Bartz to approve and adopt the *Resolution as presented* – Passed Unanimously

1) *Resolution* - Relating to Election of School Board Members and Calling the School District General Elections

4. Superintendent Consent Agenda – Motion by K. Ross **Seconded** by C. Strehl to approve the consent agenda with Item B., 2 (Eden Prairie High School) and 3 (CMS) Student Handbooks pulled for further discussion – Passed Unanimously

A. Human Resources Report

B. 2024-2025 Student Handbooks

1) TASSEL Students

2) ~~Eden Prairie High School Students (EPHS)~~

3) ~~Central Middle School Students (CMS)~~

4) Elementary Schools Students

5) EP Online Students - Secondary (6-12)

6) EP Online Students - Elementary (K-5)

C. Accept Bid: Milk and Dairy Bid

5. 2024-2025 Student Handbooks – Motion by A. Casper, **Seconded** by K. Ross to approve the EPHS & CMS Student Handbooks as presented – Passed Unanimously

A. Eden Prairie High School (EPHS)

B. Central Middle School (CMS)

6. Adjournment – Motion by A. Casper, **Seconded** by A. Libsack to adjourn meeting at 7:55 AM – Passed Unanimously

Abby Libsack – Board Clerk

EL 2.1 Emergency Superintendent Succession

Policy Quadrant: Executive Limitations

- Monitoring Time Frame: ~~July 1, 2022 – June 30, 2023~~ July 1, 2023 – June 30, 2024
- Date of School Board Monitoring: ~~August 28, 2023~~ August 26, 2024

Board Policy Monitoring Motions:

- Operational Interpretation is/is not reasonable
- Board does/does not accept the Superintendent's assertion of compliance/non-compliance

Global Constraint:

To protect the Board from sudden loss of Superintendent services, the Superintendent shall not permit there to be fewer than two other staff members sufficiently familiar with Board and Superintendent issues and processes who would be able to take over with reasonable proficiency as an interim successor.

15

OPERATIONAL INTERPRETATION:

1. It is my interpretation that the Board requires a proactive plan that assures uninterrupted leadership of the organization due to a planned or unplanned short-term absence by the Superintendent.
 - a. "Short Term" may be interpreted to be as little as one (1) day to as many as thirty (30) workdays to provide time for the board to make appropriate arrangements.
 - b. In the event of an unplanned or planned absence, the Superintendent or his/her Assistant shall notify the Chair of the School Board.
2. It is appropriate that a line of succession be established with licensure, knowledge, and experience as the expected qualifications. The following persons and positions are designated to assume District leadership as the "Acting" Superintendent (in the order indicated) on behalf of the Superintendent in his/her anticipated or unanticipated absence.

- a. Assistant Superintendent of Secondary Schools*
- b. Assistant Superintendent of Elementary Schools*
- c. Executive Director of Community Education*
- d. Executive Director of Human Resources
- e. Executive Director of Business Services
- f. Executive Director of Marketing and Communications
- g. ~~Associate Superintendent of Academics and Innovation*~~
- h. ~~Executive Director of Community Education*~~
- i. ~~Executive Director of Personalized Learning~~
- j. ~~Executive Director of Business Services~~
- k. ~~Executive Director of Human Resources~~
- l. ~~Executive Director of Marketing and Communications~~

**Position Description Requires a Minnesota District Superintendent License or person currently holding the position is Licensed as a District Superintendent in Minnesota.*

16

JUSTIFICATION:

1. MN Statute 123B.143 SUPERINTENDENT. Subdivision 1. Contract; duties. All districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio non-voting member of the school board.
 - a. The succession list (#2 above) contains at least two current administrators with District Superintendent certification.
2. The ~~Associate Superintendent~~ Assistant Superintendents and executive directors ~~and senior directors~~ are knowledgeable of all major district processes.
 - a. Examples of these major processes include are; educational programs, community education, family education, business services, technology, food services, facilities, human resources, communication and transportation. They are knowledgeable due to weekly cabinet meetings routinely held throughout the year. These meetings consist of regular discussion, problem solving, and decision making, communication or strategic planning for all major processes within the system.
3. The ~~Associate Superintendent~~ Assistant Superintendents and executive directors ~~and senior directors~~ are knowledgeable regarding Eden Prairie school governance and able to follow the correct process for communication and implementation with the board.

- a. All members of the Superintendent's cabinet are involved in writing the policies and are familiar with all Ends, Executive Limitations, Board Management Delegation and Governance Process Policies. They are also active in writing and reporting on all Monitoring Reports. The superintendent's cabinet members work in partnership with the board governance subcommittee.
 4. The ~~Associate Superintendent~~ **Assistant Superintendents** and executive directors ~~and senior directors~~ are fully trained and licensed in their respective fields and have extensive leadership, supervision and organizational development experience.
 - a. Degrees, licensure or training for these staff members is available upon request.
 5. The members of the Superintendent's cabinet are fully trained to activate and lead the District ~~Crisis Center (DCC)~~ **Emergency Management Process**.
 - a. The Superintendent's cabinet and their immediate subordinates have participated in the development of the plan itself and have participated in emergency planning exercises and drills. They have participated in debrief sessions following the drills.
-

MEASUREMENT PLAN:

Compliance will be demonstrated by:

17

1. The School Board will review EL 2.1 annually.
 2. If enacted, the effectiveness of this plan will be reviewed in debrief fashion by the School Board Chair and Vice Chair and findings reported to the Board.
-

EVIDENCE:

1. The school board has reviewed 2.1 annually.
 2. The succession plan was not enacted during the time of monitoring.
-

STATEMENT OF ASSERTION:

EL 2.1 is reasonable and is in compliance.

BOARD NOTES:

EL 2.2 Treatment of Students

Policy Quadrant: Executive Limitations

- Monitoring Time Frame: ~~July 1, 2022 – June 30, 2023~~ [July 1, 2023 – June 30, 2024](#)
- Date of School Board Monitoring: ~~August 28, 2023~~ [August 26, 2024](#)

Board Policy Monitoring Motions:

- Operational Interpretation is/is not reasonable
- Board does/does not accept the Superintendent's assertion of compliance/non-compliance

Global Constraint:

The Superintendent shall not cause or allow an educational environment that is unsafe, unwelcoming, inequitable, disrespectful, unnecessarily intrusive, or that otherwise inhibits the effective learning needs of each student.

19

OPERATIONAL INTERPRETATION:

I interpret compliance with the global policy to mean that all ten (10) child policies are in compliance. [In addition, policies are in place and reviewed on scheduled cycles.](#)

JUSTIFICATION:

MSBA recommends that the District reviews on an annual or 3 year cycle as appropriate per statute, approves or revises if necessary, disseminates, and enforces the following District Policies that are intended to create and support a safe learning environment.

MEASUREMENT PLAN:

1. Child Policies are in compliance.
 2. District Policies required by state statute (otherwise known as Mandatory Policies) shall be reviewed and updated by the Superintendent on an annual basis.
 3. District Policies that are recommended by MSBA or developed locally shall be reviewed and/or updated upon notice of change by MSBA, or at least every three years.
-

EVIDENCE:

1. All child policies are in compliance.
 2. On ~~July 25, 2022~~ **July 24, 2023** all mandatory policies were approved by the School Board for the ~~2022-2023~~ **2023-2024** school year. During the monitoring period ~~12~~ **49** district policies were updated after review by the Superintendent and cabinet. All ~~12~~ **49** district policies were approved by the School Board. 20
 3. Cabinet members conducted a full review of all recommended policy changes by MSBA during the summer of 2023 and if necessary contacted the legal council for review. The superintendent then reviewed all policies and found that they were reviewed or updated within the three year review cycle with the full review of all policies being conducted in ~~2019~~ **2024**.
-

STATEMENT OF ASSERTION:

EL 2.2 is reasonable and in compliance.

BOARD NOTES:

2.2.1

Furthermore, the Superintendent shall not: Allow students to be unprotected against violence harassment.

OPERATIONAL INTERPRETATION:

Fostering positive, meaningful relationships between staff and students and promoting welcoming learning environments are critical components of a safe school. One hundred percent compliance with this expectation is the District's goal; however, it is not realistic that all instances of harassment or violence will be mitigated throughout any district during a calendar year. Policy provides protection through a framework of thoughtful prevention and response.

1. I interpret "shall not allow students to be unprotected against violence" to mean the school district will put in place a crisis management policy, plan, and team. The team will work proactively to ensure that acts of violence will be mitigated on school property or during school sponsored events and have an appropriate response(s) planned in the event that something occurs.
2. I interpret "shall not allow students to be unprotected against harassment" to mean the school district will proactively create a learning environment that is inclusive of all members of the school community and to secure freedom from discrimination in education because of race, color, creed, religion, national origin, sex, gender identity, marital status, disability, status with regard to public assistance, sexual orientation, and age. 21

JUSTIFICATION:

1. State law (Minnesota Statute 121A.035) requests that school districts adopt a crisis management policy that addresses potential violent crisis situations in the school district. District Policy 806: Crisis Management Policy complies with that statutory requirement.
2. State law (Minnesota Statute 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minnesota Statute Chapter 363A (MHRA). District Policy 413: Harassment and Violence complies with that statutory requirement and addresses the classifications protected by the MHRA and/or federal law. [Guidance for interventions and non-exclusionary practices was provided in Minnesota Statute 121A.45, subdivision 1 and Minnesota Statute 121A.41, subdivision 12 referring to a district's requirement regarding student discipline.](#)

MEASUREMENT PLAN:

1. Systemic efforts are in place to mitigate incidents, as they relate to crisis and response preparation to comply with Policy 806 in the school setting.
 2. Systemic efforts to mitigate incidents related to harassment and violence in the school setting and to comply with Policy 413 shall be reported.
-

EVIDENCE:

1. Systemic and proactive efforts to mitigate incidents related to ~~crisis~~ emergency management in the school setting took place throughout the monitoring period.
 - a. The District is relatively unique in that we employ a full time emergency management coordinator.
 - b. Each school site administers five fire drills, five lockdown drills, and one take shelter drill each year.
 - c. Each school site has an emergency response team that regularly meets to review site procedures and debrief incidents that occur.
 - d. The District contracts with the Eden Prairie Police Department for ~~School Resource Officers~~ Juvenile Liaison Officers to further enforce and provide security within our school buildings and at selected school events.
 - e. The Administrative Leadership Team participated in annual training in partnership with the Eden Prairie Police and Fire Departments in ~~September 2022~~ August 2023 and February 2023.
 - f. The administrative team and crisis teams debrief incidents that occur to improve upon our crisis management practices. In addition, at times we review elements with the board in closed sessions so the Board is aware of our response plans, practices, and learnings as we continuously improve.
 - g. The District emergency response team engaged in training with the I Love U Guys Foundation in April 2024 to more deeply implement the Standard Response Protocol (SRP) to further enhance and systematize common language and collective action in any situation both inside or outside the building. The SRP also provides common language to better allow District personnel and Eden Prairie Fire, Police, and EMS personnel to improve communication in any situation.

22

- h. The Emergency Management Coordinator provided training to site emergency response teams and administration in the Standard Response Protocol (SRP), as well as reviewed security protocols and provided opportunities for enhancements at each site.
- 2. Systemic and proactive efforts to mitigate incidents related to harassment and violence in the school setting also took place throughout the monitoring period.
 - a. Student handbooks approved by the School Board on ~~July 25, 2022~~ **July 24, 2023** included the district policies on violence harassment and the consequences for failure to abide by the prohibitions as listed.
 - b. We follow the triennial legislative requirement for all staff to participate in a training to ensure understanding of the Safe & Supportive Schools Act, the Eden Prairie Schools Bullying Prevention Policy, and relevant strategies to support student behavior in all of our buildings and settings.
 - c. Principals, Associate Principals, Deans, staff, and security personnel provide student supervision and take appropriate actions when student behavior is contrary to Policy 506 Student Behavior and/or the Student Handbook.
 - d. The human resources department provides training on how to recognize and report sexual, racial, and religious harassment and violence to all new employees within thirty (30) days of their hire date. In addition to the new hire training, the transportation and buildings/grounds staff are re-trained annually (spring/summer).
 - e. All school sites have participated in the MDE-supported Positive Behavior Interventions and Supports (PBIS) training. A plan is in place to support ongoing implementation of this framework in all Eden Prairie Schools school sites. PBIS is a research-based framework to strengthen the climate and culture by proactively teaching school expectations of the school community, reinforcing positive behaviors, emphasizing relationship development, and being responsive to negative behaviors. These elements have been shown to support successful school interactions for all students and reduce undesired behavior. Strategies within this framework are selected and implemented based on observed student needs and are modified as needs evolve. These proactive, research-based steps are designed to eliminate incidents of harassment or violence.
 - f. **Our schools are being recognized as PBIS exemplars.**
 - g. ~~Throughout the 2022–2023 school year, site teams have focused on restorative practices to proactively build relationships and to responsively address inappropriate behaviors, while being attentive to the unique needs students faced after the COVID-19 pandemic and distance learning. This work supports a sense of psychological safety at school, addresses accountability for harm done, and re-builds community for all involved.~~ **All school sites focused on identifying, increasing and implementing interventions for students demonstrating needs with social, emotional, and behavioral support. These interventions and non-exclusionary practices, include but are not limited to: social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title I**

23

services or reading interventions, and alternative education services. Other interventions and supports were also applied throughout the school year as global, local, or school based occurrence take place to teach, reteach, remind, and support students, families, and staff.

STATEMENT OF ASSERTION:

EL 2.2.1 is reasonable and in compliance.

BOARD NOTES:

24

2.2.2

Furthermore, the Superintendent shall not: Allow private student data to be unprotected.

OPERATIONAL INTERPRETATION:

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

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder (District Policy 515: Protection and Privacy of Pupil Records).

Because much of our student data is housed inside technological systems, the district applies industry standard practices to assure student data is reasonably protected. In addition, the district follows applicable MN law regarding data privacy agreements with third-party vendors when student data is involved.

25

JUSTIFICATION:

The procedures and policies regarding the protection and privacy of parents and students as provided in District Policy 515: Protection and Privacy of Pupil Records are adopted by the school district, pursuant to the requirements of 20 U.S.C. § 1232g, et seq., (Family Educational Rights and Privacy Act (FERPA)) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13, and Minnesota Rules Parts 1205.0100–1205.2000.

MEASUREMENT PLAN:

1. 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:
 - a. That the parent or eligible student has a right to inspect and review the student's education record and the procedure for inspecting and reviewing education records;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
 - c. 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;
 - d. 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;
 - e. 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
 - f. 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.
 - g. The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English, and shall provide for the need to effectively notify parents or eligible students identified as disabled.
2. Any instances of non-compliance found to be valid through a third-party official government agency will be reported.
3. Technological safeguards are in place to protect student data that are aligned with industry standards and state law.

26

EVIDENCE:

1. The school district provided parents and eligible students currently in attendance an annual notice of their rights (per the measurement plan) via the student handbooks distributed and/or accessible by each student at the beginning of the ~~2023–2024~~ school year or upon later registration in the District, through the District and school websites, and via the Annual Update process. That notice reflected the elements of a–g listed in the measurement plan. In addition, parents of eligible students identified as disabled receive an annual notice of the procedural safeguards that clarify all due process rights including data privacy.
2. There were no instances indicating an outside governmental agency finding non-compliance with the MN Student Data Privacy Act during the reporting period.
3. The Technology Department has internal procedures, processes, and controls in place to mitigate risk of security incidents. Procedures are guided by the National Institute of Standards and Technology (NIST) Cyber Security Framework (CSF), which has been widely adopted by both public and private sector organizations throughout the United States. The NIST CSF provides a framework for cybersecurity management, including asset identification, information and system protection, threat detection, incident response, and recovery. Our approach leverages NIST Special Publication 800–53, and the CIS Controls which provide a catalog of security and privacy controls for information systems and organizations. Some examples of current controls include:
 - a. Use of hardened baseline system configurations
 - b. Implementation of endpoint security tools (anti-virus, EDR, content filtering, secure web gateway, application control)
 - c. Security assessments against NIST standards and CIS controls
 - d. Monthly internal and external system vulnerability assessments (passive and credentialed)
 - e. Incident response plan with incident response playbooks for detailed procedures
 - f. System continuity plan/disaster recovery plan
 - g. Data backup and retention in our primary data center, secondary data center, and archive to a cloud system for multiple recovery modes
 - h. SaaS backup system for cloud-based systems and data
 - i. Provide employee training on social engineering tactics (phishing, vishing, spoofing, etc.); Use phishing simulation to allow staff to practice their security awareness skills

In addition, the Technology Department reviewed all technology vendors' Terms of Service and Privacy Policies to ensure they were in compliance with the Minnesota Student Data Privacy Act. If a vendor was not in compliance with this act, we entered into a data

sharing agreement with the technology vendor for the duration of our partnership. In addition, the technology department created a directory accessible on our website and emailed to all families outlining who our technology vendors are, what the tool is used for, what student data is shared, the company's terms of service and privacy policy, and the grade(s) in which the tool is used.

STATEMENT OF ASSERTION:

EL 2.2.2 is reasonable and in compliance.

BOARD NOTES:

28

2.2.3

Furthermore, the Superintendent shall not: Unfairly or inequitably identify and address student behavior violations.

OPERATIONAL INTERPRETATION:

1. I interpret “shall not unfairly identify” student behavior violations to mean the District student discipline policy adequately describes those behaviors or actions for which any student could reasonably expect an appropriate and consistent official action from a school staff member or administrator.
2. I interpret “shall not inequitably address” to mean that there is a District expectation that administration and staff enforce the student discipline policy and apply it equitably and consistently to all students in response to the identified student conduct violation. This includes an expectation of consistency regarding the severity of the consequence, regardless of the student’s demographic designation.
3. Failure to fairly or equitably identify and address student behavior is referred to as “disproportionality”.

29

JUSTIFICATION:

1. District Policy 506 Student Discipline was adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minnesota Statute 121A.40–121A.56.
2. Disproportionality: Suspension is associated with negative outcomes for society in general. Skiba and colleagues have found that suspension is applied disproportionately to students who are older, male, from low socio-economic background, are a racial/ethnic minority, or have been identified with a disability. Specifically, students of color are suspended more often, for less serious and more subjective behaviors, and with more serious consequences (Mendez & Knoff, 2003). Instead of supporting students with risk factors, suspension often increases the disparity between student groups. *“Disproportionate Minority Representation in Suspension and Expulsion in Minnesota Public Schools: A report from the Minnesota Department of Education.”*

MEASUREMENT PLAN:

The Disciplinary Incident Reporting System (DIRS) enables both the MDE and our school district to comply with state and federal reporting requirements. DIRS is a web-based, password-protected system through which all public-school districts must report disciplinary incidents that result in either suspension or expulsion.

Minnesota Statutes, section 121A.06, Subdivision 3, requires the MDE to annually report on disciplinary incidents, including incidents involving dangerous weapons, that occur in Minnesota public schools. Data for this report is obtained from MDE's Disciplinary Incident Report System (DIRS).

1. Eden Prairie Schools submits its DIRS data each July to MDE. Longitudinal and current year data from this report shall be used in the monitoring report.
2. Intentional and research informed actions to prevent inequitable practices and responses to student behavior shall be reported during monitoring. [Non-Exclusionary Discipline practices were used in consideration in determining discipline response in compliance with Minnesota Statute 121A.45, subdivision 1 and Minnesota Statute 121A.41, subdivision 12.](#)
3. ~~Internal review/audit of events and consequences to ensure alignment of actions/consequences to handbooks/rules and inspect for disproportionality of response.~~ [A process exists for the review of disciplinary consequences when a student or family feels discipline for their student was not fairly applied.](#)
4. [Annual review and communication of site administrators' role in fairly and equitably identifying and addressing student behavior violations, led by Superintendent and designees.](#)

30

EVIDENCE:

1. The data included in this report is from the DIRS report to MDE
 - a. During the ~~2022-2023~~ [2023-2024](#) school year consequences to behavior incidents were applied appropriately and equitably according to the student handbook. Black or African American students, though comprising a smaller fraction of the overall student population, are represented in a disproportionate number of OSS incidents. In contrast, Asian and White students comprise a smaller fraction of OSS incidents. [We conducted an internal audit or review of the application of consequences to each of the suspension events. The review found that the handbook rules consequences were applied appropriately by site administrators. Although the review would indicate compliance with this policy \(the rules were fair and the](#)

consequences applied fairly), the disproportionality, between groups of students particularly for our Black or African American students and students in special education, is an indicator that we need to continue to proactively work and collaborate with key stakeholders (staff, parents, community groups, and students) to prevent behaviors warranting out of school suspension among these groups. This trend has been persistent over the last several years and individual responses.

- b. Number of expulsions in 2022-2023 = 1 students 2023-2024 = 0 students
- c. Out-of-School Suspensions by MDE demographic group

Unique students with OSS incident(s) relative to total enrollment										
Student Group	19-20*		20-21*		21-22		22-23		23-24	
	102 students had one or more OSS incident out of 8,647 total students		29 students had one or more OSS incident out of 8,442 total students		284 students had one or more OSS incident out of 8,768 total students		350 students had one or more OSS incident out of 8,921 total students		244 students had one or more OSS incident out of 8809 total students	
	Percentage of Students with OSS Incident(s)	Percentage of Total Student Body	Percentage of Students with OSS Incident(s)	Percentage of Total Student Body	Percentage of Students with OSS Incident(s)	Percentage of Total Student Body	Percentage of Students with OSS Incident(s)	Percentage of Total Student Body	Percentage of Students with OSS Incident(s)	Percentage of Total Student Body
Special Education	24%	10%	41%	10%	23%	11%	26%	12%	26%	13%
Asian	0%	15%	3%	15%	3%	14%	3%	13%	3%	13%
Black or African American	35%	15%	31%	16%	56%	17%	56%	19%	58%	19%
Hispanic/Latino	17%	9%	17%	9%	14%	9%	9%	9%	9%	10%
Two or more races	0%	6%	17%	6%	8%	7%	7%	7%	7%	8%
White	31%	55%	31%	54%	23%	52%	23%	50%	23%	50%

*Indicates years in which students schedules and learning models underwent significant changes due to COVID-19.

2. Intentional and Research Informed Actions: Administrators continued to review our rules and practices to work toward creating

conditions that are culturally responsive so we do not see disproportionately. ~~Examples last year included a review of the handbooks and updates to rules that could create differentials in consequences based on differences in culture, dress, or norms within communities. Throughout the year administrators proactively identified needs within and between groups of students and families where there was intentional work to create connections, spaces, partnerships, and positive outcomes within our Positive Behavior, and Intervention Supports framework PBIS. These practices are intentionally designed to support social-emotional learning proactively and in response to challenging behavior. One component of these supports is restorative practices.~~

~~Practices and actions in this research and review included the following:~~

- a. Administration and site PBIS teams periodically reviewed discipline data, including ongoing monitoring of individual student needs to ensure interventions were effectively impacting each student's behavior.
- b. Building PBIS Teams engaged in action planning based on site data, which included restorative practices and explicit social emotional learning.
- c. ~~Beginning in July 2023, Administrators reviewed the handbook rules to identify discriminatory practices and to update discipline practices to be aligned with State requirements. Site administrators participated in a discipline workshop January 9, 2024 to review the processes trained on at the start of the school year to determine discipline responses and application of responses to challenging behaviors. A required focus on non-exclusionary practices based on Statutory changes, meaning, alternatives to dismissing a student 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. Site administrators also received guidance on decision making practices when determining responses to behavior if a student has an IEP, 504 or suspected disability.~~
3. ~~A discipline complaint procedure and form were published in August 2023 and communicated with students and families as an approach to mitigating disproportionate discipline response for a behavior infraction. In addition this year, because we continue to see disproportionate disciplinary outcomes we conducted an internal audit or review of the application of consequences to each of the suspension events. It was found that the handbook rules consequences were applied appropriately by the site administrators. Although the review would indicate compliance with this policy (the rules were fair and the consequences applied fairly), this disproportionality, particularly for our Black or African American students and students in special education, is an indicator that we need to continue to proactively work and evolve/innovate within our systems to meet the needs of each our students.~~
4. ~~In August of 2023, the Superintendent and designees led a review of state statutes, policies, handbooks, and expectations with site administrators, including monitoring plans.~~

32

STATEMENT OF ASSERTION:

EL 2.2.3 is reasonable and in compliance.

BOARD NOTES:

2.2.4

Furthermore, the Superintendent shall not: Hire paid personnel without first completing an appropriate background check.

OPERATIONAL INTERPRETATION:

The purpose of Policy 404 Employment Background Checks is to maintain a safe educational environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district.

JUSTIFICATION:

Minnesota Statute 123B.03 requires school districts to conduct criminal background checks on all employees.

34

MEASUREMENT PLAN:

Compliance is demonstrated by consistent application of Policy 404 Employment Background Checks.

EVIDENCE:

All paid personnel who were newly employed by the District during the reporting period completed an appropriate background check prior to hire.

STATEMENT OF ASSERTION:

EL 2.2.4 is reasonable and in compliance.

BOARD NOTES:

2.2.5

Furthermore, the Superintendent shall not: Allow any volunteer unsupervised time with students without first completing an appropriate background check.

OPERATIONAL INTERPRETATION:

Parent involvement is an important aspect of Eden Prairie Schools as it helps create a sense of community where our students, staff, parents, and community members work together to ensure the success of all students. Eden Prairie Schools offer many opportunities for parents and community members to be involved in our schools. To that end, the school district will seek a criminal history background check for all volunteers using the following criteria:

1. Will the person have significant student contact (such as one-on-one contact with students, driving, and overnight field trips)?
2. Does the volunteer work require a significant amount of time alone with students with a low level of staff supervision (such as volunteer coaches or mentors)?

36**JUSTIFICATION:**

Minnesota Statute 123B.03 requires school districts to conduct criminal background checks on all employees, student activities staff, and student activities volunteers (with the exception of enrolled student volunteers).

MEASUREMENT PLAN:

If the decision matrix listed above indicates that a background check is necessary, the background check process is required, and the human resources department and the responsible staff member review its results. If there are no concerns, the responsible staff member contacts the potential volunteer.

EVIDENCE:

The school district conducted criminal background checks on all volunteers (with the exception of *enrolled* student volunteers) per the Operational Interpretation during the reporting period demonstrating compliance of the measurement plan.

STATEMENT OF ASSERTION:

EL 2.2.5 is reasonable and in compliance.

BOARD NOTES:

37

2.2.6

Furthermore, the Superintendent shall not: Neglect to assure an equitable system for access to academic programming.

OPERATIONAL INTERPRETATION:

The four key action components that ensure educational excellence by incorporating equitable and effective school practices are:

1. **Access:** Educational institutions must ensure every student has an equal opportunity to participate in all aspects of the educational process, including learning facilities, resources, and extracurricular and curricular programs.
2. **Instruction:** Educational institutions must use instructional practices that are asset based, responsive to the needs of each student, and demonstrate a strong commitment to an equitable approach to teaching and learning.
3. **Materials:** Educational institutions and staff members must review textbooks, audiovisuals, and other materials to minimize bias in content, graphics, pictures, and language.
4. **Assessment:** Educational institutions must account for variances in student learning styles and cultural backgrounds and align assessment with school curricula, instruction, and systemic improvement goals.

38

Expansion of Pathways programming 6–8 and 9–12, along with ~~INSPIRE-Choice~~ **Discovery** programming K–5 has and will fundamentally shift how this policy is fulfilled. This results in all students accessing academic programming that is rigorous and authentic. At the same time, we will continue to expand offerings and access thereof within the metrics we have historically monitored. In other words, we are expanding what we have done in the past and implementing excellent academic programs with access designed for from the outset.

JUSTIFICATION:

Educational equity is based on the principles of fairness and justice in allocating resources, opportunities, treatment, and success for every student. Educational equity programs promote the real possibility of equality of educational results for each student and between diverse groups of students. Equity strategies are planned, systematic, and focused on the core of the teaching and learning process. (Source: Northwest Regional Education Laboratory).

- Equity is defined as: fairness, justice, and impartiality.
 - Equal Access means impartiality in opportunity.
 - Equal Educational Opportunities means providing appropriate resources, opportunities, and treatment for each student.
-

MEASUREMENT PLAN:

This policy shall be measured against the four key components

1. Access,
2. Instruction,
3. Materials, and
4. Assessment

listed in the Operational Interpretation of this policy.

39

EVIDENCE:

1. **Access:** Demonstrating our concerted efforts, in 2023–2024, Discovery programming was implemented for all K–5 students across all elementary schools, including EPO Elementary students who participated online. Each student participated in two different six week cycles. Cedar Ridge Elementary and Eden Lake Elementary, two elementary sites in their second year of Discovery programming, worked to increase community partnerships, the success of which was realized through engagement with 34 unique partners. Cedar Ridge Elementary and Eden Lake Elementary also piloted Stepping Stone experiences which were showcased at the Inspired Journey Summit.

At the secondary level during 2023–2024, authenticity of projects and assessments were increased for students in grades 6–8 at CMS through their Pathway courses. CMS students engaged with professionals in the field and experienced tasks that more accurately modeled skills needed in the workforce. For students in grades 9–12, Capstone offerings increased from six to nine courses; a mentorship program was piloted in two Capstone courses; three Capstone courses experienced authentic, end of semester, professionally-evaluated presentations; and industry partnerships increased.

Elementary Gifted and Talented Program Participation (Grades 3 and above)					
	19-20	20-21	21-22[†]	22-23	23-24
Overall	20%	18%	25%	29%	29%
Asian	28%	28%	39%	47%	36%
Black or African American	11%	7%	19%	21%	24%
Hispanic/Latino	8%	8%	25%	21%	22%
White	22%	21%	22%	27%	28%
All Other*	17%	15%	42%	44%	39%
†Grade 6 moved to CMS beginning 21-22 school year. *All Other include American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, and two or more races.					

CMS Honors and Advanced Course Completion					
	19-20	20-21	21-22[†]	22-23	23-24
Overall	36%	34%	24%	26%	29%
Asian	65%	56%	52%	58%	55%
Black or African American	12%	14%	11%	7%	8%
Hispanic/Latino	10%	12%	9%	11%	13%
White	41%	39%	25%	28%	33%
All Other*	33%	27%	21%	19%	23%
†Grade 6 moved to CMS beginning 21-22 school year. *All Other include American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, and two or more races.					

EPHS College-Level Course Completion					
	19-20	20-21	21-22 [†]	22-23	23-24
Overall	49%	58%	56%	59%	64%
Asian	64%	77%	77%	79%	82%
Black or African American	28%	41%	34%	42%	53%
Hispanic/Latino	34%	43%	43%	46%	42%
White	54%	62%	62%	65%	70%
All Other*	43%	48%	51%	53%	51%
*All Other include American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, and two or more races.					

2. **Instruction:** Educational institutions must use instructional practices that are asset based, responsive to the needs of each student, and demonstrate a strong commitment to an equitable approach to teaching and learning. Evidence for ~~2022-2023~~ **2023-2024** includes:
- English Language learning standards (referred to as WIDA) are followed for supporting development of speaking, listening, reading, and writing in English for students whose home language is not English.
 - District administrative leaders participated in a Tools of Cultural Proficiency practice training series to review and increase access across the district within their sites and departments. ~~All Eden Prairie Schools employees completed a Culturally Responsive Practices online course.~~
 - The Tools of Cultural Proficiency build racial and cultural awareness and capacity toward strengthening culturally responsive teaching, focused on eliminating our current racial achievement gaps. All sites and departments engaged in deeper implementations of these tools.
 - KinderCamp: August camp for students transitioning into kindergarten, focused on children who have not had a preschool experience and/or may not yet be kindergarten ready. Opportunity for informal evaluation to target instruction earlier in the school year and make the most appropriate placement decisions for the student and family.
 - The Dare 2 Be Real student program continued ~~grew in participation~~ at the high school. This program promotes, addresses and discusses racial equity and leadership. Students undergo intensive training and structured discussions that are intended to prepare a new generation for global readiness. Planning and groups to support belonging and inclusion were supported by staff.

41

- f. Advancement via Individual Determination (AVID) program implemented in 8 schools.
- g. Eden Prairie High School elective course, Intro to Social Justice, provides students with opportunities to explore their identity and examine system inequities and social justice in the United States.
- h. Eden Prairie High School elective course, Multicultural and Human Relations in Schools, introduces pre-service teachers to core concepts and approaches to multicultural education including issues related to student, family, and community diversity based on culture, language, race, class, gender, sexual identity, and disability. Students receive four credits through Normandale Community College. This course was enhanced in the 2022-2023 school year to become Capstone Course experience. These enhancements provided students with more field experiences, guest instruction, and authentic assessments.
- i. Eden Prairie High School provides expansive college level courses including Advanced Placement, concurrent enrollment with Normandale Community College, the University of Minnesota (CIS), University of Iowa, and Hennepin County Technical College.
- j. Eden Prairie High School continues to add courses based on student interest, remove barriers to course enrollment, make personal contacts for recruitment, and provide instructional support throughout the course.
- k. Teachers and administrators across the District engaged in professional learning on culturally responsive pedagogies and implemented such practices (e.g., Hammond, 2014; Minor, 2019). 42
- l. The use of the 4Cs (communication, collaboration, creativity, critical thinking) within instruction provides an equitable approach to instruction that allows students lived experiences and aspirations to drive learning.
- m. Eden Prairie High School received a grant to begin to incorporate BARR; Building Assets, Reducing Risks to address non-academic reasons why students may not be successful. This year, staff participated in training and created a pilot implementation plan to begin fall 2024.

3. **Materials**

- a. Curriculum Improvement Committee (CIC) program cycle includes diverse perspectives throughout the curriculum review process.
- b. The Tools of Cultural Proficiency guides the selection of curriculum resources and supports the development of district curriculum.
- c. Professional Development focused on the Tools of Cultural Proficiency is embedded throughout the system.
- d. The World's Best Workforce parent advisory group reviews equitable learning opportunities with an emphasis in the area of curriculum, instruction, and assessment.

4. **Assessment**

- a. Professional learning for teachers and administrators on a balanced assessment system and the application of tiered

decision making to personalize instruction for each learner.

- b. Continual review of the identification and placement practices for programs that support gifted learners to determine if these practices are equitable and provide equal access to programming at all levels.
- c. AVID (Advancement via Individual Determination) is a set of strategies to help students become college and career ready. A large component of the middle school and high school AVID programming is a requirement that students take enriched or advanced course work. To empower students, AVID offers a series of research-based strategies, structures, and supports to eliminate opportunity gaps and increase success while students engage in challenging work. AVID at the elementary level lays the groundwork for success as students progress through middle and high school. The AVID strategies have a long track record of benefiting each student, but are particularly effective at helping traditionally underserved students perform at high levels.
- d. Deeper implementation of performance assessments that realize the Rigor/Authenticity Matrix and instruction aimed at enhancing the 4Cs. This includes multiple entry points for each student, instructional matches, and student voice and choice in demonstration of learning.

Number of Students Receiving AVID Programming (% in parentheses is percentage of total school population)					
	19-20	20-21	21-22[†]	22-23	23-24
CMS (Elective for grades 7-8)	87 (6.5%)	91 (6.9%)	83 (6.5%)	82 (6.1%)	82 (6.3%)
EPHS (Elective for grades 9-12)	107 (3.7%)	148 (5.2%)	127 (4.5%)	172 (6.1%)	180 (6.4%)
Cedar Ridge Elementary	628 (100%)	439 (100%)	485 (100%)	472 (100%)	492 (100%)
Eagle Heights Spanish Immersion	819 (100%)	800 (100%)	679 (100%)	715 (100%)	737 (100%)
Eden Lake Elementary	785 (100%)	544 (100%)	627 (100%)	660 (100%)	607 (100%)
Forest Hills Elementary	608 (100%)	389 (100%)	515 (100%)	527 (100%)	544 (100%)
Oak Point Elementary	818 (100%)	484 (100%)	585 (100%)	634 (100%)	632 (100%)
Prairie View Elementary	754 (100%)	547 (100%)	628 (100%)	628 (100%)	612 (100%)
EP Online Elementary	n/a	1082 (100%)	306 (100%)	152 (100%)	180 (100%)

43

EP Online Secondary	n/a	n/a	n/a	n/a	n/a
† Grade 6 moved to CMS beginning 21-22 school year.					

STATEMENT OF ASSERTION:

EL 2.2.6 is reasonable and in compliance.

BOARD NOTES:

2.2.7

Furthermore, the Superintendent shall not: Allow students to be uninformed of their protections under this policy.

OPERATIONAL INTERPRETATION:

Students have a right to be active participants in their education and the environment in which they work and learn. The District is responsible for informing students and parents of their rights and responsibilities as members of the school community. Parents represent their child until the “age of majority.” When using the term “parent” I am referring to a child’s guardian or to any other adult allowed and/or permitted by law to access private educational records and/or make educational decisions for the child.

JUSTIFICATION:

The practice of annual notification of student rights and responsibilities is supported by state statute and requirements as set forth in District Policy. It is the practice of the School District to develop Student Handbooks each school year that include the rights and responsibilities of students. The Student Handbook is distributed and posted online for easy access. The following District Policies require annual notification:

- [Harassment](#) (413)
- [Student Discipline](#) (506)
- [Bullying](#) (514)
- [Hazing](#) (526)

Parents are required to acknowledge in writing that they have read and understand the Student Handbook, as under the law they are required to make educational decisions on behalf of their child until that child has reached the “age of majority.” The “age of majority” is the age at which a person, formerly a minor, is recognized by law to be an adult, capable of managing his or her own affairs and responsible for any legal obligations created by his or her actions. The “age of majority” in Minnesota is age 18.

MEASUREMENT PLAN:

1. Compliance with this policy shall be evidenced by the annual process of student handbook creation, dissemination, and acknowledged receipt and understanding by students and parents.
 2. Following general communication of students' protections under this policy, targeted efforts are made as needed.
-

EVIDENCE:

1. The District complied with the expectations of this policy as evidenced by the annual process of student handbook creation, dissemination, and acknowledged receipt and understanding by Eden Prairie students and parents during the reporting period.
 2. Students received instruction and support at the individual, small group, class, and larger group levels in areas where data indicated a further need.
-

46

STATEMENT OF ASSERTION:

EL 2.2.7 is reasonable and in compliance.

BOARD NOTES:

2.2.8

Furthermore, the Superintendent shall not: Neglect to assure that all allegations of student maltreatment are handled in a timely manner.

OPERATIONAL INTERPRETATION:

1. "Neglect" is interpreted as *failing to act*
2. "Assure" is interpreted as *making something certain*
3. "Timely Manner" in this context means *as soon as possible but in no event longer than 24 hours*

JUSTIFICATION:

District Policy 414 Mandated reporting of child neglect or physical or sexual abuse fully complies with Minnesota Statute 626.556 requiring school personnel, as mandated reporters, to report suspected child neglect or physical or sexual abuse as soon as possible but in no event longer than 24 hours after becoming aware of the alleged maltreatment. "Mandated reporter" means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused. The statute requires that reports be made directly to law enforcement and/or MDE by the person who "has reason to believe...", not by his/her supervisor. 47

MEASUREMENT PLAN:

1. Dissemination of policy and training.
 - a. This policy shall appear in school personnel handbooks.
 - b. The school district will develop a method of discussing this policy with school personnel.
 - c. This policy shall be reviewed at least annually for compliance with state law.
2. Mandated reporting.
3. Compliance will be demonstrated by adhering to all requirements of Minnesota Statute 626.556 and District Policy 414 Mandated reporting of child neglect or physical or sexual abuse.

EVIDENCE:

1. Dissemination of policy and training took place through annual distribution of handbooks, policy review, and training during onboarding and annual refresher training. The policy was reviewed on ~~November 1, 2022~~ [November 10, 2023](#). This policy is reviewed with all new hires as part of their onboarding.
 2. The school district reports all instances of child neglect, physical and sexual abuse to appropriate agencies. Human resources, the office of the Associate Superintendent of Academics and Innovation, and principals supported mandated reporting throughout the year.
 3. The school district has not been found in violation by MDE.
-

STATEMENT OF ASSERTION:

EL 2.2.8 is reasonable and in compliance.

48

BOARD NOTES:

2.2.9

Furthermore, the Superintendent shall not: Neglect to provide adequate minimum eating times and access to school meals for students.

OPERATIONAL INTERPRETATION:

1. Students need to be able to eat breakfast and/or lunch at school within a space and time frame that is suitable to that task.
2. Adequate minimum time is defined as at least 10 minutes of time to eat for breakfast and 20 minutes of time to eat for lunch for K-12 students.
3. Adequate access is defined as providing a designated eating space that is clean and accessible to all students.

JUSTIFICATION:

There are no federal or state regulations governing minimum time or access standards for school meals for students. In the absence thereof, the District looks to several sources to define adequate minimum time. MDE recommendations were reviewed, current “like” and proximal school district practices were reviewed, and staff and leadership were consulted.

49

MDE recommends that districts consider the Centers for Disease Control’s recommendation of providing students with 10 minutes of eating time for breakfast and 20 minutes of eating time for lunch within a clean and accessible meal space.

The operational interpretation of this policy is consistent with the majority of neighboring districts to Eden Prairie Schools, which utilize meal periods that closely align with the times described in the operational interpretation of this policy.

The operational interpretation of this policy is consistent with feedback provided by district building principals based on their observations and interactions with staff and students during meal periods at their sites.

The variance in lunch periods between elementary, middle, and high schools is attributed to differences in the average wait time associated with obtaining lunch at each level.

Time and/or space provided beyond the minimum levels described in the operational interpretation of this policy would require a reduction in instructional opportunities for students during the existing school day or an expansion of the minutes built within the school day.

MEASUREMENT PLAN:

Compliance with this policy shall be evidenced by the annual process of reviewing:

1. Meal schedules at each elementary and secondary school building to ensure adequate minimum time.
 2. Internal Audit by district staff of meal time provided for students.
 3. An accounting of practices related to the cleanliness and accessibility of eating spaces at each elementary and secondary school building.
 4. Each student has access to a school breakfast and lunch.
-

50

EVIDENCE:

1. All sites provide a minimum of 20 minutes of eating time for breakfast each day. ~~To accommodate for social distancing, grab and go breakfast was provided to students to eat in their classrooms before the start of school.~~ Each site scheduled a minimum of 25 minutes for lunch. This would accommodate for the very last student to go through the line and have adequate time to eat.
2. An internal audit occurred at each school site during the ~~2022-2023~~ 2023-2024 school year to ensure students were receiving time to eat that was built into site schedules.
3. An accounting of practices related to the cleanliness and accessibility of eating spaces at each elementary and secondary school building was conducted in ~~September 2022~~ April 2024. Findings included:
 - a. All elementary and secondary school eating spaces are ADA compliant.
 - b. All elementary and secondary school eating spaces are large enough to accommodate the numbers of students being served within them during each meal shift.
 - c. All elementary and secondary school eating spaces feature age-appropriate seating.
 - d. Staff are designated at each school to assist students, monitor safety, and maintain cleanliness during each meal period.
 - e. Custodians and lunchroom paraprofessionals are designated at each school to ensure that eating spaces are clean

following the conclusion of meal periods each day and prepared for the following day's usage.

4. Implementation of the Universal School Meals Bill as approved by the MN Legislature in 2023 took place effective July 1, 2023. Each student received access to a free breakfast and lunch under this act, regardless of socioeconomic status. Milk was also provided to students at no cost to any student who brings their own lunch from home.
-

STATEMENT OF ASSERTION:

EL 2.2.9 is reasonable and in compliance.

BOARD NOTES:

2.2.10

Furthermore, the Superintendent shall not: Neglect to provide adequate minimum time and access to recess for elementary students.

OPERATIONAL INTERPRETATION:

Recess is defined as a regularly scheduled period in the school day where students are encouraged to engage in physical activity or play with their peers in activities of their choice under the supervision of trained adult monitors.

1. Adequate minimum time is defined as at least a 20-minute recess period for elementary school students.
2. Adequate access is defined as providing a designated outdoor or indoor space for recess activities that safely accommodates the number of students accessing it at one time.

JUSTIFICATION:

52

There are no federal or state regulations governing minimum time or access standards for recess for elementary students. In the absence thereof, MDE recommends that districts consider the best practices outlined in the “Active Recess” toolkit developed by MDE, which includes a recommendation for daily recess for at least 20 minutes for all K-5 students within a defined playground space that features access to play equipment and trained supervisors and that allows for students to safely and universally engage in a variety of recess activities.

The operational interpretation of this policy is consistent with the practice of the majority of neighboring districts to Eden Prairie Schools, which utilize an approximately 20-minute recess period within an adult-monitored playground, gymnasium, or classroom space. The operational interpretation of this policy is also consistent with feedback provided by our building principals based on their observations and interactions with staff and students during and outside of recess periods at their sites.

Time and/or space provided beyond the minimum level described in the operational interpretation of this policy would require a reduction in instructional opportunities for students during the school day or an expansion of the minutes built within the school day.

Recess is just one strategy suggested by the body of academic research for engaging students in physical activity throughout the

school day. Additional strategies include engaging students in physical education courses, engaging students in physical extracurricular activities, and the integration of physical activity into classroom instructional activity, all of which are also utilized in elementary schools within our district.

MEASUREMENT PLAN:

Compliance with this policy shall be evidenced by the annual process of reviewing:

1. Student recess schedules at each elementary school building to ensure adequate minimum time.
 2. An accounting of practices related to the safety and accessibility of recess spaces at each elementary school building.
-

EVIDENCE:

1. Following review of schedules and confirmation by cabinet members, all school sites were in compliance with the adequate minimum recess time of 20 minutes during the ~~2022-23~~ 2023-2024 school year.
2. An accounting of practices related to the safety and accessibility of recess spaces at each elementary and secondary school building was conducted in ~~September 2022~~ April 2024. Findings included:
 - a. All elementary recess spaces are ADA compliant.
 - b. All elementary recess spaces are in adherence with Policy 807 regarding playground safety.
 - c. An annual process is in place throughout the district by which building principals are able to review and request updates to recess spaces through the submission of capital requests.
 - d. An annual process is in place throughout the district by which staff are able to review and request updates to age-appropriate play equipment.
 - e. Trained staff are designated at each school to monitor students during recess periods to ensure safe engagement in physical play activities.
 - f. All playgrounds are inspected annually by a certified playground safety consultant.

53

STATEMENT OF ASSERTION:

EL 2.2.10 is reasonable and in compliance.

BOARD NOTES:

EL 2.7 Asset Protection

Policy Quadrant: Executive Limitations

- Monitoring Time Frame: ~~July 1, 2022 – June 30, 2023~~ July 1, 2023 – June 30, 2024
- Date of School Board Monitoring: ~~August 28, 2023~~ August 26, 2024

Board Policy Monitoring Motions:

- Operational Interpretation is/is not reasonable
- Board does/does not accept the Superintendent's assertion of compliance/non-compliance

Global Constraint:

The Superintendent shall not cause or allow district assets to be unprotected, inadequately maintained, inappropriately used, or unnecessarily risked.

55

OPERATIONAL INTERPRETATION:

I interpret compliance with the overall policy to mean that all twelve (12) policy provisions are in compliance. Furthermore:

1. I interpret "assets" to mean physical and intellectual property of the District with a value greater than \$5,000.
2. I interpret "unprotected" to mean assets without insurance and/or a plan/guiding procedures.
3. I interpret "inadequately maintained" to mean a lack of preventive maintenance, repair, or renovation which may cause an asset to deteriorate and experience an accelerated depreciation, within available financial resources.
4. I interpret "inappropriately used" to mean the utilization of assets not in accordance with the desired Ends of the district.
5. I interpret "unnecessarily risked" to mean the exposure of assets to circumstances resulting in a higher likelihood of theft or otherwise being unavailable for the asset's intended purposes.

JUSTIFICATION:

The provisions 2.7.1 through 2.7.12 adequately summarize and categorize those district assets that this policy protects.

MEASUREMENT PLAN:

1. All provisions are in compliance.
-

EVIDENCE:

1. Presented in provisions 2.7.1 through 2.7.12.
-

56

STATEMENT OF ASSERTION:

EL 2.7 is reasonable and in compliance.

BOARD NOTES:

2.7.1

Furthermore, the Superintendent shall not: Develop a facilities construction, renovation and maintenance plan that is not part of a comprehensive rolling ten-year plan.

OPERATIONAL INTERPRETATION:

I interpret “a comprehensive rolling ten-year plan” to be a master plan for facilities construction, renovation, and/or maintenance that is reviewed and updated annually. The annual update allows the District to consider alternatives to the plan in order to reflect new facility needs and educational plans for the future.

JUSTIFICATION:

A school district needs an ongoing program of assessment of existing school sites and facilities in order to identify school facility improvement issues, alternative means of addressing those issues, and to maintain a quality educational environment for students, staff, and community/partnership users. “To establish and maintain quality school facilities and a desirable learning environment for students, staff, and community users, an ongoing assessment of school facility needs and a program of public information about those needs is essential. (Guide for Planning School Construction Projects in Minnesota; MDE, 2003; p. 37) 57

MEASUREMENT PLAN:

1. The comprehensive rolling ten-year facilities plan shall be reviewed and updated on an annual basis.
2. The comprehensive rolling ten-year facilities plan shall be consulted and referenced during the development of any facilities construction, renovation, and/or maintenance plan.
3. The Capital Fund budget shall be reviewed and updated on an annual basis.

EVIDENCE:

1. The school board approved on ~~June 27, 2022~~ [June 26, 2023](#) a multi-year facilities plan of proposed projects by building location as part of the 10-year long-term facility maintenance plan which was submitted to the Minnesota Department of Education for review and approval in July ~~2022~~ [2023](#).
2. The administration presented multiple facility projects throughout the year, in the form of seek bids and bid approvals, which required school board approval and referenced the long-term facility maintenance plan. These projects included: ~~CMS Storage Building, District Wide Lighting Upgrades, ASC Restroom Remodel, EPHS PAC Lighting Replacement, and the EPHS Restroom Remodel~~ [EPHS activity center roof replacement, EPHS Remodel, and District Wide Energy Enhancements](#).
3. At the ~~April 25, 2022~~ [April 24, 2023](#) school board meeting, the board approved the ~~2022-2023~~ [2023-2024](#) capital budget which included funds to address facility improvements. Prior to approval, the administration worked with principals, department leaders, facility, staff, and the Superintendent's Cabinet to determine priorities for maintaining district facilities. Facility work completed or planned in fiscal year ~~2023~~ [2024](#) adhered to the Comprehensive Facility Plan and included the following components:
 - a. The district continued working on a long-term facility planning process geared to align with the strategic plan
 - b. Implemented facility changes to accommodate educational program needs and related space concerns
 - c. Discussed with the School Board deferred maintenance and capital fund expenditures and revenue sources
 - d. Continued development of Designing Pathways recommendations, including ~~piloting~~ the Inspire Choice programming at ~~Cedar Ridge and Eden Lake~~ [all](#) elementary schools.

58

STATEMENT OF ASSERTION:

EL 2.7.1 is reasonable and in compliance.

BOARD NOTES:



2.7.2

Furthermore, the Superintendent shall not: Fail to insure against theft and casualty losses at 100 percent of replacement value and against liability losses to School Board members, staff, and the organization itself in an amount greater than the average for comparable organizations.

OPERATIONAL INTERPRETATION:

1. Property, Casualty, Umbrella insurance coverage is in place to insure the School District for losses to real and personal property per Statement of Values on file with the insurance company.
 - a. "Fail to insure against theft and casualty losses at 100 percent of replacement value" is interpreted to mean a level of theft and casualty insurance that assumes a reasonable level of risk with consideration to the overall cost of said insurance (See Justification 2.a.).
2. Equipment breakdown insurance coverage is in place specifically for boilers and machinery.
3. Automobile insurance coverage is in place to insure the School District for losses resulting from owned, financed, leased or rented school buses, vans, driver's education vehicles and ground/facilities vehicles are as per Schedule on file with the insurance company. 60
4. Commercial General Liability, Umbrella Excess Liability coverages are placed to insure against Bodily Injury & Property Damage Liability; Personal & Advertising Injury Liability; Medical Payments; Sexual Misconduct and Molestation Liability; Innocent Party; Violent Event Response, and Employee Benefits Liability.
5. School Leader's Errors & Omissions coverage included Directors and Officers and school leader's professional.
6. Crime coverage included for loss sustained from employee dishonesty, theft, disappearance and destruction, computer fraud, forgery, and faithful performance.
7. Inland Marine coverage for the transport of goods in transit, as well as moveable property and instrumentalities of communication. These categories include items such as instruments, band uniforms, cameras, fine arts, monument signs, valuable papers, solar panels, electronic data processing and miscellaneous equipment.
8. Data and Network Security covers claims made by third parties arising out of a breach of the School District's computer network and data storage units or devices.
9. Volunteer Accident coverage protects an organization's volunteer workforce for medical costs associated with an accidental injury incurred while working on behalf of the organization.

10. International General Liability coverage is in place to insure students and staff while on international school sponsored trips for medical, ransom, death, hostage, and kidnapping
 11. Drone Liability coverage is in place to protect the School District for third party claims of property damage or injury resulting from the use of a district owned drone.
 12. Workers' Compensation is a form of insurance providing wage replacement and medical benefits to employees injured in the course of employment in exchange for mandatory relinquishment of the employee's right to sue his or her employer for the tort of negligence.
-

JUSTIFICATION:

This policy revolves around risk management, that is the identification, assessment, and prioritization of risks. The strategies to manage risk typically include transferring the risk to another party, avoiding the risk, reducing the negative effect or probability of the risk, or even accepting some or all of the potential or actual consequences of a particular risk. The business office uses Marsh & McLennan for brokerage services for this category of insurance coverage. Below are a number of considerations and coverage categories reviewed on an annual basis, the ~~2022-2023~~ 2023-2024 coverage was reviewed in June ~~2022~~ 2023:

61

1. Policies and procedures are in place to provide assurance of protection & supervision of facilities and equipment. (District Policy 902 Use of School District Facilities and Equipment)
2. Insurance is meant to provide a reasonable assurance that the owner of the insured real property can fully replace it in case of a loss. In this case, the Administration has chosen to insure at 100% of replacement value which considers the following pertinent facts:
 - a. The ~~current~~ estimated property value is \$516,686,191 based on a property appraisal completed in 2017 plus industry recommended increases each year. The estimated valuation used for the spring 2024 renewal process was \$524,976,055.
 - b. The property insurance plan the District purchases utilizes Special Form Replacement Cost on a Blanket Property coverage basis (i.e., total property limit can be used at any one location or multiple locations), meaning the only loss situation that the full 100% coverage would be utilized would be in the case of the complete destruction of all real and personal property of the District in every location in a single event. If the District were to lose multiple buildings in a single event, the total amount of insurance coverage would be available to rebuild and refurbish those school sites.
3. School Districts are subject to Minnesota Rule: Chapter 466. Tort Liability, Political Subdivisions.
(<https://www.revisor.mn.gov/statutes/?id=466&view=chapter#stat.466.02>) A school district cannot be held liable for actions that

are not foreseeable when reasonable measures ... are employed to insure adequate ...duties are being performed ..., and there is adequate consideration being given for the safety and welfare of all students in the school.

(<http://cousineaulaw.com/laws/minnesota-tort-laws>)

- a. In most education-related civil lawsuits there are two main categories of tort liability relevant to educational institutions—Intentional and Negligent Torts.
 - i. Intentional Torts—occur when an individual attempts or “intends” to cause harm to another. For intent to exist, the individual must be aware that injury will, or could, be the result of the act.
 - ii. Negligent Torts—there are four elements of a negligent tort:
 1. Duty—The duty of an individual or the institution to protect those in our care
 2. Breach (of Duty)—failure of the individual or institution to exercise a standard of reasonable care.
 3. Proximate Cause—showing that the individual or institution failed to exercise a standard of reasonable care.
 4. Injury—No matter how great the duty (Element 1), how egregious the breach of that duty (Element 2), or how foreseeable the consequences and proximate cause of the individual or institution’s standard of care (Element 3), there is no liability if actual injuries cannot be proven.

62

MEASUREMENT PLAN:

1. Compliance with this policy shall be evidenced through annual review of school district risk management processes and the subsequent renewal of our insurance plans that conform to the interpretation of this policy.

EVIDENCE:

1. Coverages in place July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024:
 - a. Property, Casualty, Umbrella insurance coverage is in place through Liberty Mutual
 - b. Equipment breakdown insurance coverage is in place through Hartford Steam Boiler Inspection & Insurance Co.
 - c. Automobile insurance coverage is in place through Liberty Mutual
 - d. Commercial General Liability, Umbrella Excess Liability coverages are in place through Liberty Mutual
 - e. School Leaders Errors & Omissions coverages are in place through Liberty Mutual
 - f. Crime coverages are in place through Liberty Mutual

- g. Inland Marine coverages are in place through Liberty Mutual
- h. Data Security and cyber liability coverages are in place through Liberty Mutual
- i. Volunteer Accident coverage is in place through HSR, Inc
- j. International General Liability coverages are in place through AIG
- k. Drone Liability coverage is in place through Global
- l. Workers' Compensation coverage is in place through SFM

STATEMENT OF ASSERTION:

EL 2.7.2 is reasonable and in compliance.

BOARD NOTES:

63

2.7.3

Furthermore, the Superintendent shall not: Subject facilities and equipment to improper wear and tear or insufficient maintenance.

OPERATIONAL INTERPRETATION:

I interpret this to mean all facility reviews and maintenance plans are in place for all school district buildings and grounds. The School Board is informed about the financial resources needed to implement the plans and that school budgets reflect the identified facility needs (within fiscal limitations).

JUSTIFICATION:

1. Proactive maintenance plans explicitly stated facility needs with associated costs, and appropriate budgets are essential to ensure school district assets are protected.
2. Facilities and equipment such as computers, school buses, boilers, air handling units, coolers and freezers, dishwashers, serving lines and ovens routinely exceed their expected useful life due to the following procedures, training and asset handling requirements:
 - a. Maintenance staff, technology staff, food service staff and school bus mechanics keep detailed records of maintenance schedules for all equipment
 - b. All staff is trained on the use of equipment that they operate and hold appropriate licensure or certification where required
 - c. Access to facilities and equipment is limited through security, either human or electronic, at all times. The proper authorities and key staff are notified in the case of breach of this security

64

MEASUREMENT PLAN:

1. Short and long-term maintenance plans are in place for each district facility. The School Board receives facilities progress reports as needed or desired throughout the year. Budgets include funds for maintenance and equipment needs as determined in district plans within available resources. Finally, the Superintendent approves expenditures from building contingency funds as needed.
-

EVIDENCE:

1. Plans as identified in the justification are in place along with a budget to support them, [that was approved by the school board](#).
-

STATEMENT OF ASSERTION:

65

EL 2.7.3 is reasonable and in compliance.

BOARD NOTES:

2.7.4

Furthermore, the Superintendent shall not: Allow external guests or user groups access to the facilities or assets without procedures in place to protect district concerns.

OPERATIONAL INTERPRETATION:

The District encourages maximum use of school facilities and equipment for community purposes that do not interfere with use for school purposes. The District expects members of the community who use facilities and equipment to do so with respect for school district property and an understanding of proper use. Individuals and groups shall be responsible for damage to facilities and equipment. A certificate of insurance may be required by the school district to ensure payment for these damages and any liability for injuries. The school district administration may authorize the use of school facilities by community groups or individuals. It may impose reasonable regulations and conditions upon the use of school facilities as it deems was the largest user and appropriate.

66**JUSTIFICATION:**

District Policy 902 Use of School District Facilities and Equipment puts forth the processes related to the public use of school facilities and equipment.

MEASUREMENT PLAN:

Compliance shall be evidenced by the appropriate application of District Policy 902.

EVIDENCE:

The Eden Prairie community utilized all district sites with over ~~32,800~~ 44,492 participants and more than ~~146,000~~ 187,318 hours during fiscal year ~~2023~~ 2024. Eden Prairie Schools Community Education served approximately ~~15,650~~ 20,229 community members in more than ~~22,500~~ 51,106 hours. Outside of school hours, when events and/or activities are scheduled, building monitors are positioned near the one

unlocked entrance to check people in, monitor traffic flow, enforce facility policy/ procedures, review crisis plans and act as a liaison with building administration. All outside groups are pre-approved and accept all school safety protocols. Spaces within the buildings that are used for rental groups are specifically located near entrances with restrictions to other areas of the building.

STATEMENT OF ASSERTION:

EL 2.7.4 is reasonable and in compliance.

BOARD NOTES:

67

2.7.5

Furthermore, the Superintendent shall not: Unnecessarily expose the organization, its School Board, or its staff to claims of liability.

OPERATIONAL INTERPRETATION:

I interpret this to mean the actions of the school board, the superintendent's behavior, and the behavior of all district employees will be governed by state and federal law.

JUSTIFICATION:

The best way to preserve the legal liability of the school district is to ensure policies and procedures are current, the School Board and Staff are aware and understand the policies and procedures, and that required trainings (Federal and State) occur annually. A deliberate provision for staff awareness of legal responsibilities and professional behavior is essential.

68

MEASUREMENT PLAN:

1. Commercial General Liability, Umbrella Excess Liability and School Leader's Errors & Omissions and Crime coverages are in place to insure against Bodily Injury & Property Damage Liability; Personal & Advertising Injury Liability; Medical Payments; Employee Benefits Liability and Sexual Abuse, School Leader's Professional, Director's and Officer's Liability, and Employment Practices Liability.
2. In addition, we provide opportunities for training to staff and board members on applicable Federal and State laws as necessary or required. Written policies indicating appropriate procedures for various activities within the district are in place and available on our web site and in the central office.

EVIDENCE:

1. All coverage was in place during the monitoring period.
 - a. Commercial General Liability, Umbrella Excess Liability coverages are in place through Liberty Mutual (~~July 1, 2022 – June 30, 2023~~ [July 1, 2023 – June 30, 2024](#))
 - b. School Leader's Errors & Omissions coverages are in place through Liberty Mutual (~~July 1, 2022 – June 30, 2023~~ [July 1, 2023 – June 30, 2024](#))
 - c. Crime coverages are in place through Liberty Mutual (~~July 1, 2022 – June 30, 2023~~ [July 1, 2023 – June 30, 2024](#))
 2. Policies have been updated and approved by the Board and training occurs throughout the year in formal and informal manners. Policies and practices are posted on our website and available to staff and others at the central office.
-

STATEMENT OF ASSERTION:

EL 2.7.5 is reasonable and in compliance.

69

BOARD NOTES:

2.7.6

Furthermore, the Superintendent shall not: Endanger the organization's public image, its credibility, or its ability to accomplish ends.

OPERATIONAL INTERPRETATION:

I interpret this to mean the Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, unsafe, imprudent, or in violation of commonly accepted educational and professional ethics and practices.

JUSTIFICATION:

1. The school district's image, credibility, and ability to accomplish its Ends must be protected at all times. A deliberate provision and attention to maintaining a current, purposeful, legal, and ethical financial system significantly improves the district's ability to achieve its Ends and maintain the support of its community. 70
 2. Superintendents are not only subject to rules and regulations related to the operation of a school district, but also to the Minnesota Code of Ethics for School Administrators (MN Rule 3512.5200).
-

MEASUREMENT PLAN:

1. This policy shall be measured by the presence (or lack thereof) of any formal complaints found to be factual by the School Board, their designee, or the Board of School Administrators that the public image, credibility, or ability to accomplish our Ends has been endangered.
2. Other evidence to support compliance with this policy include scientific survey results, [status of brand/logo protection](#), and the acceptance of related Executive Limitation monitoring reports determined to be in compliance by the School Board.

EVIDENCE:

1. There were no formal complaints made to the School Board or Board of School Administrators regarding public image violations or violations against the rules and regulations set forth by the Minnesota Code of Ethics for School Administrators.
2. In ~~April 2023~~ **June 2024**, a valid and reliable scientific community survey was completed by a ~~3rd~~ **third**-party organization. The school board ~~heard the results presented and the~~ **will be presented the results in September 2024**. The survey found that areas like: trust, communication, financial management, decision making, taxes, quality of education and support continued to be extremely high in context to public schools **and with no statistically significant change from the prior monitoring cycle**. In several areas there were statistically significant increases in positive public perception of Eden Prairie Schools. The survey also found that in some areas where there may be differences in opinion that the district has struck a “sweet spot” or balance in having strong majority support, with a much smaller but approximately equal percentage of people holding differing viewpoints either side of **center**. ~~The results showed many of the marks came back above or at all time highs and showed no statistically significant change in reputation and levels of trust during the reporting period. The report demonstrated very strong community support. In addition, all Executive Limitation monitoring reports regarding public image and credibility during the monitoring period were accepted as in compliance.~~

71

Additionally, in May 2024, the district received final trademark registration from the United States Patent and Trademark Office, which protects district logos and taglines against unauthorized use in areas of commerce. Registered trademarks will be active until required renewal in 2028-29 and include:

- The district logo of EP with wings
- The athletic logo of an eagle head with the letters EP
- The district tagline “Inspiring Each Student Every Day”
- The district/athletic naming of “Eden Prairie Eagles”

STATEMENT OF ASSERTION:

EL 2.7.6 is reasonable and in compliance.

BOARD NOTES:

2.7.7

Furthermore, the Superintendent shall not: Allow uninsured personnel access to material amounts of funds.

OPERATIONAL INTERPRETATION:

I interpret this to mean that adequate internal controls and insurance coverages are in place to limit the District's exposure and risk of loss.

JUSTIFICATION:

Insurance coverage is essential to protect the overall integrity of the financial system. Insurance ensures that fraud, negligence, or theft by an employee will have a limited impact on the school district.

Proper internal controls are essential to limit the district's exposure to loss through fraud or error.

73

MEASUREMENT PLAN:

1. The School District develops, publishes, enforces, and reviews annually internal controls regarding access to funds.
2. The external auditors annually review the system of internal controls, conduct a system walk-through and report any exceptions.
3. Employee Theft and Dishonesty/Crime policies are in place to insure against: Employee Theft Per Loss (also includes Public Employees Faithful Performance); Depositor's Forgery/Alteration; Theft, Disappearance & Destruction (Money, Securities & Other Property – including Robbery & Safe Burglary; and Computer Funds & Transfer Fraud.

EVIDENCE:

1. The District Business Office conducted its formal internal control annual review and trained Business Office employees regarding the District's regulations regarding access and handling of district funds in June ~~2023~~ 2024.
 - a. The internal control procedures revealed no exceptions during fiscal year ~~2023~~ 2024.
 - b. Each site petty cash and secure safe is randomly audited annually by business office staff.
 - c. All cash deposits must be accompanied by a written cash receipt. Cash receipt backup retained at the site is randomly audited by business office staff.
 - d. The use of the online payment systems, MyPaymentsPlus, Campus, Vanco and USAePay will reduce the amount of cash transactions throughout the district, especially in student activities and food service.
2. The fiscal year ~~2023~~ 2024 financial audit required by state statute will be presented on or about ~~November 27, 2023~~ November 25, 2024. The audit report includes a section on "Internal Controls" that would indicate concerns with the District's internal processes and controls during the prior fiscal year.
3. The fiscal year ~~2022~~ 2023 Audit indicated no internal control deficiencies regarding uninsured personnel access to material amounts of funds.

74

STATEMENT OF ASSERTION:

EL 2.7.7 is reasonable and in compliance.

BOARD NOTES:

2.7.8

Furthermore, the Superintendent shall not: Receive, process, or disburse funds under controls that are insufficient to meet the School Board-appointed auditor's standards.

OPERATIONAL INTERPRETATION:

I interpret this to mean the District audit and financial statements must be based on Generally Accepted Government Auditing Standards, the federal Single Audit Act, and the Minnesota Legal Compliance Guide issued by the Office of the State Auditor in reference to the school district's financial resources.

JUSTIFICATION:

School districts are required to have an annual independent financial audit, to submit audited financial data to the Minnesota Department of Education (MDE) electronically, and to submit all required components of the audit report to MDE and to the Office of the State Auditor. 75

MEASUREMENT PLAN:

1. The Annual Audit Report that routinely tests the district's financial processes and practices. Non-compliance would be reflected by "findings" published in the Annual Audit Report to the Board of Education.

EVIDENCE:

1. The School Board approved the fiscal year ~~2022~~ 2023 audit on ~~November 28, 2022~~ December 11, 2023 and these reports were submitted to the Minnesota Department of Education and the State Auditor's office in December ~~2022~~ 2023. The fiscal year ~~2022~~ 2023 Annual Audit revealed one legal compliance finding and no internal control findings over compliance. We also received

American School Board Association of School Business Officials (ASBO) and Government Financial Officer Association (GFOA) awards for excellence in financial reporting.

STATEMENT OF ASSERTION:

EL 2.7.8 is reasonable and in compliance.

BOARD NOTES:

76

2.7.9

Furthermore, the Superintendent shall not: Compromise the independence of the School Board's audit or other external monitoring or advice.

OPERATIONAL INTERPRETATION:

I interpret this to mean I will not interfere with the external auditing process and not utilize auditing personnel for other financial business. I will ensure the annual audit takes place in a timely manner.

JUSTIFICATION:

The external audit is, in its purest form, a report card on the overall functioning of the school district. As such, the Superintendent and Executive Director of Business Services should cooperate (and not disrupt) the audit process to all possible extent. As a primary safeguard to maintaining fiscal integrity, the external audit should remain as neutral to the administration and operations of the district as possible. 77

MEASUREMENT PLAN:

Per State Statute, the School Board appoints an external auditor to conduct all external audits. Audits are conducted at the beginning of each fiscal year, and must be completed by the School Board prior to December 31. As a part of the process, the School Board meets with the external auditor to review the audited statements and to report its findings.

EVIDENCE:

The School Board accepted the fiscal year ~~2022~~ 2023 audit on ~~November 28, 2022~~ December 11, 2023 and these reports were submitted to the Minnesota Department of Education and the State Auditor's office in December ~~2022~~ 2023.

STATEMENT OF ASSERTION:

EL 2.7.9 is reasonable and in compliance.

BOARD NOTES:

2.7.10

Furthermore, the Superintendent shall not: Substantially change the principal educational purpose of a school by closing, repurposing, consolidating, combining or creating new or choice destination schools without School Board approval.

OPERATIONAL INTERPRETATION:

1. I interpret *school* as:
 - a. The legal definition of *school* per Minnesota Statute 120A.05,
 - b. I further interpret *school* to be the “real property” consisting of any one of the eight (8) current *school* buildings, “[Valley View Building](#),” and Lower Campus.
2. The phrase *principal educational purpose* is interpreted as the standard course of academic programs implemented to meet the standards established by the Minnesota Commissioner of Education (MN Statute 120A.05).
3. I interpret *substantially change the principal purpose of a school* to mean:
 - a. Alter the primary use of one of the District’s elementary, middle or secondary schools per the legal definition of a *school* (MN Statute 120A.05).
 - b. Significantly alter the physical space and primary use of a specially designated or designed space of a *school* (i.e. gym, swimming pool, media center, etc.).
 - c. To demolish, reconfigure, or remodel in order to create a new use at a cost in excess of \$100,000 at one site.
4. I interpret *by closing or repurposing it* to mean:
 - a. *Closing* is eliminating the use of a District *school* building for any District purpose.
 - b. *Repurposing* is:
 - i. Creating a District “*Destination School*”
 - ii. Using a District *school* building for a purpose not associated with a school.
5. I interpret *by consolidating or combining it with another school* to mean:
 - a. The action of moving one *school* into another *school’s* building, and eliminating one of the *schools* affected, or;
 - b. Moving one *school* into another school’s building and changing the principal educational purpose of individual *schools*.
6. I interpret *board approval* as an affirmative majority vote by a quorum of the School Board on a recommendation provided by the Superintendent or his/her designee.

JUSTIFICATION:

1. The legal definition of *school* was used to delineate those structures from other District real properties.
2. Minnesota Statute 120A.05 defines the *principal educational purpose* of school sites:
 - a. **Subd. 9.Elementary school.** "Elementary school" means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in prekindergarten through grade 6 or any portion thereof, and staff meeting the standards established by the commissioner.
 - b. **Subd. 11.Middle school.** "Middle school" means any school other than a secondary school giving an approved course of study in a minimum of two consecutive grades above 4th but below 10th with building, equipment, courses of study, class schedules, enrollment, and staff meeting the standards established by the commissioner of education.
 - c. **Subd. 13.Secondary school.** "Secondary school" means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in grades 7 through 12 or any portion thereof, and staff meeting the standards established by the commissioner of education. (*Note: the Education Center in Eden Prairie is not included in this definition, as the District does not own real property at that site.*)
3. The definition of "Real Property" was used to differentiate it from other types of property owned by the district 80
 - a. "Real Property" is defined as "A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure." (MN Statute 272.03.b.) (*Note: the Education Center in Eden Prairie is not included in this definition, as we do not own real property at that site.*)
4. *Closing or Repurposing*
 - a. It is not uncommon for individual rooms in a facility to provide several functions as needs arise and priorities change over a period of time while the *school* as a whole retains its *principal educational purpose*. Most often, the *repurposing* of usable space does not require substantial changes to the physical structure.
 - b. This interpretation does not limit Administration from managing its *schools* to produce the desired ends. It does limit the administration from *substantially changing* to a *school* in a manner that would:
 - i. Physically alter a "specially designated or designed space" for a new use.
 - ii. Require contracts over \$100,000 for repurposing classroom or specialized space at a single *school* to be approved by the School Board per MN Statute 123B.52 and MN Statute 471.345, Subd. 3.
5. *"Destination School"*

- a. Meets the legal definition of a *school* and provides the standard academic program and standards as established by the Minnesota Commissioner of Education *in an alternative, enhanced, or specialized learning environment*.
 - b. Is open to enroll eligible students regardless of their home location within the School District
 - c. Provides a specialized academic focus in *an alternative, enhanced, or specialized learning environment* that may include, but is not limited to: language immersion, technology, environmental studies, fine arts, online, STEM, etc.
 - i. Programs such as Level III Gifted Services, Special Education Low Incidence and Center-Based programs, and English Language Learners are not *destination schools*.
 - ii. Eagle Heights Spanish Immersion School is a *destination school* per this interpretation.
 - iii. Eden Prairie Online is a *destination school* per this interpretation.
 - iv. The Level IV Gifted and Talented programming would be considered a *destination school* at such point as it encompasses multiple grade levels at one or more *school* sites.
6. Board Approval
- a. School Board voting rules are self-explanatory and legally required to do the business of the school district

This interpretation has the expectation that the Superintendent will undertake a process that provides adequate background information, opportunities for discussion, and culminates with a specific recommendation for Board action.

81

MEASUREMENT PLAN:

The Superintendent shall be found to be in compliance with this policy when:

1. The district's *school* sites retain their "principal" educational purpose,
2. The district's *school* sites are not repurposed, consolidated or combined with another school without Board approval.

EVIDENCE:

1. During the reporting period all school sites [serving programs during the 2023-2024 school year](#) retained their principal educational purpose. [The District completed the purchase of the Valley View Building with significant discussion and approval by the School Board over the course of the year. That building will host a variety of programs and services including the District's transition programming, alternative educational model programming and support to students and families in the community](#)

including potential partners as discussed with the school board. Although the building was purchased within this monitoring period no changes were made without approval of the School Board.

2. During the reporting period, there were no school sites that were repurposed, consolidated or combined.

STATEMENT OF ASSERTION:

EL 2.7.10 is reasonable and in compliance.

BOARD NOTES:

82

2.7.11

Furthermore, the Superintendent shall not: Allow anyone other than the School Board to name facilities, schools, classrooms, or spaces within the district.

OPERATIONAL INTERPRETATION:

The Eden Prairie School Board is responsible for permanently naming facilities, which includes buildings, rooms, internal spaces, streets, landscape materials and associated exterior furnishings, courts, athletic fields, open spaces, forests, and all other areas owned, operated, or controlled by the Eden Prairie School District.

Eden Prairie School District may name facilities according to provisions established by statute. The School Board may elect to name facilities in recognition of individuals who have attained achievements of extraordinary and lasting distinction or enter into authorized agreements and contracts to lease naming rights for school facilities or enter into an agreement with a sponsoring agent in order to generate alternative sources of revenue to be used according to a plan specified by the School Board.

83

JUSTIFICATION:

Board authority, established in statute, permits the Board to enter into a contract to lease the naming rights for school facilities, sell advertising on or in facilities and otherwise enter into an agreement with a sponsoring agent. The School Board exercises approval authority for naming of all facilities owned, operated, or controlled by the Eden Prairie School District.

MEASUREMENT PLAN:

Compliance with this policy shall be evidenced via the Board naming all permanent facilities owned or leased by the District.

EVIDENCE:

No spaces were named during the monitoring period. ~~The district utilized federal funds to renovate a bus into a mobile classroom. The board approved the name "Eagle Express" in June 2023. No other spaces were named during the monitoring period.~~

STATEMENT OF ASSERTION:

EL 2.7.11 is reasonable and in compliance.

BOARD NOTES:

84

2.7.12

Furthermore, the Superintendent shall not: Eliminate any non-state-required programs that would adversely affect our reputation and/or diminish the value of our broad-based educational opportunities without School Board approval.

OPERATIONAL INTERPRETATION:

1. An “educational program” is defined as “a set of learning activities with a specific goal.” In the context of a school district, an educational program is interpreted as a set of courses leading to acquisition or mastery of a set of identified competencies.
2. The core of this policy [The Superintendent shall not] “Eliminate any non-state required programs...without board approval” is self-explanatory. I interpret this policy to mean that Administration must seek approval via official vote of the School Board to discontinue any educational program at any level that is not required by Minnesota statute.
 - a. The State of Minnesota requires the following of all of its high school graduates:
 - i. 4 credits of language arts
 - ii. 3 credits of mathematics, including algebra, geometry, statistics and probability sufficient to satisfy the standards. 85
Students in the graduating class of 2015 and beyond must complete an algebra II credit or its equivalent as part of the 3-credit requirement. In addition to the high school credits, students in the graduating class of 2015 and beyond must also complete an algebra I credit by the end of eighth grade.
 - iii. 3 credits of science, including a biology credit. In addition, students in the graduating class of 2015 and beyond must complete a chemistry, physics, or Career and Technical Education (CTE) credit as part of the 3-credit requirement. (The CTE credit must meet the standards underlying the chemistry or physics credit.)
 - iv. 3-1/2 credits of social studies, including U.S. history, geography, government and citizenship, world history and economics.
 - v. 1 credit in the arts
 - vi. 7 elective credits
 - b. In grades K-8 school districts are required to put state academic standards into place so all students have access to high-quality content and instruction. Districts must develop local standards for subjects that do not have state standards. (Source: MDE) Therefore, specific elective courses and programs are not required at these levels, but the standards embedded in those courses and programs are required to be delivered in some form to students.

3. The phrase “adversely affect our reputation and/or diminish educational opportunities” is subjective in nature. Therefore, the discussion regarding “value” becomes a consideration for the School Board rather than one for the Superintendent in the decision-making process.
-

JUSTIFICATION:

The parents and owners of Eden Prairie schools value the broad-based educational program offered by the District as evidenced through strategic planning, designing pathways, and district scientific random sample community surveys conducted over time by a third-party research firm. ~~Morris Leatheman Company.~~

MEASUREMENT PLAN:

1. Compliance shall be evidenced by adherence to the intent and direction of this policy, *which includes evidence via 3rd party measurement when available.*
-

86

EVIDENCE:

1. *No educational programs were eliminated during the monitoring period without approval of the school board and in June 2024, a third party conducted a statistically valid and reliable scientific research survey of the community. The survey found that areas like: trust, communication, financial management, decision making, taxes, quality of education and support continued to be extremely high in context to public schools and with no statistically significant change from the prior monitoring cycle. In several areas there were statistically significant increases including the area of “quality of education”. We are among the very top public school districts in the state for public ratings of our school district. The school board will be presented the results in September 2024. In May 2023, the School Board heard a report from a 3rd party that was based on a valid and reliable scientific research survey of the community. There was no statistically significant impact to the reputation of the district and in many areas the results were at or above all time highpoints. In context to other public education institutions during this time, the public response and report continued to be highly positive.*

STATEMENT OF ASSERTION:

EL 2.7.12 is reasonable and in compliance.

BOARD NOTES:



Eden Prairie School District 272

Ends Policy Monitoring Report

Ends 1.6 Each student has the knowledge that citizens and residents of the United States need to contribute positively to society.

Monitoring Timeline: July 2024 to June 2025

Policy Quadrant: Ends Policy

Date of School Board Monitoring:

OI: June 2024

Evidence: October 2025

Operational Interpretation:

1. I interpret *each student* as every student enrolled in the Eden Prairie Schools and for whom data exists. *Each* also indicates that achievement disparities will not be predictable *between* racial groups and *within* service student groups.
2. I interpret *the knowledge that citizens and residents need* as an understanding of civics as defined by the Minnesota Learning Law and Democracy Foundation in partnership with the United States citizenship and immigration services.
3. I interpret *to contribute positively to society* to mean demonstrating **safe, kind, responsible, and** respectful behavior and digital citizenship.

Justification:

Eden Prairie's strategic mission is to inspire each student to learn continuously so they are empowered to reach personal fulfillment and contribute purposefully to our ever-changing world. Our focus on each learner shows a commitment to the success of each individual student; that each learner's needs are met so they may achieve personal and district expectations and these expectations are not impacted by racial, socio-economic, or service groups defined by the Minnesota Department of Education.

Each Student Is a Knowledgeable Citizen and Resident

To contribute purposely to society, students must engage in the study of citizenship to develop the content, concepts, skills, and dispositions necessary to be informed and engaged citizens in the contemporary world. These skills are taught throughout our social studies curriculum aligned with Minnesota state standards. ~~Eden Prairie students will be measured on their understanding of these outcomes by completing a comprehensive assessment based upon the naturalization test administered by U.S. Citizenship and Immigration Services.~~

Additionally, in our 21st century society, students must develop and model citizenship. Developing the attributes of a good citizen are essential for all students to create a productive and effective local, national, and global community. Citizenship is learned and experienced in various formats, including in-person and in digital platforms. Specific to digital citizenship development, students gain the knowledge to ethically and responsibly use technology and digital tools. In alignment with the International Society for Technology in Education (ISTE), we support students in their knowledge development in the rights, responsibilities and opportunities of living, learning and working in an interconnected digital world.

Learning to become a **safe, kind, responsible, and** respectful citizen of a school community will contribute towards each student becoming a citizen who contributes positively in their local, national, and global community. Daily interactions among students should be characterized as respectful of one another regardless of ethnicity, race, gender, political beliefs, social philosophies, or other characteristics and opinions.

As with academic achievement, student and staff feedback around citizenship are key metrics. By gathering and acting on student feedback, we foster a sense of ownership, motivation, and responsibility for students' own learning. Student voice also helps us gain valuable insights into students' needs, interests, and aspirations, leading to more personalized and relevant educational experiences.

Ultimately, student engagement feedback cultivates a positive and inclusive learning environment where students feel heard, respected, and valued as active contributors to their own education. Similarly, staff perceptions on the respectful and responsible behavior of students provide an essential perspective of respectful and responsible behavior throughout a school.

Citations:

- Minnesota Learning Law and Democracy Foundation - <http://www.legacy.leg.mn/MN-Civics-Questions.pdf>.
- U.S. Citizenship and Immigration Services - <https://www.uscis.gov/>.
- ISTE Areas of Focus (n.d.). "ISTE Standards: Students." *ISTE*. <https://www.iste.org/standards/iste-standards-for-students>.

Measurement Plan:

Results will include the demographic breakdown by federal race/ethnicity within special service student groups. Three-year trend data will be included when available.

~~Civics Assessed by the MN Civics Test and Civics/Government Coursework~~

~~In 2016, the Minnesota Legislature passed a law requiring Minnesota students in public schools to pass a civics test. The test consists of 50 out of the 100 questions in the United States Citizenship and Immigration Services (USCIS) Naturalization Test. The 50 questions were selected by the Learning Law and Democracy Foundation, in consultation with civics teachers (MDE Social Studies, 2021).~~

~~In addition to passing a civics test,~~ All students must take coursework in civics/government coursework which is taught throughout our social studies curriculum and aligned with Minnesota state standards. Students receiving credit bearing grades in these courses will be measured.

~~Responsible and Respectful Behavior Assessed through Report Card Standards~~

~~Students in grades K-5 will be assessed on responsibility and respectful behavior under the personal management report card standards.~~

Safe, Kind, Responsible, and Respectful Behavior Assessed through Student Self-Assessment

Students in grades K-12 will respond to grade-banded surveys created by Eden Prairie Schools students, teachers, and administrators that capture student feedback on whether they perceive their classrooms to be safe, kind, and responsible.

Safe, Kind, Responsible, and Respectful Behavior Assessed through Staff Assessment

Staff will use a custom survey created by Eden Prairie Schools that aligns with the student self-assessment survey to evaluate staff perceptions of student [safe](#), [kind](#), [responsible](#), and [respectful](#) behavior.

Digital Citizenship Assessed by Proficiency Scales

Student proficiency of digital citizenship is measured through performance assessments embedded into content area assessments. Proficiency scales assess students' knowledge of the rights, responsibilities, and opportunities of living, learning, and working in an interconnected digital world. Topics for teaching,

learning, and assessment include: digital identity management, safe online behaviors, rights and responsibilities in using and sharing intellectual property, and management and security of personal data.

Eden Prairie's Proficiency Scales:

- Level 1: Describes student performance that requires significant support in reaching basic proficiency.
- Level 2: Describes student performance that is approaching proficiency.
- Level 3: Describes student performance that is proficient.
- Level 4: Describes student performance that is exemplary and exceeds proficiency.

Targets:

Civics: Targets for ~~2023-2024~~ 2024-2025

- ~~95% of 12th graders will receive a passing grade (at least 60%) on the Minnesota Civics test.~~
- 95% of 12th graders will receive a credit bearing grade in US Government & Politics or Advanced Placement US Government.

~~Responsible and Respectful Behavior Assessed through Report Card Standards: Targets for 2023-2024~~

- ~~75% of elementary students will receive a Proficient score on the end of the year report card for respectful behavior~~
- ~~75% of elementary students will receive a Proficient score on the end of the year report card for responsible behavior~~

Safe, Kind, Responsible, and Respectful Behavior Assessed through Student Self-Assessment: Targets for ~~2023-2024~~ 2024-2025

- ~~Baseline data will be collected for student self-assessment on respectful and responsible behavior~~
- Favorable responses of students' self-assessment on safe, kind, and responsible behavior will increase by 5 percentage points from the beginning of the year to the end of the year

Safe, Kind, Responsible, and Respectful Behavior Assessed through Staff Assessment: Targets for ~~2023-2024~~ 2024-2025

- ~~Baseline data will be collected for staff assessment on respectful and responsible behavior~~
- Favorable responses of staff assessment on students' safe, kind, and responsible behavior will increase by 5 percentage points from the beginning of the year to the end of the year

Digital Citizenship: Target for ~~2023-2024~~ 2024-2025

- 80% of students will be proficient in the area of digital citizenship

Attendance Rate: Target for ~~2023-2024~~ 2024-2025

- The attendance rate will be 95% or above for all schools.
- The percentage of chronically absent students will be 15% or less

Evidence:

Policy Monitoring FOR BOARD USE ONLY

Board policy monitoring motions:

- Operational Interpretation is/is not reasonable.
- Evidence does/does not support the Operational Interpretation or the evidence supports the Operational Interpretation with exception.
- Accept/do not accept the Superintendent's assertion that the evidence demonstrates expected progress.

Statement of Assertion

Board Member's Summarizing Notes/Comments

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self- Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
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BOARD-MANAGEMENT DELEGATION (BMD) POLICIES					
3.0					
Single Point of Connection	09.23.24				
3.1					
Unity of Control	09.23.24				
3.1.1	09.23.24				
3.1.2	09.23.24				
3.1.3	09.23.24				93
3.2					
Delegation to the Superintendent	09.23.24				
3.2.1	09.23.24				
3.2.2	09.23.24				
3.2.3	09.23.24				
3.2.4	09.23.24				
3.3					
Superintendent Accountability and Performance	09.23.24				
3.3.1	09.23.24				
3.3.2	09.23.24				
3.3.3	09.23.24				
3.3.4	09.23.24				
3.3.5	09.23.24				

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.0 Global Governance Commitment	10.28.24				
4.0.1	10.28.24				
4.0.2	10.28.24				
4.1 Governing Style	10.28.24				94
4.1.1	10.28.24				
4.1.2	10.28.24				
4.1.3	10.28.24				
4.1.4	10.28.24				
4.1.5	10.28.24				
4.1.6	10.28.24				
4.2 School Board Job Products	10.28.24				
4.2.1	10.28.24				
4.2.2	10.28.24				
4.2.2 - A	10.28.24				
4.2.2 - B	10.28.24				
4.2.2 - C	10.28.24				
4.2.2 - D	10.28.24				
4.2.3	10.28.24				

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.3 Annual Work Plan	10.28.24				
4.3.1	10.28.24				
4.3.2	10.28.24				
4.3.3	10.28.24				
4.4 Officer Roles	09.23.24				95
4.4.1	09.23.24				
4.4.1.1	09.23.24				
4.4.1.2	09.23.24				
4.4.1.3	09.23.24				
4.4.1.4	09.23.24				
4.4.1.5	09.23.24				
4.4.1.6	09.23.24				
4.4.1.7	09.23.24				
4.4.1.8	09.23.24				
4.4.1.9	09.23.24				
4.4.2	09.23.24				
4.4.3	09.23.24				
4.4.4	09.23.24				

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.5 School Board Members' Code of Conduct	09.23.24				
4.5.1	09.23.24				
4.5.2	09.23.24				
4.5.2.1	09.23.24				
4.5.2.2	09.23.24				96
4.5.2.3	09.23.24				
4.5.3	09.23.24				
4.5.3.1	09.23.24				
4.5.3.2	09.23.24				
4.5.4	09.23.24				
4.5.5	09.23.24				
4.5.6	09.23.24				
4.5.7	09.23.24				
4.5.8	09.23.24				
4.5.8.1	09.23.24				
4.5.8.2	09.23.24				
4.5.8.3	09.23.24				
4.5.8.4	09.23.24				
4.5.8.5	09.23.24				
4.5.8.6	09.23.24				
4.5.8.7	09.23.24				

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.6 Process for Addressing School Board Member Violations	09.23.24				
4.6.1	09.23.24				
4.6.2	09.23.24				
4.6.3	09.23.24				97
4.6.4	09.23.24				
4.6.4.1	09.23.24				
4.6.4.2	09.23.24				
4.7 School Board Committee Principles	09.23.24				
4.7.1	09.23.24				
4.7.2	09.23.24				
4.7.3	09.23.24				
4.7.4	09.23.24				
4.8 School Board Committee Structure	09.23.24				
4.8.1	09.23.24				
4.8.2	09.23.24				
4.8.3	09.23.24				
4.8.4	09.23.24				

Record of Board Self-Evaluation Governance Policies

Monitoring 2023-24 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	Date of Self-Evaluation	Board Behavior Fully Compliant? Y/N	Board behavior needing improvement or opportunity for continuous improvement	Commitment Made/Action Taken	Completed
4.9 Governance Investment	10.28.24				
4.9.1	10.28.24				
4.9.1.1	10.28.24				
4.9.1.2	10.28.24				
4.9.1.3	10.28.24				
4.9.2	10.28.24				98
4.9.3	10.28.24				
4.10 Operation of the School Board Governing Rules	09.23.24				
4.10.1	09.23.24				
4.10.1.1	09.23.24				
4.10.1.2	09.23.24				
4.10.1.3	09.23.24				

Record of Board Policy Monitoring

Executive Limitations

Monitoring 2023-2024 School Year Data : July 1, 2023 – June 30, 2024

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

Policy	Date	Operational Interpretation – is/is not Reasonable?		Evidence – Board does/does not accept the Superintendent’s assertion of compliance/non-compliance		Date to re-monitor if either the OI is “Not Reasonable” or if Board “does not” accept Superintendent’s assertion of “Compliance”	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
EXECUTIVE LIMITATIONS							
EL 2.0 Global Executive Constraint	12/09/24						
EL 2.1 Emergency Superintendent Succession	08/26/24						
EL 2.2 Treatment of Students	08/26/24						
EL 2.3 Treatment of Parents	09/23/24						99
EL 2.4 Treatment of Staff	10/28/24						
EL 2.5 Financial Planning and Budgeting	12/09/24						
EL 2.6 Financial Management and Operations	09/23/24						
EL 2.7 Asset Protection	08/26/24						
EL 2.8 Compensation and Benefits	10/28/24						
EL 2.9 Communication and Support to the School Board	11/25/24						

Record of Board Policy Monitoring

ENDS

Monitoring 2023-2024 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	School Year	<ul style="list-style-type: none">Operational Interpretation is/is not reasonable.The Evidence does/does not support the Operational Interpretation or supports the Operational Interpretation with exception.		<ul style="list-style-type: none">Accept/does not accept the Superintendent's assertion that the evidence demonstrates expected progress OR accept the Superintendent's assertion that the evidence does not demonstrate expected progress.		Date to bring back the district's plan to demonstrate expected progress in the future	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
ENDS							

1.1 Each student graduates and is academically prepared to progress to multiple opportunities after high school.	2022-23	Yes 6/26/23	Yes 6/26/23	Yes 10/23/23	Yes 10/23/23		100
	2023-24	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - Yes 6/24/24</i>				
1.2 Each student is reading at grade level by the end of third grade.	2022-23	Yes 6/26/23	Yes 6/26/23	No 10/23/23	No 10/23/23		
	2023-24	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - Yes 6/24/24</i>				
1.3 Each student achieves individual growth and proficiency expectations annually in, but not limited to, Language Arts, Math, and Science.	2022-23	Yes 6/26/23	Yes 6/26/23	No 10/23/23	No 10/23/23		
	2023-24	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - Yes 6/24/24</i>				

Record of Board Policy Monitoring

ENDS

Monitoring 2023-2024 School Year Data: July 1, 2023 – June 30, 2024

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

Policy	School Year	<ul style="list-style-type: none">Operational Interpretation is/is not reasonable.The Evidence does/does not support the Operational Interpretation or supports the Operational Interpretation with exception.		<ul style="list-style-type: none">Accept/does not accept the Superintendent's assertion that the evidence demonstrates expected progress OR accept the Superintendent's assertion that the evidence does not demonstrate expected progress.		Date to bring back the district's plan to demonstrate expected progress in the future	Completed
		Superintendent Assertion	Board Finding	Superintendent Assertion	Board Finding		
ENDS							

1.4 Each student receives a broad-based education that exceeds the Minnesota State Graduation Requirements.	2022-23	Yes 6/26/23	Yes 6/26/23	Yes 10/23/23	Yes 10/23/23		101
	2023-24	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - Yes 6/24/24</i>				
1.5 Each student has the 21 st century skills needed to succeed in the global economy.	2022-23	Yes 6/26/23	Yes 6/26/23	No 10/23/23	No 10/23/23		
	2023-24	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - Yes 6/24/24</i>				
1.6 Each student has the knowledge that citizens and residents of the United States need to contribute positively to society.	2022-23	Yes 6/26/23	Yes 6/26/23	Yes 10/23/23	Yes 10/23/23		
	2023-2024	<i>OI – Yes Measurement - Yes 6/24/24</i>	<i>OI – Yes Measurement - No 6/24/24</i>				

SUPERINTENDENT CONSENT AGENDA

A. Semi-Monthly Reports

HUMAN RESOURCES

1. Human Resources – Principals

a. New Hires

b. Change in Assignment

Andrade Lara, Oscar - From Administrative Dean, Central Middle School to Associate Principal, Oak Point Elementary, effective 7/22/2024

c. Resignation/Retirements

2. Human Resources – Confidential

a. Change in Assignment

Schandle, Nicole – From Administrative Assistant, Central Middle School to Executive Assistant to the Assistant Superintendents of Elementary and Secondary Education, Administrative Services Center, 8 hours/day, 5 days/week, 260 days/year, effective 7/29/2024.

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

a. New Hires

Beulah, Jeremy - Administrative Dean, Central Middle School, effective 8/1/2024

Carver, S. Jason - Administrative Dean, Central Middle School, effective 8/5/2024

Dalbesio, Jamie - Director of Youth Programs, Community Education, effective 8/7/2024

Sherman, Camille - Director of Staffing, Hiring, and Retention, Administrative Services Center, effective 9/23/2024

Trunzo, Amanda - Administrative Dean, Eden Prairie High School, effective 8/1/2024

b. Change in Assignment

Wolf, Brandon - From Instructional Excellence Coordinator, Administrative Services Center to Administrative Dean, Eden Prairie High School, effective 8/5/2024

c. Resignation/Retirements

Nielsen, Brenda - Director of Employee Services, Administrative Services Center, effective 8/2/2024

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

a. New Hires

b. Change in Assignment

c. Resignation/Retirements

5. Human Resources – Licensed Staff

a. New Hires/Rehires

Ali, Nimo - Social Studies Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Anderson, Shelby - Visual Arts Teacher, 1.0 FTE, Central Middle School, effective 8/26/2024

Bennett, Alexandra - ML/EL Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Beran, Abigail - Elementary Interventionist, 1.0 FTE, Prairie View Elementary School & Oak Point Elementary School, effective 8/26/2024

Bjerke, Debra - Spanish Teacher, .333 FTE, Eden Prairie Online, effective 8/26/2024

Bock, Sofia - Social Studies Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Brown, Chloe - Math Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

SUPERINTENDENT CONSENT AGENDA

Bryzgornia, Andrew - Math Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Coyer, Carrie - Kindergarten Teacher, 1.0 FTE, Prairie View Elementary School, effective 8/26/2024

Hatzenbeler, Kyla - TOSA - Elementary Interventionist, 1.0 FTE, Cedar Ridge Elementary, effective 8/26/2024

Hekma, Emily - English Language/Multilingual Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Holbrook, Jordyn - Speech Language Pathologist, 1.0 FTE, Eagle Heights Spanish Immersion, effective 9/3/2024

Edin, Erik - Long Term Substitute Teacher - Special Education, 1.0 FTE, Eden Prairie High School, effective 8/26/2024 through 1/27/2025

Edin, Erik - Business Education Teacher, 1.0 FTE, Eden Prairie High School, effective 1/28/2025

Langemo, Madelynn - Business & Management Teacher, 1.0 FTE, Central Middle School, effective 8/26/2024

Linnett, Grace - Business Education Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

McDonald, Raleigh - Art Teacher, 1.0 FTE, Eden Prairie High School, effective 1/28/2025

Miller, Kari - TOSA - MTSS Site Coordinator, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Mills, Rebecca - Grade 3 Teacher, 1.0 FTE, Eden Lake Elementary School, effective 8/26/2024

Moening, Patricia - Math Teacher, .5 FTE, Eden Prairie Online, effective 8/26/2024

Norman, Yasmine - World Language - Spanish Teacher, 1.0 FTE, Eden Prairie High School, effective 8/26/2024

Otieno Obuon - Business Teacher, Eden Prairie Online, effective 8/26/2024

Phan, Caitlin - TOSA - Elementary Interventionist, .5 FTE, Eagle Heights Spanish Immersion, effective 8/26/2024

Puett, Mikenna - Grade 5 Teacher, 1.0 FTE, Prairie View Elementary School, effective 8/26/2024

Rowekamp, Steven - Multilingual Teacher, 1.0 FTE, Central Middle School, effective 8/26/2024

Schmidt, Cortney - Grade 5 Teacher, 1.0 FTE, Cedar Ridge Elementary, effective 8/26/2024

Seehafer, Holly - Grade 3 Teacher, Spanish Speaking, 1.0 FTE, Eagle Heights Spanish Immersion, effective 8/26/2024

Spack, Maria - Grade 2 Teacher, 1.0 FTE, Eden Lake Elementary, effective 8/26/2024

St. Clair, Robert - English Teacher, .25 FTE, Eden Prairie High School, effective 8/26/2024

Voigt, Shawna - Special Education Teacher, 1.0 FTE, Eagle Heights Spanish Immersion, effective 8/26/2024

Wood, Julie - Special Education Teacher, 1.0 FTE, Oak Point Elementary, effective 8/26/2024

Yarusso, Megan - Visual Arts Teacher, 1.0 FTE, Eden Prairie High School, effective 08/26/2024

SUPERINTENDENT CONSENT AGENDA

b. Change in Assignment

Brothers, Steven - From Social Studies Teacher, Eden Prairie High School to TOSA Q-Comp Observer .50 FTE and TOSA Q-Comp Coordinator .50 FTE, District Wide, effective 8/26/2024

LaMothe, Lisa - From Special Education Paraprofessional, Prairie View Elementary School to Special Education Teacher 1.0 FTE, Prairie View Elementary School, effective 8/26/2024

Smith, Tracy - From .625 FTE World Language Spanish Teacher, Prairie View Elementary School to 1.0 FTE World Language Spanish Teacher, Prairie View Elementary School, effective 8/26/2024

Strand, Brian - From .50 FTE Biology Teacher, Eden Prairie High School to .667 FTE Biology Teacher, Eden Prairie High School, effective 8/26/2024

Wilson, Janae - From Special Education Teacher, Oak Point Elementary School to Special Education Teacher, Prairie View Elementary School, effective 8/26/2024

c. Resignation/Retirements

Garner, Cori - Special Education Teacher, Oak Point Elementary, effective 6/7/2024

Elizondo, Melissa - Grade 3 Teacher, Eagle Heights Spanish Immersion, effective 6/7/2024

Ewen, Molly - Kindergarten Teacher, Prairie View Elementary, effective 6/7/2024

Harlin, Johnathan - Visual Arts Teacher, Eden Prairie High School, effective 6/7/2024

Sonnenburg, Caitlin - Licensed School Nurse, Forest Hills Elementary, effective 8/26/2024

6. Human Resources – Classified Staff

a. New Hires/Rehires

BUILDING SERVICES

Ferguson, Shira - Custodian, Non-Licensed, Night, Forest Oak Point Elementary, 8 hours/day, 5 days/week, 260 days/year, effective 8/19/2024

Harris, Anthony - Custodian, Non-Licensed, Night (Floater), Districtwide, 8 hours/day, 5 days/week, 260 days/year, effective 8/19/2024

Sanchez Rubio, Pastor - Custodian, Non-Licensed, Night, Forest Hills Elementary, 8 hours/day, 5 days/week, 260 days/year, effective 7/25/2024

CLASS

Canales, Tricia - Office Professional - Early Childhood, Community Education Building, 8 hours/day, 5 days/week, 260 days/year, effective 7/25/2024

Hanson, Allison - Office Professional - Student Support Services, TASSEL, 7.5 hours/day, 5 days/week, 205 days/year, effective 8/26/2024

Junkermeier, Tamara - Office Professional - Media Clerk, Prairie View Elementary, 5 hours/day, 5 days/week, 185 days/year, effective 8/26/2024

Roman, Alyssa - Administrative Assistant, Transportation, 8 hours/day, 5 days/week, 260 days/year, effective 8/12/2024

Saca Miranda, Ana - Special Education Bus Paraprofessional, Transportation, 8 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Swenson, Lila - Administrative Assistant to the Principal, Eden Prairie High School, 8 hours/day, 5 days/week, 260 days/year, effective 7/29/2024

FOOD SERVICE

Nordquist, Leah - Food Service Assistant I, Eden Prairie High School, 4 hours/day, 5 days/week, 178 hours/year, effective 9/3/2024

Quant, Paige - Child Nutrition ManagerI, Eden Lake Elementary, 8 hours/day, 5 days/week, 178 hours/year, effective 9/3/2024

SUPERINTENDENT CONSENT AGENDA

MSEA

Bohorquez, Natasha - Special Education Paraprofessional, Prairie View Elementary School, 6.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Kleyer, Maggie - Health Services Paraprofessional, Prairie View Elementary School, 6.75 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

McDavid, Danielle - Special Education Bus Paraprofessional, Transportation, 8 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Naranjo Garcia, Rosa - Kindergarten Paraprofessional, Eagle Heights Spanish Immersion, 2.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Nissen, Tricia - Speech Language Pathology Assistant, District Wide, 6 hours/day, 5 days/week, 178 hours/year, effective 9/3/2024

Phan, Caitlin - Reading Support Paraprofessional, Eagle Heights Spanish Immersion, 4 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Purcell, James - Student Support Monitor, Central Middle School, 6.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Rubio Perez, David - Special Education Paraprofessional, Eagle Heights Spanish Immersion, 2 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Riazi, Lindsay - Lunchroom / Playground Paraprofessional, Cedar Ridge Elementary School, 2.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Selva, Andrea - Special Education Paraprofessional, Eden Lake Elementary School, 2.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Sinha Roy, Mousumi - Special Education Paraprofessional, Central Middle School, 6.5 hours/day, 5 days/week, 178 hours/year, effective 9/3/2024

Tenner, Debra - Special Education Bus Paraprofessional, Transportation, 8 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

PRESCHOOL TEACHERS

Ghosal, Kasturi - Little Eagles Preschool Teacher, .58 FTE, Eden Lake Elementary, effective 08/26/2024

Harlan, Kara - Little Eagles Preschool Teacher, .58 FTE, Oak Point Elementary, effective 08/26/2024

Kaur, Amrit - Little Eagles Preschool Teacher, .46 FTE, Community Education, effective 08/26/2024

Lindblom, Mariana - Little Eagles Preschool Teacher, .58 FTE, Eden Lake Elementary, effective 08/26/2024

TRANSPORTATION

Maas, Mary - Bus Driver, Transportation, 5.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

Rodine, David - Bus Driver, Transportation, 5.5 hours/day, 5 days/week, 178 days/year, effective 9/3/2024

b. Change in Assignment

BUILDING SERVICES

CLASS

Grein, Naomi - From Security Monitor, Eden Prairie High School to Office Professional - Welcome Desk Receptionist, Central Middle School, 7.5 hours/day, 5 days/week, 191 days/year, effective 8/26/2024

Little, Katie - From Scheduling Clerk, Central Middle School to Administrative Assistant, Central Middle School, 8 hours/day, 5 days/week, 260 days/year, effective 8/19/2024

SUPERINTENDENT CONSENT AGENDA

Settlocker, Kymberly – From Administrative Assistant, Transportation to Transportation Route Programmer, Transportation, 8 hours/day, 5 days/week, 260 days/year, effective 8/12/2024.

FOOD SERVICE

MSEA

EPPS

TRANSPORTATION

Haberman, Gary – From Bus Driver Trainer, Transportation to Bus Driver, Transportation, 5 hours/day, 5 days/week, 178 days/year, effective 09/03/2024.

Iyobhebhe, Iria – From Part Time Bus Driver, Transportation to Full Time Bus Driver, Transportation, 5.78 hours/day, 5 days/week, 178 days/year, effective 09/03/2024.

c. Resignation/Retirements

BUILDING SERVICES

CLASS

Sutliff, Rebecca - Scheduling Clerk, Central Middle School, effective 8/30/2024

FOOD SERVICE

Day, Elizabeth - Food Service Assistant, Eden Prairie High School, effective 6/6/2024

MSEA

Ahmed, Emaan - Eagle Zone Program Assistant, Oak Point Elementary, effective 6/6/2024

Chinnappa, Ashalatha - Special Education Paraprofessional, Prairie View Elementary, effective 6/6/2024

Egeberg, Gary - Preschool Paraprofessional, Prairie View Elementary, effective 6/6/2024

Fisher, Sarah - Lunchroom Paraprofessional, Oak Point Elementary, effective 6/6/2024

Franco, Zoraida - Special Education Paraprofessional, Prairie View Elementary, effective 6/6/2024

Fuller, Esther - Eagle Zone Program Assistant, Oak Point Elementary, effective 6/6/2024

Gonzalez, Regina - Special Education Paraprofessional, Eagle Heights Spanish Immersion, effective 6/6/2024

Gunti, Anusha - Preschool Paraprofessional, Eden Lake Elementary, effective 6/6/2024

Hussein, Amina - Eagle Zone Program Assistant, Oak Point Elementary, effective 6/6/2024

Ibrahim, Sundus - Eagle Zone Program Assistant, Prairie View Elementary, effective 6/6/2024

Jama, Deeqa - Eagle Zone Program Assistant, Oak Point Elementary, effective 6/6/2024

Nelson, David - Eagle Zone Program Assistant, Prairie View Elementary, effective 6/6/2024

Puentes, Westenfield, Dianny - Kindergarten Paraprofessional, Eagle Heights Spanish Immersion, effective 6/6/2024

Sheek, Maryann - Special Education Bus Paraprofessional, Transportation, effective 6/6/2024

Swanson, Rhonda - Lunchroom Paraprofessional, Eagle Heights Spanish Immersion, effective 6/6/2024

SUPERINTENDENT CONSENT AGENDA

Zavaleta Jara, Guissella - Eagle Zone Program Assistant, Eden Lake and Oak Point Elementary, effective 6/6/2024

PRESCHOOL TEACHERS

Hume, Connor - Preschool Teacher, .992 FTE, Oak Point Elementary, effective 6/7/2024

Kalk, Savannah - Preschool Teacher, .992 FTE, Eden Lake Elementary, effective 6/7/2024

TRANSPORTATION

Hamblin, Richard - Bus Driver, Transportation, effective 6/6/2024

Powell, Steven - Bus Driver, Transportation, effective 6/6/2024

Release of Employee A – effective 8/23/2024

Board Business -

General Consent Agenda

Approval of Payments, all funds, June 2024

Check #420831-421251	\$3,543,255.43
Electronic Disbursements	\$ 7,467,805.41
TOTAL	\$ 11,011,060.84

Approval of Payments, all funds, July 2024

Check #421252-421524	\$5,051,704.49
Electronic Disbursements	\$ 3,643,609.74
TOTAL	\$ 8,695,314.23

Acknowledgment of Electronic Transfers June/July 2024

INVEST DATE	FROM	TO	INTEREST RATE	MATURITY DATE	PRINCIPAL
4/27/2023	PMA Financial	MNTrust	4.794%	06/28/2024	\$249,743.28
4/25/2023	PMA Financial	MNTrust	4.954%	06/28/2024	\$249,882.30
7/28/2023	PMA Financial	MNTrust	5.238%	07/24/2024	\$1,577,921.82
8/23/2023	PMA Financial	MNTrust	5.250%	07/25/2024	\$1,048,472.61
7/27/2023	PMA Financial	MNTrust	5.384%	07/31/2024	\$249,776.73
4/27/2023	PMA Financial	MNTrust	4.644%	07/31/2024	\$249,736.95
4/27/2023	PMA Financial	MNTrust	4.880%	07/31/2024	\$249,696.14
5/3/2023	PMA Financial	MNTrust	4.700%	08/01/2024	\$260,000.00
5/3/2023	PMA Financial	MNTrust	4.582%	08/01/2024	\$500,000.00

Memorandum

To: Eden Prairie School Board

From: Dr. Josh Swanson

Date: August 26, 2024

Subject: Summary - District Policies

On an annual basis District Policies are reviewed. Under policy governance this is the responsibility of the superintendent, but requires board approval. That process for 2024-25 is well underway and there are numerous required language updates required following the 2024 legislative session. There may be some additional changes as we continue to receive guidance. As necessary, policies are updated based on: changes in statute/legal requirements, a review of the Minnesota School Board Association model policies, and recommendations by our legal counsel. My recommendation is that the board approve the policies below, as presented. I have included a brief summary of the changes to each policy on the table below and the full policies are available for your review within Appendix A of the board packet.

Policy #	Mandatory	Policy Name	Notes for the Board
102	No	Equal Educational Opportunity	Update adds clarifying legal language based on legislative session and MSBA recommendations
413	Yes	Harassment & Violence	Required legislative updates to “familial status” definition based on legislative session and MSBA recommendations
418	Yes	Drug Free Workplace	The update adds newly required protection for persons in MN Patient Registry Program based on legislative session and MSBA recommendations
419	Yes	Tobacco Free Environment	The update adds smudging as a permissible activity under MN statute based on legislative session and MSBA recommendations

506	Yes	Student Discipline	Update to align language with statutory required updates school resource and non-exclusionary discipline based on legislative session and MSBA recommendations.
507	No	Corporal Punishment	Update to language regarding juvenile resource officers based on legislative session and MSBA recommendations.
512	No	School-Sponsored Student Publications & Activities	Updates the policy regarding student journalism based on legislative session and MSBA recommendations.
513	No	Student Promotion, Retention and Program Design	Updates to language updating World's Best WorkForce (WBWF) in the policy based on legislative session and MSBA recommendations.
515	Yes	Protection and Privacy of Student Records	Updates to language to align with statutory changes and current requirements and practices.
516	Yes	Student Medication	Updates to language regarding tele-health, health care practices to align with statutory changes and current requirements.
521	Yes	Student Disability Nondiscrimination	Updates to language to align with statutory changes regarding 504's.
522	Yes	Title IX Non Discrimination Policy, Grievance Procedure and Process	MSBA recommended and required statutory updates for compliance based on MSBA recommendations and review by legal counsel.
532	Yes	Use of Peace Officer & Crisis Teams to Remove Students with IEP from School Grounds	Updated to reflect legislative requirements and align language regarding Juvenile Liaison Officers based on legislative session and MSBA recommendations
607	No	Organization of Grade Levels	Adds Voluntary Pre-Kindergarten based on legislative session and MSBA recommendations
609	No	Religion and Cultural Observance	Adds required language around native american cultural practices based on legislative session and MSBA recommendations.
624	No	Online Instruction	This MSBA model policy is being adopted to create internal and external clarity to processes, procedures, and legal requirements that are

			already in place in the district.
708	Yes	Transportation of Nonpublic School Students	Updates the language of the policy to change “shall” to “must” when referring to individual and District fiscal responsibilities around transportation.
709	Yes	Student Transportation Safety Policy	Updates the language of the policy in alignment with MN Statute requiring training around statutory age restrictions of electric-assisted bicycles.

Approval of Agreement with Classified and Administrative Support Staff (CLASS)

RESOLVE to approve a two-year contract between Independent School District 272 and CLASS effective July 1, 2024, through June 30, 2026.

The following is a synopsis of the agreement.

1. Salary schedule improvement:
 - Year 1: 3.75% Increase
 - Year 2: 3.75% Increase
2. Single Health Insurance:
 - Year 1: 8% increase in district contribution
 - Year 2: 8% increase in district contribution
3. Family Health Insurance:
 - Year 1: 7% increase in district contribution
 - Year 2: 8% increase in district contribution
4. Add Juneteenth as a paid holiday for 12-month employees
5. Increase TSA match from 2.25% to 2.75%
6. Increase bus license stipend from \$1.75/hour to \$2.00/hour for Transportation office staff

August 26, 2024

To: Dr. Josh Swanson
From: Business Office
Re: Seek Bids for Valley View Property Remodel

The authorization to seek bids is presented by management and begins the process to make deferred maintenance and space usage updates. This project will be to renovate educational spaces within the Valley View Property located at 11840 Valley View Road.

The Valley View Property was designed as office space and constructed in 1979. The current space is not conducive to student learning and the needs of the programs served.

Renovations will focus on collaborative learning spaces for TASSEL, Adult Basic Education programming, and an Alternative Learning Center. The project will allow for increased utilization of natural light, learning spaces that will meet individualized needs, and student safety. The ability to seek bids will allow timely development of project specifications and plans to solicit bids from contractors.

Funding for this project will come from the proceeds of the certificates of participation (COP) issued to purchase the property, long-term facilities maintenance revenue, along with budgeted general and capital dollars. The plan is for the project to begin in February 2025 with completion in August 2025.

**Eden Prairie School Board
Community Linkage Committee Meeting Minutes
Applebee's Restaurant, 8421 Joiner Way, Eden Prairie, MN
Saturday, July 18, 2024**

Charter per Board Policy GP 4.8.1: This committee will facilitate multiple methods of School Board communication with owners that provide input and inform the School Board of ownership values as they relate to School Board policies, as well as provide valuable information to owners.

Members in Attendance: Steve Bartz, Charles "CJ" Strehl, Dennis Stubbs

Meeting Convened: 9:14 p.m.

1. Agenda approved
2. Measuring What Matters E.L. 2.5- Prudent Fiscal Management Draft
3. Lunch With Students
 - A. Items to discuss: Sites--CMS (Dec), EPHS (Nov), TASSEL, number of students, lunch periods, questions, (school experience from student perspective--academic and extra-curricular, what do you like, what would change, mostly listen), pricing and menu.
4. Inspiring News--It Takes All of Us is going out, new topic ideas from board...Focused on results, Raising the Bar--board expectations, Colleges, Careers, Capstones-why it matters.

Meeting Adjourned: 9:54 p.m.

Measuring What Matters: Executive Limitation 2.5

Introduction

The Eden Prairie School Board annually evaluates Financial Planning and Budgeting by monitoring Executive Limitations Policy 2.5. This policy states: “The Superintendent shall not cause or allow financial planning and budgeting for any fiscal year or the remaining part of any fiscal year to deviate materially from the School Board’s Ends priorities, risk financial jeopardy, or fail to be derived from a multi-year plan.” During the monitoring process, the Superintendent provides evidence that the district is compliant with the policy.

The process to approve the Eden Prairie Schools District Budget and manage financial risk is presented in the Policy Monitoring Report and includes the following components:

- 2.5.1: There will be no financial plan that: Risks incurring those situations or conditions described as unacceptable in the School Board policy “Financial Condition and Activities.”
- 2.5.2: Neglects to present, no later than the third quarter of the current fiscal year, the assumptions, any material reinvestment of unbudgeted revenues or savings, and a timeline for the next annual budget.
- 2.5.3: There will be no financial plan that: Allows the year-end unassigned general fund balance to fall below 8% of expenditures.
- 2.5.4: There will be no financial plan that: Allows the year-end unassigned general fund balance to fall below 8% of expenditures.

Measuring What Matters: Executive Limitation 2.5

Budget Timeline

The following timeline highlights the steps taken to create the 2023-24 budget with stakeholder input.

Eden Prairie Schools Budget Events Timeline Fiscal Year 2023-24		
Date	Budget Event	Group/Action
September 2022	Preliminary FY 2023-24 Levy Certification	Board - Required Action
	Preliminary FY 2022-23 Enrollment Update	Board - Sup't Incidental
	Preliminary FY 2021-22 Year-End Financial Report	Board - Sup't Incidental
October 2022	October 1 Enrollment	Board - Sup't Incidental
	October 1 Enrollment	Citizen Finance Advisory
	October 1 Enrollment	Leadership Team
	FY 2021-22 Audit Results	Leadership Team
	Preliminary FY 2023-24 Levy Certification	Citizen Finance Advisory
	FY 2021-22 Audit Results	Citizen Finance Advisory
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
November 2022	FY 2021-22 Audit Report	Board - Required Action
	Annual Budget Publication	Community
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
December 2022	Final Levy Certification (Payable 2023; FY 2023-24 Revenue)	Board - Required Action
	Truth in Taxation Presentation	Board - TNT Hearing
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
January 2023	Preliminary FY 2023-24 Budget Assumptions/Drivers & Budget Timeline	Board - Decision Prep
	Mid-Year Budget Update	Board - Required Action
	FY 2023-24 Capital items which require advance ordering (i.e. school buses)	Board - Required Action
	5-Year Financial Forecast	Board - Workshop Discussion
	Mid-Year Budget Update	Citizen Finance Advisory
	FY 2023-24 Budget Assumptions	Citizen Finance Advisory
	Fall Enrollment Projections & Staffing Allocations	Leadership Team
	Requests for FY 2023-24 Capital Funding due to Business Office	Leadership Team
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
February 2023	Budget Development	Leadership Team
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
March 2023	FY 2023-24 Capital Budget - 1st Reading	Board - Decision Prep
	Final FY 2023-24 Budget Assumptions/Drivers	Board - Required Action
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
April 2023	FY 2023-24 Capital Budget Adoption	Board - Required Action
	Review FY 2023-24 Capital Budget	Leadership Team
	5 Year Financial Outlook	Leadership Team
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
May 2023	FY 2023-24 Budget Presentation - 1st Reading	Board - Decision Prep
	Review Potential Legislative Impacts	Citizen Finance Advisory
	Review Final FY 2023-24 Budget	Citizen Finance Advisory
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
June 2023	FY 2023-24 Budget Adoption	Board - Required Action
	Regular Detailed Budget Impact Discussions	Superintendent's Cabinet
	Fall Enrollment Projections	Leadership Team

8

Hyperlink above table

Measuring What Matters: Executive Limitation 2.5

Assertion:

Effective budgeting is a function of rigorous budget development and the approval process detailed in the Budget Events Timeline **linked here**. On Dec. 11, 2023, the school board evaluated compliance of policy E.L. 2.5, and concurred with the Superintendent that the district is in compliance with these policies.

School Board's Perspective on Financial Management:

Over the last decade, Eden Prairie Schools implemented strategies and processes to ensure continued financial health to successfully accomplish district goals and initiatives. Each year through a comprehensive budgeting process, financial committees, and strategic reviews, the School Board partners with the administration to optimize resource allocation for today and tomorrow. The 2024-2025 process recently culminated with the approval of the budget on June 24, 2024.

Thoughtful planning and prudent fiscal management have positioned our district to succeed across variable state funding allocations. Furthermore, our conservative operating model has provided unique flexibility and options to lower both our cost base and overhead and create opportunistic long-term investments. This approach has resulted in more dollars flowing to the classroom and lower taxes than most metro districts (*see chart*).

In 2023, you may have read about the MN legislature passing significant funding for schools. Although Eden Prairie Schools received additional funding from the state, there were new significant unfunded mandates and expenses. Nonetheless, our conservative approach combined with recent referendum support from our community and new state funding, has provided the financial strength to stay true to our mission. While most peer suburban districts had to layoff teachers/staff, increase class sizes, or cut programming, our balanced fiscal approach has allowed Eden Prairie Schools to:

- Maintain lower class sizes in grades 2,3,5,6 (targets reduced by two students per class).
- Reward and recognize all staff groups with competitive employment agreements. These contracts maintain Eden Prairie as a top destination for teachers/staff.
- Extend our investment in reading supports to help kids recover from COVID learning-loss.
- Improve student & staff well-being by extending mental health supports.
- Maintain Eden Prairie's low tax rates relative to our metro peers. Overall school taxes have remained flat over the last 5 years (when controlling for property value increases). *See Chart*
- Initiate plans for expanded TASSEL, Inspired Journey/Capstone programming, and alternative learning programs through acquisition of an existing private property- capitalizing on the significant commercial real estate downturn.
- Keeping the 2022 referendum promise- maintaining 5-year fiscal responsibility and stability.

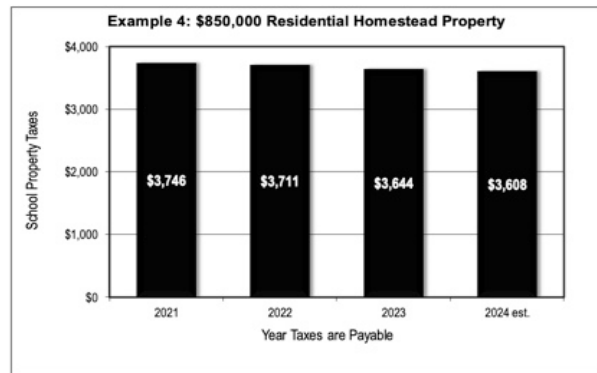
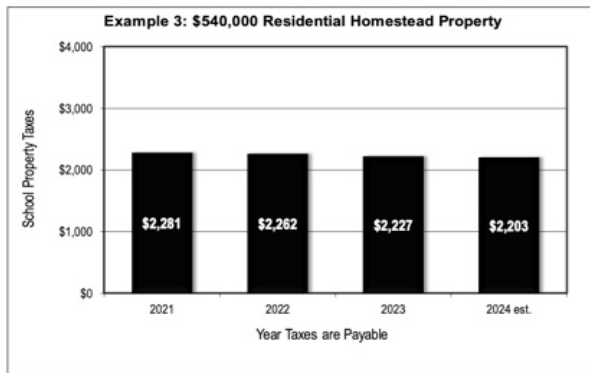
We believe this allocation of resources balances the needs of our students, staff, and taxpayers and embodies the high standards and values of our community- delivering significant value for all our customers. Further, it balances the demands of today with the uncertainty and requirements of tomorrow. Our district has achieved this financial success through a history of prudent financial and risk decisions, successful long-term fiscal strategy and execution, commitment to cost controls, partnership with our unions, and community support through taxes, volunteering, and giving.

Measuring What Matters: Executive Limitation 2.5

Our district is in an enviable position, one that few **if any** in Minnesota enjoy: the ability to fund critical educational strategies and maintain small class sizes, avoid staff cuts, expand/invest in new programs, and maintain reasonable tax rates for our residents. As we approach the new school year, although we face challenges and uncertainty, you can be proud that your district is built on a solid foundation of academic excellence, extraordinary teachers/staff, and fiscal stewardship.

Estimated Changes in School Property Taxes, 2021-24

Based on No Changes in Property Value



Eden Prairie School Board
2023–24 WORK PLAN CHANGES
“Proposed” Changes
August 26, 2024

Date of Meeting/Workshop	Changes Requested
Monday, September 9, 2024 – Workshop	
Monday, September 23, 2024	- ADDED: Ends 1.1 – 1.6 Evidence (FY 2023-24) Moved from October 28, 2024 Mtg.
Monday, October 14, 2024 (5:00 p.m.) – Joint Meeting with Eden Prairie City Council	
Monday, October 14, 2024 (6:30 p.m.) – Workshop	
Monday, October 28, 2024	- REMOVED: Ends 1.1 – 1.6 Evidence (FY 2023-24) Moved to the September 23, 2024 Mtg.
Tuesday , November 12, 2024 – Special Business Meeting (Canvass Elections)	
Tuesday , November 12, 2024 – Workshop	
Monday, November 25, 2024	
Monday, December 9, 2024	
Monday, January 6, 2025 (6:00 p.m.) Annual Org. Meeting	
Monday, January 6, 2025 (6:30 p.m.) – Workshop	
Monday, January 27, 2025	
Monday, February 10, 2025 – Workshop	
Monday, February 24, 2025	
Monday, March 10, 2025 – Workshop	
Monday, March 24, 2025	
Monday, April 14, 2025 – Workshop	
Monday, April 28, 2025	
Monday, May 12, 2025 – Workshop	
Tuesday , May 27, 2025	
Monday, June 9, 2025 – Workshop	
Monday, June 23, 2025	
Placeholder – General Board Work	
Placeholder – Policy Review	

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
<p>****2024****</p> <p>Board Meeting Mon, Jul 22, 2024 7:30 AM</p>					<ul style="list-style-type: none"> •Monthly Reports •TASSEL Student Handbook •Student Handbooks: <ul style="list-style-type: none"> - High School - Middle School - Elementary Schools (Summary Detail Included) 		120
School Board “New Candidate” Informational Session – <i>Thursday, July 25, 2024, at 6:00 p.m.</i> (1 of 2) – ASC/EDC							
School Board “New Candidate” Informational Session – <i>Monday, August 5, 2024, at 6:00 p.m.</i> (2 of 2) – ASC/EDC							
<p>Board Meeting Mon, Aug 26, 2024 6:00 PM</p>	<ul style="list-style-type: none"> •EL 2.1 Emergency Supt. Succession •EL 2.2 Treatment of Students •EL 2.7 Asset Protection •Ends 1.6 Monitoring Measuring Plan 		Record of Board Self-Evaluation	Approval of 2025 September Inspiring News	<ul style="list-style-type: none"> •Monthly Reports 		
<p>Post Meeting Board Workshop Mon, Aug 26, 2024</p>							School Board Mtg. Self-Assessment
<p>Board Workshop Mon, Sep 9, 2024 6:45 PM</p>							<ul style="list-style-type: none"> •Morris Leatherman Survey Update •Discussion: School Board Member Long-

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							term Absence Discussed at the 6/24/24 Mtg. •ADMIN Proposals for FY 2024-25 Workshops •Policy Monitoring: All BMD Policies – BMD 3.0 – 3.3 •Policy Monitoring: GP's: 4.4, 4.5, 4.6, 4.7, 4.8, & 4.10 •Confirm agenda for next Board Workshop
Board Meeting Mon, Sep 23, 2024 6:00 PM	<ul style="list-style-type: none"> • <i>Ends 1.1 – 1.6 Evidence (FY 2023-24) Moved from October 28, 2024 Mtg.</i> •EL 2.3 Treatment of Parents •EL 2.6 Financial Management & Operations •All BMD Policies •BMD 3.0 Single Point of Connection •BMD 3.1 Unity of Control •BMD 3.2 Delegation to the Superintendent •BMD 3.3 Superintendent Accountability & Performance 		<ul style="list-style-type: none"> •Approval of Preliminary FY 2025-26 Levy Tax Levy Comparison - Tax Levy Presentation Pay 25 •Record of Board Self-Evaluation 		<ul style="list-style-type: none"> •Monthly Reports 	<u>Superintendent Incidentals:</u> • FY 2023-2024 Year-end Preliminary Financial Report •FY 2024-2025 Preliminary Enrollment Report	

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
	<ul style="list-style-type: none"> •GP 4.4 Officer Roles •GP 4.5 School Board Members Code of Conduct •GP 4.6 Process for Addressing School Board Member Violations •GP 4.7 School Board Committee Principles •GP 4.8 School Board Committee Structure •GP 4.10 Operation of the School Board Governing Rules 						122
Post Meeting Board Workshop Mon, Sep 23, 2024							School Board Mtg. Self-Assessment
Joint Meeting: Eden Prairie City Council & Eden Prairie School Board Monday, October 14, 2024, 5:00 PM – Eden Prairie School District (Hosting)							
Board Workshop Mon, Oct 14, 2024 6:30 PM							<ul style="list-style-type: none"> •Discuss January Topics for Inspiring News •Administration: Setting Stage for FY 2025-26 Budget Guidelines •Policy Monitoring: GP 4.0, 4.1, 4.2, 4.3, 4.9 •Confirm agenda for next Board Workshop

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Board Meeting Mon, Oct 28, 2024 6:30 PM	<ul style="list-style-type: none"> Ends 1.1 — 1.6 Evidence (FY 2023-24) <i>Moved to September 23, 2024 Mtg.</i> EL 2.4 Treatment of Staff EL 2.8 Compensation and Benefits GP 4.0 Global Governance Commitment GP 4.1 Governing Style GP 4.2 School Board Job Products GP 4.3 Annual Work Plan GP 4.9 Governance Investment 		<ul style="list-style-type: none"> Record of Board Self-Evaluation 		<ul style="list-style-type: none"> Monthly Reports MSHSL Form A Triannual Health Review 	<u>Superintendent Incidentals:</u> <ul style="list-style-type: none"> Enrollment Report as of 10/1/2024 World's Best Workforce Report FY 2023-2024 Achievement Integration Summary Report 	123
Post Meeting Board Workshop Mon, Oct 28, 2024							<ul style="list-style-type: none"> School Board Mtg. Self-Assessment
Special Board Meeting Tues, Nov 12, 2024* 6:00 PM			<ul style="list-style-type: none"> Resolution Approving of Elections Resolution Issuance of Certificates of Elections 				
Board Workshop Tues, Nov 12, 2024* 6:15 PM *Veterans Day, Mon, Nov 11, 2024							<ul style="list-style-type: none"> Review of School Board Treasurers Mid-Year Report Discuss January January 2025 inspiring News Topic

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							• Confirm agenda for next Board Workshop
School Board “New Director Orientation” Session Date/Time/Location TBD							
Board Meeting Mon, Nov 25, 2024 6:00 PM	EL 2.9 Communication and Support to the School Board	School Board Mid-Year Treasurer’s Report	• Record of Board Self-Evaluation	<i>Draft:</i> January 2025 Inspiring News	Monthly Reports	Incidental: - READ Act	124
Post Meeting Board Workshop Mon, Nov 25, 2024							• School Board Mtg. Self-Assessment
Board Meeting Mon, Dec 9, 2024 6:00 PM	<ul style="list-style-type: none"> • EL 2.5 Financial Planning and Budgeting • EL 2.0 Global Executive Constraint 		<ul style="list-style-type: none"> • Approval of Final FY 2025-26 Levy • Approval of School Board Mid-Year Treasurer’s Report • <i>Closed Session:</i> Review of FY 2023-24 Superintendent Annual Review -Minnesota Statute 13D.05, Subd. 3 • Record of Board Self-Evaluation 	• Final Approval for January 2025 Inspiring News Article	<ul style="list-style-type: none"> • Monthly Reports • MSHSL Grant Application 	<ul style="list-style-type: none"> • Truth in Taxation Hearing Planning and Budgeting • FY 2023-24 Audited Financial Presentation • Pathways/New Programming <p><i>Note: Recognition of Outgoing Board Members</i></p>	
Post Meeting Board Workshop Mon, Dec 9, 2024							• School Board Mtg. Self-Assessment

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			

125

<p>****2025****</p> <p>Annual Organizational Meeting Mon, Jan 6, 2025 6:00 PM</p>			<ul style="list-style-type: none"> • 2025 Annual Organizational Mtg. <ul style="list-style-type: none"> - Election of Officers - School Board Compensation - School Board Calendar • School Board Meeting Calendar: January 1, 2025, through June 30, 2025 • Resolution for Combining Polling Places for the General Elections for 2026 • Appointment of Intermediate District 287 Representative 		<ul style="list-style-type: none"> • 2025 Annual School District Organizational Items: <ul style="list-style-type: none"> - School District Newspaper - School District Depository/Financial Institutions - Money Wire Transfers - Early Claims Payment - School District Legal Counsel - School District Responsible Authority - Deputy Clerk & Deputy Treasurer - Facsimile Signature Authorization - Authorization to Sign Contracts - Local Education Agency (LEA) Representative 		
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EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
					- MDE Designation of Identified Official with Authority (IOWA)		
Board Workshop Mon, Jan 6, 2025 6:30 PM Convene following the Annual Organizational Meeting							<ul style="list-style-type: none"> • 2025 Committees & Outside Organization Discussion • Budget: 5-Year Financial Forecast • Discuss April 2025 Inspiring News Topic • Confirm agenda for next Board Workshop
Board Meeting Mon, Jan 27, 2025 6:00 PM		<ul style="list-style-type: none"> • FY 2025-26 Final School Calendar (<i>Draft</i>) • FY 2026-27 Preliminary School Calendar (<i>Draft</i>) • FY 2025-26 Budget Timelines – <i>First Reading</i> • FY 2025-26 Budget Assumptions – <i>First Reading</i> 	<ul style="list-style-type: none"> • FY 2024-25 Mid-Year Budget Approval • <i>Resolution:</i> 2025 Facilities Maintenance Bonds (LTFM) Issuance – Intent to Issue • Record of Board Self-Evaluation 	2025 School Board Committee & Outside Organization Assignments	<ul style="list-style-type: none"> • Monthly Reports • FY 2025-26 Bus Purchase • Pay Equity Reporting 	Incidental: - Artificial Intelligence (AI)	
Post Meeting Board Workshop Mon, Jan 27, 2025							School Board Meeting Self-Assessment

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Board Workshop <i>Governance Training</i> February 2025 Date: TBD							<i>Governance Training (for new Board Members)</i>
Board Workshop Mon, Feb 10, 2025 6:00 PM							<ul style="list-style-type: none"> • Finance Overview • Agenda Items: Walk-through School Board Agenda 127 • Sample Agenda & Discussion of Agenda Elements • Source of Agenda Items: Board Request for Information; Superintendent Information; Agenda Timeline • Confirm agenda for next Board Workshop
Board Meeting Mon, Feb 24, 2025 6:00 PM			<ul style="list-style-type: none"> • Closed Session – Safety & Security Update (Minnesota Statute 13D.05, Subdivision 3(d)) • Record of Board Self-Evaluation 	<ul style="list-style-type: none"> • Draft for April 2025 Inspiring News • Draft for June 2025 Community Magazine Joint Messaging 	<ul style="list-style-type: none"> • Monthly Reports • Approval of FY 2025-26 School Calendar • Approval of Preliminary FY 2026-27 School Calendar • American Indian Education Report 		

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Post Meeting Board Workshop Mon, Feb 24, 2025							School Board Meeting Self-Assessment
Board Workshop Mon, Mar 10, 2025 6:00 PM							<ul style="list-style-type: none"> •Mechanics of Monitoring •Communication: Supporting the Board in the Role of Governance • Define Policy under Policy Governance: Ends, EL's, GP's & BMD's (Goals, Purpose & Structure of Policies) •Process for Monitoring and Changes in Policy •Confirm agenda for next Board Workshop
Board Meeting Mon, Mar 24, 2025 6:00 PM		<ul style="list-style-type: none"> • FY 2025-26 Capital Budget – <i>First Reading</i> 	<ul style="list-style-type: none"> •Final FY 2025-26 Budget Assumptions •Resolution: 2025 Facilities Maintenance Bonds (LTFM) – “Sale Day Report” (Ratify Bonds) • Record of Board Self-Evaluation 	<ul style="list-style-type: none"> • Approval for April 2025 Inspiring News • Approval for June 2025 Community Magazine Joint Messaging 	<ul style="list-style-type: none"> •Monthly Reports •Resolution to Release Probationary Teachers 		

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
			<ul style="list-style-type: none"> Closed Session – Negotiation Strategy (Minnesota Statute 13D.03, Subdivision 1) 				
Post Meeting Board Workshop Mon, Mar 24, 2025							School Board Meeting Self-Assessment
Board Workshop Mon, Apr 14, 2025 6:00 PM							<ul style="list-style-type: none"> FY 2025-2025 Annual Work Plan Calendar Discussion Discussion/Review all items in Placeholder area on “Work Plan Changes Document.” FY 2025-2026 School Board Meeting Calendar Discussion FY 2025-2026 School Board Budget Discussion Discuss Policy Change Process (Timelines and Process for Monitoring and Changes in Policy) New Policy Introductions

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
							• Confirm agenda for next Board Workshop
Board Meeting Mon, Apr 28, 2025 6:00 PM		<ul style="list-style-type: none"> • FY 2025-26 School Board Work Plan – <i>First Reading</i> • FY 2025-26 School Board Budget – <i>First Reading</i> 	<ul style="list-style-type: none"> • Approval of FY 2025-26 Capital Budget • Approval of FY 2025-26 School Board Meeting Calendar • <u>Closed Session:</u> Negotiation Strategy (Minnesota Statute 13D.03, Subdivision.1) • Record of Board Self-Evaluation 		• Monthly Reports		130
Post Meeting Board Workshop Mon, Apr 28, 2025							School Board Meeting Self-Assessment
Board Workshop Mon, May 12, 2025 6:00 PM							Confirm agenda for next Board Workshop
Board Meeting Tues, May 27, 2025* 6:00 PM		<ul style="list-style-type: none"> • FY 2025-26 Budget – <i>First Reading</i> • FY 2025-26 School Meal Prices - <i>DRAFT</i> 	<ul style="list-style-type: none"> • Approval of FY 2025-26 School Board Work Plan • Approval of FY 2025-26 School Board Budget 		• Monthly Reports		

EDEN PRAIRIE SCHOOL BOARD
2024-2025 ANNUAL WORK PLAN

Board Meetings

Board Workshops

Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
<i>*Memorial Day on Mon, May 27, 2025</i>			•Record of Board Self-Evaluation				
Post Meeting Board Workshop Tues, May 27, 2025							•School Board Meeting Self-Assessment
Board Workshop Mon, June 9, 2025 6:00 PM							<ul style="list-style-type: none"> •General Fund Budget Q&A •All Ends 1.1 – 1.6 OI's •Discuss September 2025 Inspiring News Topic •Confirm agenda for next Board Workshop
Board Meeting Mon, June 23, 2025 6:00 PM	OI's for FY 2025-26 all Ends 1.1 through 1.6		<ul style="list-style-type: none"> •Approval of FY 2025-26 Adopted Budget •ISD 287 10-Year Facilities Maintenance Resolution •Approval of FY 2025-26 School Meal Prices •Record of Board Self-Evaluation 	Review Draft for Inspiring News for September 2025	<ul style="list-style-type: none"> • Monthly Reports • EPS 10-Year Facilities Maintenance Plan • Q-Comp Annual Report • Summary Update of General District Policies • Annual Review of District Mandated Policies • MSHSL Resolution for Membership 		

EDEN PRAIRIE SCHOOL BOARD

2024-2025 ANNUAL WORK PLAN

Board Meetings
Board Workshops
Other Meetings

August 26, 2024

Board Meeting or Board Workshop Type, Date and Time	Board Work				Supt Consent Agenda Items (Human Resources & Business Services Reports)	Board Education & Required Reporting	Workshop Topic(s)
	Policy Monitoring Ends, EL, BMD & GP Monitoring	Decision Preparation	Required Board Action	Board Action on Committee Reports & Minutes			
Post Meeting Board Workshop Mon, Jun 23, 2025							•School Board Meeting Self- Assessment

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of **one or more of the following**: race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation including gender identity and expression or age. The school district also makes reasonable accommodations for students with disabilities.
- B. The school district prohibits the harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (413).
- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).
- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).
- E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the

student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G. Every school district employee shall be responsible for complying with this policy conscientiously.
- H. Any student, parent or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Adopted: 8/14/2012

Revised: 8/26/2019; 12/13/2021; 8/28/2023; 8/26/2024

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, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district 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 district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's 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 persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's 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, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, (including gender identity or expression), or disability, when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
 3. otherwise adversely affects an individual’s employment or academic opportunities.
- C. “Immediately” means as soon as possible but in no event no longer than 24 hours.
- D. Protected Classifications; Definitions
1. “Disability” means, with respect to an individual who:
 - a. a physical, sensory, or mental impairment which materially limits one or more major life activities of such an 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~~ **having legal status or custody with:**
 - a. ~~the~~ **minor’s** parent or parents or the minor’s legal guardian **or guardians**; or

- b. the designee of the parent or parents or guardian **or guardians** with the written permission of the parent or parents or guardian **or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions.** The protections afforded against harassment or discrimination 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.
 - 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 an individual(s) covered by this policy who is the target or victim of acts of harassment or violence.
- F. 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 of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of gender or sexual orientation, (including gender identity or expression).

G. 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.

H. Violence: Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of 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 as soon as possible 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 available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker as soon as possible. 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.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to intervene in the harassment or violence and shall inform the building report taker as soon as possible. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to intervene in harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer as soon as possible, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District, the school board hereby designates Executive Director of Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint

involves a human rights officer, the complaint shall be filed directly with the superintendent.

- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or 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, positive behavioral interventions, and/or disciplinary action up to and including suspension and/or expulsion.

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

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

V. INVESTIGATION

- A. By authority of the school district, the human rights shall undertake or authorize an investigation of reports or complaints alleging harassment or violence prohibited by this policy. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present information and a response to allegations during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer or designee shall report the outcome of the investigation to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be made directly with the school board. The outcome of the investigation shall document a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be aimed at deterring violations and to appropriately correct 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 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 report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists,

or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary and/or remedial consequences will be aimed at stopping harassment or violence, deterring violations, and appropriately disciplining the individual(s) who engaged in the harassment or violence. Remedial and/or disciplinary action 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 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 disseminating and 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.

Adopted: 4/14/12

Revised: 8/26/19; 12/13/21; 4/22/24, 8/26/24

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances, in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage, containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.

- C. “Edible cannabinoid product” means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. “Nonintoxicating cannabinoid” means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. “Medical cannabis” means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method, approved by the Commissioner of the Minnesota Department of Health (“Commissioner”).
- F. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- G. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. “Sell” means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. “Toxic substances” includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.

- I. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program as a pupil solely because the patient or person is enrolled in the registry program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
 - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and

2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including

but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VI. ENFORCEMENT

- A. Students
 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counseling service. which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
 3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

Adopted: 8/14/2012

Revised: 10/28/2019; 8/28/23; 8/26/24

**TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO,
TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY
DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of

**TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO,
TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY
DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

nicotine or any other substance through inhalation of aerosol vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

**TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO,
TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY
DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.
- C. An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.

**TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO,
TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY
DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

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

VII. DISSEMINATION OF POLICY

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

Adopted: 8/14/2012

Revised: 8/26/2019; 6/22/2020; 12/14/20; 8/28/23; 8/26/24

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, 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, 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. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student to prevent imminent bodily harm or death to the student or another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student to prevent imminent bodily harm

or death to the student or another.

- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.

For the purpose of Minnesota Statutes, section 121A.582 (Student Discipline: Reasonable Force), a juvenile liaison officer, as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c) is not a school employee or agent of the district.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- 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.

I. STUDENT RIGHTS

All students have the right to an education and the right to learn.

VII. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school

district policy;

- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VIII. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - 2. The use of profanity or obscene language, or the possession of obscene materials;
 - 3. Gambling, including, but not limited to, playing a game of chance for stakes;
 - 4. Violation of the school district's Hazing Prohibition Policy;
 - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;

6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-free Environment Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or

matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;

19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Inappropriate use of a cell phone in violation of the each student handbook or a violation of the internet acceptable use and safety policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise

derogatory to a protected minority group or which connotes gang membership;

31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful language toward teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;

- 43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
- 44. Violation of the school district's one-to-one device rules and regulations;
- 45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
- 46. 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 discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules code of conduct, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;

- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

XI. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures

established by this discipline policy. “Removal from class” and “removal” mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher’s ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

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

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

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student’s tenth removal from class and make reasonable attempts to convene a meeting with the student’s parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. The following information about removal from class are identified in the student handbooks:
 1. Procedures for Removal of a Student From a Class.
 2. Period of Time for which a Student may be Removed from a Class (may not

exceed five (5) class periods for a violation of a rule of conduct)

3. Responsibility for and Custody of a Student Removed from Class.
4. Procedures for Return of a Student to a Specific Class from Which the Student was removed.
5. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;
6. ~~Disabled~~ Students **with a Disability**; Special Provisions.
7. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.
8. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.

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 or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to 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 by the school administration, under rules promulgated by the school board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. 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 exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school ~~one school day or~~ **for less than one dismissal**, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

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 toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
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 pupil 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. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:

- a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minnesota Statutes section Ch. 260C.
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 the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
10. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
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 or 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.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the School Board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, 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 or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) 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, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an

- attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
 11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
 12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
 13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
 14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
 15. The student cannot be compelled to testify in the dismissal proceedings.
 16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
 17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of

the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to 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 his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

X. ADMISSION OR READMISSION PLAN

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XI. NOTIFICATION OF POLICY VIOLATIONS

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide

additional notification as deemed appropriate.

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

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 child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

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 a 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 Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

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.

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 parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XIX. REVIEW OF POLICY

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

Adopted: 8/14/2012

Revised: 8/26/2019; 08/28/23; 8/26/24

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.

III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a juvenile liaison officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the school district shall not use prone restraint.
3. ~~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.~~

CORPORAL PUNISHMENT AND PRONE RESTRAINT

3. 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 pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.
4. 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. The use of reasonable force as set forth in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

V. ~~EXCEPTIONS~~ REASONABLE FORCE

Reasonable force may be used upon or toward the person of another without the other's consent when the following circumstance exists or the actor reasonably believes it to exist:.

- a. when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when the following circumstance exists or the actor reasonably believes it to exist:
 - a. when used by a teacher, school principal, school employee, school bus driver, other agent of the district, or other member of the instructional, support, or supervisory staff of a public school upon or toward a child or pupil when necessary to restrain the child or pupil to prevent bodily harm or death to the child, pupil. Nothing in Minnesota Statutes, section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06, subdivision

3. A teacher ~~or~~, school principal, **and other school staff** may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

VI. VIOLATION

Employees 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 the employee.

Adopted: 3/26/2013

Revised: 11/25/2019; 08/28/23; 12/22/23; 8/26/24

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES**I. PURPOSE**

The purpose of this policy is to protect students' rights to free speech in production of ~~official school-~~**sponsored media** publications, ~~paper or electronic, and activities~~ while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

- A. The school district may exercise editorial control over the style and content of student expression in school-sponsored **media** ~~publications and activities~~.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in an ~~official student publication~~ **school-sponsored media** or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
 - 1. Students producing ~~official school-~~**sponsored media** publications and activities shall be under the supervision of a faculty advisor and the school principal. ~~Official publications~~ **School-sponsored media** and activities shall be subject to the guidelines set forth below.
 - 2. ~~Official school publications~~ **School-sponsored media** may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, placing materials in internal staff or student mailboxes, or through electronic means.
- B. ~~"Official school publications" means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.~~ **"School-sponsored media" means material that is:**

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

1. prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in the school district;
2. distributed or generally made available to students in the school; and
3. prepared by a student journalist under the supervision of a student media adviser.

School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.

- C. "Student journalist" means a school district student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.
- D. "Student media adviser" means a qualified teacher, as defined in Minnesota Statutes, section 122A.16, that the school district employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

E. "Obscene to minors" means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

F. "Minor" means any person under the age of eighteen (18).

G. "Material and substantial disruption" of a normal school activity means:

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
 3. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- H. “School activities” means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in- school lunch periods.
- ~~G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.~~

IV. GUIDELINES

- A. Except as provided in paragraph B below, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with paragraph B below, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. The school district must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

- B. ~~Student~~ expression in an ~~official school-~~sponsored media, a yearbook, publication or school-sponsored activity is prohibited when the material:
1. is obscene to minors;
 2. is ~~defamatory~~ libelous or slanderous ;
 3. advertises or promotes any product or service not permitted for minors by law;
 4. ~~encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;~~
 4. expresses or advocates sexual, racial, or religious harassment or violence or prejudice;
 5. is distributed or displayed in violation of time, place, and manner regulations;
 6. is profane, harassing, threatening, or intimidating;
 7. constitutes an unwarranted invasion of privacy;
 8. violates federal or state law;
 9. causes a material and substantial disruption of school activities;
 10. is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with Minnesota Statutes, section 121A.03 or 121A.031;
- C. The school district must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph A above or the First Amendment of the United States Constitution.

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

~~B D.~~ Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district's actions are reasonably related to legitimate pedagogical concerns. **Notwithstanding the rights or freedoms of this Article or the First Amendment of the United States Constitution, nothing in this Article inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.** These professional standards may include, but are not limited to, the following:

1. assuring that participants learn whatever lessons the activity is designed to teach;
2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
3. assuring that the views of the individual speaker are not erroneously attributed to the school;
4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

~~E~~ **E** Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to times as approved by the building administration.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

Adopted: 3/26/2013

Revised: 11/25/2019; 08/26/24

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental involvement and responsive interventions and assessments shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

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

B. Retention

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

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating the world's best workforce. **comprehensive achievement and civic readiness.**
2. The school district may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.

STUDENT PROMOTION RETENTION AND PROGRAM DESIGN

3. The school district must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with Minnesota Statutes, section 120B.11. The guidelines should include the use of:
 - a. multiple objective criteria; and
 - b. assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.
4. The school district must adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:
 - a. assess a student's readiness and motivation for acceleration;
 - b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student;
 - c. physical development, maturity, and emotional factors shall be considered as well as scholastic achievement.
5. The school district must adopt procedures consistent with Minnesota Statutes, section 124D.02 for early admission to kindergarten or first grade of gifted or talented learners consistent with Minnesota Statutes, section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to under-represented groups.

Adopted: 3/26/2013

Revised: 11/25/19; 8/28/23; 8/26/24

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS**A. Authorized Representative**

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the 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 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, **videoconference**, satellite, internet or other electronic **information** and **telecommunications** technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

D. Directory Information

1. Under federal law, “~~directory~~ directory information” means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, ~~but is not limited to:~~ the student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name and address of the student’s parent(s). Directory information does not include:
 - a. a student’s social security number;
 - b. a student’s identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
 - c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student’s identity, such as a PIN, password, or other factor known or possessed only by the student;
 - d. personally identifiable data which references religion, race, color, social position, or nationality; or
 - e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student’s parent or guardian.
2. Under Minnesota law, a school district may not designate a student’s home address, telephone number (including home phone and cell phone), email address, or other personal contact information as “directory information.”
3. In Eden Prairie Schools, a parent/guardian’s personal cell phone number and personal/business email address may be designated as directory information as long as the requestor confirms that the information will not be used to contact students, directly or indirectly.

E. Education Records

1. What constitutes “education records.” Education records means 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. What does not constitute an education record. The term, “education records,” does not include:
 - a. Records of instructional personnel which **are**:
 - (1) **are-kept** in the sole possession of the maker of the record; and
 - (2) **used only as a personal memory aid;**
 - (23) **are-**not accessible or revealed to any other individual except a **temporary** substitute teacher; and
 - (4) **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.~~ However, records relating to an individual in attendance at the school district who is employed as a

PROTECTION AND PRIVACY OF PUPIL RECORDS

result of his or her status as a student are education records.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in ~~his or her~~ **her** their 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.~~ Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

"Education support services data" means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

FG. Eligible Student

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

GH. Juvenile Justice System

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

HI. 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; **or**
2. Perform a supervisory or instructional task directly related to the student’s education; **or**
3. Perform a service or benefit for the student or the student’s family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

IJ. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court

order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

JK. 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 information¹⁹⁴ 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.

KL. 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.

LM. Responsible Authority

“Responsible authority” means Superintendent.

MN. Student

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

NO. 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~~their 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, **a juvenile liaison officer when performing duties in that capacity** or an auditor for the period of ~~his or her~~their performance as an employee or contractor.

OP. 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.

PQ. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

PROTECTION AND PRIVACY OF PUPIL RECORDS**B. Eligible Students**

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

C. 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~~ privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS**A. Consent Required for Disclosure**

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

PROTECTION AND PRIVACY OF PUPIL RECORDS

school district shall provide the student with a copy of the records disclosed.

4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under 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.

PROTECTION AND PRIVACY OF PUPIL RECORDS**6. Eligible Student Consent**

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall also include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code, section 7917, and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which 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;

PROTECTION AND PRIVACY OF PUPIL RECORDS

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~~^{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, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual’s attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system’s ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student’s full name, home address, telephone number, and date of birth; a student’s school schedule, attendance record, and photographs, if any; and parents’ names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the

personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action

against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student ~~himself or herself~~themselves;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

PROTECTION AND PRIVACY OF PUPIL RECORDS

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

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under 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 believes²⁰³ needs the information to work with the student in

an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees,

substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

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

the county attorney or juvenile court notifies the superintendent of such action;
or

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.
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.
23. When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

1. **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.**
2. **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~~ **they** ~~does~~ not want any or all of those types of information about the student and/or the parent designated as directory information.
- 23.** 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.
- 34.** 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, identifier, or school district email 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.
- 45.** The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

1. Name of the student and ²⁰⁷/or parent, as appropriate;

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

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

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

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. **DISCLOSURE OF CONFIDENTIAL RECORDS**

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement ~~he or she~~they 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.

D. Chemical Abuse Records

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

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

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

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

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

- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; ~~and:~~
 3. copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, ~~electronic mail addresses (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only),~~ or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the building principal in writing by October 1 of each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

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

C. Classification of Disclosed Data

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

D. Notification

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

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

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS**A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student**

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal-size paper copies are requested, actual costs shall ²¹⁸not be used, and, instead, the charge shall be no

PROTECTION AND PRIVACY OF PUPIL RECORDS

more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA**A. Request to Amend Education Records**

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

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

B. Right to a Hearing

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

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

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

C. Conduct of Hearing

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

D. Appeal

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

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS**A. Contents of Notice**

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

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

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Adopted: 8/14/2012

Revised: 11/25/2019; 8/26/2024

**PUBLIC NOTICE
DISTRICT POLICY 515-F**

~~Independent School District No. 272~~Eden Prairie Schools gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
 - a. That a parent or eligible student has a right to inspect and review the student's education records **within 45 days after the day the request for access is received by the school district**. A parent or eligible student should 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~~they wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student 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 parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise ~~him or her~~them of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
 - c. 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 disclosures without consent;

- d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a “school official” is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, a **juvenile liaison officer when performing duties in that capacity**, auditor, medical consultant, therapist, public information officer or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of ~~his or her~~**their** tasks. A school official has a “legitimate educational interest” if the individual needs to review an education record in order to fulfill ~~his or her~~**their** professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student and student health and welfare and the ability to respond to a request for educational data;
- e. That the school district forwards education records on request to a school **or post-secondary educational institution** 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**, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act ~~{and data regarding a student’s history of violent behavior,}~~ and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
- f. 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 20 U.S.C. § 1232g, and the rules promulgated thereunder, the name and address of the office that administers the Family Education Rights and Privacy Act is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

- g. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and
 - h. That copies of the school district's policy regarding the protection and privacy of school records are located at the Superintendent's Office located in the Administrative ~~Offices~~Services Center of Eden Prairie Schools ~~District~~, 8100 School Road, Eden Prairie, MN 55344.
2. ~~Independent School District No. 272~~Eden Prairie Schools has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
- a. It classifies records as public, private or confidential.
 - b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
 - c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
 - d. It establishes procedures and regulations for access to and disclosure of education records.
 - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, ~~Independent School District No. 272~~Eden Prairie Schools gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; ~~address; telephone number; electronic mail address;~~

photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student; ~~and other similar information~~. "Directory information" also includes the name, ~~address and telephone number~~ personal cell phone number and personal/business email address of the student's parent(s) **as long as the requestor confirms that the information will not be used to contact students, directly or indirectly**. "Directory information" does not include **home addresses, email addresses or phone numbers of students, or** identifying information on a student's religion, race, color, social position or nationality.

- a. **THE INFORMATION LISTED ABOVE SHALL BE PUBLIC INFORMATION WHICH THE SCHOOL DISTRICT MAY DISCLOSE FROM THE EDUCATION RECORDS OF A STUDENT OR INFORMATION REGARDING A PARENT.**
- b. **SHOULD THE PARENT OF A STUDENT OR THE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT EXCEPT TO SCHOOL OFFICIALS AS PROVIDED UNDER FEDERAL LAW.**
- c. **IN ORDER TO MAKE ANY OR ALL OF THE DIRECTORY INFORMATION LISTED ABOVE "PRIVATE" (I.E. SUBJECT TO CONSENT PRIOR TO DISCLOSURE), THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE LAST PUBLICATION OF THIS NOTICE. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:**
 - (1) **NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
 - (2) **HOME ADDRESS;**
 - (3) **SCHOOL PRESENTLY ATTENDED BY STUDENT;**
 - (4) **PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;**
 - (5) **SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.**

5. Pursuant to applicable law, ~~Independent School District No. 272~~Eden Prairie Schools hereby gives notice to parents of ~~secondary~~students and eligible ~~secondary~~students of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiters only), and home telephone numbers of secondary students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision 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 cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

SHOULD THE PARENT OF A STUDENT OR THE ELIGIBLE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED TO MILITARY RECRUITING OFFICERS WITHOUT PRIOR CONSENT.

IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL, BY OCTOBER 1st OF EACH YEAR. THIS 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 RECRUITERSING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;



- (7) **SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.**

Notice: Refusal to release the above information to military recruiting officers and post-secondary educational institutions alone does not affect the school district's release of directory information to the public, including military recruiting officers and post-secondary enrollment institutions. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice must also be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers or post-secondary educational institutions, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers and post-secondary enrollment institutions.

~~INDEPENDENT SCHOOL DISTRICT NO. 272~~ EDEN PRAIRIE SCHOOLS
EDEN PRAIRIE, MINNESOTA

Dated: _____

Chair: _____



EDEN PRAIRIE SCHOOLS

Inspiring each student every day

JUVENILE JUSTICE SYSTEM REQUEST FOR INFORMATION

Family Educational Rights and Privacy Act
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(a)

DATE/TIME OF REQUEST: _____

TO: _____

(Superintendent of school district or chief administrative officer of school)

FROM: _____

(Requester's name/agency)

STUDENT: _____

BASIS FOR REQUEST:

_____ Juvenile delinquency investigation/prosecution

_____ Child protection assessment/investigation

_____ Investigation/filing of CHIPS or delinquency petition

RESPONSE TO REQUEST:

The school must provide the following information on request:

INFORMATION REQUESTED: *(mark all that apply)* **RESPONSE PROVIDED:** _____ *(yes/no)*

_____ Student's full name _____

_____ Home address _____

_____ Telephone number _____

_____ Date of birth _____

_____ Student's school schedule _____

_____ Attendance record _____

_____ Photographs, if any; and _____





JUVENILE JUSTICE SYSTEM REQUEST FOR INFORMATION

Family Educational Rights and Privacy Act
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

DATE/TIME OF REQUEST: _____

TO: _____
(Superintendent of school district or chief administrative officer of school)

FROM: _____
(Requester's name/agency)

STUDENT: _____

BASIS FOR REQUEST:

_____ Juvenile delinquency investigation/prosecution

_____ Child protection assessment/investigation

_____ Investigation/filing of CHIPS or delinquency petition

REASON FOR REQUEST: (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student.)

RESPONSE TO REQUEST:

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

INFORMATION REQUESTED: (*mark all that apply*) **RESPONSE PROVIDED:** (*yes / no*)

Indicate whether you have data that document the student's:

_____ Use of a controlled substance, alcohol, or tobacco _____



_____	Assaultive or threatening conduct as defined in Minn. Stat. § 13.32, Subd. 8	_____
_____	Possession or use of weapons or look-alike weapons	_____
_____	Theft	_____
_____	Vandalism and damage to property	_____

CERTIFICATION: The undersigned certifies that ~~he or she~~they are ~~is~~ a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that ~~he or she~~they understands that, by signing this request, ~~he or she~~they are ~~is~~ subject to the penalties in Minn. Stat. § 13.09.

Signature/Title

Revised: 12/13/2021; 8/26/2024

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering non emergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

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

III. REQUIREMENTS

- A. The administration of ~~prescription~~ medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" 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 152.22, subdivision 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- 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 (individualized 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 or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine 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 Administering Prescription Medications 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 school nurse, 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 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- 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 feedings do not constitute administration of drugs and medicine;

2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can 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 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 school 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 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 of 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 injectors of epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's section 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 health care 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 **Minnesota Statutes, section 121.A** ~~this section~~ is not the practice of medicine.

Effective July 1, 2024, registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

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 of 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.

ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH

- A. To the extent space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.
- B. The space must provide a student privacy to receive mental health care.
- C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
- D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 516
STUDENT MEDICATION **AND TELEHEALTH****

Adopted: 8/14/2012

Revised: 11/25/2019; 11/23/2020; 04/22/2024; 8/26/24

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. COORDINATOR

Persons who have questions or comments should contact the Executive Director of Personalized Learning at the Eden Prairie School District No. 272, 8100 School Road, Eden Prairie, MN, 952-975-7000. This person supervises the school district's Americans with Disabilities Act/Section 504 Coordinator. Persons who wish to make a complaint

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 521
STUDENT DISABILITY NONDISCRIMINATION**

regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Adopted: 8/14/2012

Revised: 11/25/2019; 07/25/22; 8/26/24

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**I. GENERAL STATEMENT OF POLICY**

- A. The school district does not discriminate on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, in any education program or activity that it operates, including in admission and employment. The school district does not discriminate in such a manner in its implementing regulations. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. Except as provided elsewhere under Title IX or its regulations, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the school district.
- C. The school district prohibits sex-based discrimination or sexual harassment that occurs within its education programs and activities. The school district shall promptly respond in a manner that is prompt and effective.
- D. Except as provided therein, Title IX and its regulations apply to all sex discrimination occurring under a school district's education program or activity in the United States. For the purpose of this paragraph, conduct that occurs under the school district's education program or activity includes but is not limited to conduct that is subject to the school district's disciplinary authority. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- E. The school district has adopted, published, and implemented grievance procedures consistent with the requirements of 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the school district's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or its regulations.
- F. The school district's obligation to comply with Title IX and its regulations is not obviated or

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

alleviated by the Federal Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, or its implementing regulations, 34 Code of Federal Regulations, part 99, or any state law or local law. The obligation to comply is not obviated or alleviated by any rule or regulation of any organization, club, athletic or other league, or association which would render any applicant or student ineligible to participate or limit the eligibility or participation of any applicant or student, on the basis of sex, in any education program or activity operated by the school district and which receives Federal financial assistance.

- G. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- H. Nothing in Title IX or its regulations may be read in derogation of any legal right of a parent, guardian, or other authorized legal representative to act on behalf of a complainant, respondent, or other person, subject to Paragraph F of this section, including but not limited to making a complaint through the school district's grievance procedures for complaints of sex discrimination.
- I. In the limited circumstances in which Title IX or its regulations permits different treatment or separation on the basis of sex, the school district must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than de minimis harm, except as permitted by 20 United States Code, section 1681(a)(1) through (9) and the corresponding regulations sections 106.12 through 106.15, 20 United States Code, section 1686 and its corresponding regulation section 106.32(b)(1), or section 106.41(b). Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex.
- J. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

Thomas May
Executive Director of Human Resources
952-975-7105
8100 School Road, Eden Prairie, MN 55344

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

Thomas_May@edenpr.k12.mn.us

Inquiries about Title IX and its regulations may be referred to the Title IX Coordinator(s), the United States Department of Education's Office for Civil Rights, or both.

- K. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to complaint form 413-F on the district website, which may be used to submit a complaint; individuals may also submit complaints orally or in writing to the district's Title IX Coordinator.
- L. The effective date of this policy is August 1, 2024, and applies to alleged violations of this policy occurring on or after August 1, 2024.

II. DEFINITIONS

A. "Admission" means selection for part-time, full-time, special, associate, transfer, exchange or any other enrollment, membership, or matriculation in or at an education program or activity operated by the school district.

B. "Complainant" means

- 1. a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
- 2. a person other than a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

C. "Complaint" means an oral or written request to the school district that objectively can be understood as a request for the school district to investigate and make a determination about alleged discrimination under Title IX or its regulations.

- 1. A person is entitled to make a complaint of sex-based harassment only if

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 Code of Federal Regulations, section 106.44(f)(1)(v).

2. The following individuals have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the school district investigate and make a determination about alleged discrimination under Title IX:
 - a. a complainant;
 - b. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
 - c. the school district's Title IX Coordinator.
3. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the persons listed above, the following persons have a right to make a complaint
 - a. any school district student or employee; or
 - b. any person other than a school district student or employee who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

D. "Confidential employee" means

1. A school district employee whose communications are privileged or confidential under Federal or Minnesota law. The employee's confidential status, for purposes of this part, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
2. A school district employee whom the school district has designated as confidential under this part for the purpose of providing services to persons

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

related to sex discrimination. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about sex discrimination in connection with providing those services.

- E. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- F. "Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the school district's prohibition on sex discrimination.
- G. "Parental status" as used in Title IX and its regulations means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:
 - 1. A biological parent;
 - 2. An adoptive parent;
 - 3. A foster parent;
 - 4. A stepparent;
 - 5. A legal custodian or guardian;
 - 6. In loco parentis with respect to such a person; or
 - 7. Actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- H. "Party" means a complainant or respondent.
- I. "Peer retaliation" means retaliation by a student against another student.
- J. "Pregnancy or related conditions" means:

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

1. Pregnancy, childbirth, termination of pregnancy, or lactation;
 2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
 3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- K. “Program or activity” and “program” means all of the operations of a local education agency as defined in 20 United States Code, section 8801, a special purpose district, a system of vocational education, or other school system.
- L. “Relevant” means related to the allegations of sex discrimination under investigation as part of the grievance procedures under Title IX and 34 Code of Federal Regulations, section 106.44. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
- M. “Remedies” means measures provided, as appropriate, to a complainant or any other person the school district identifies as having had their equal access to the school district’s education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person’s access to the school district’s education program or activity after a school district determines that sex discrimination occurred.
- N. “Respondent” means a person who is alleged to have violated the school district’s prohibition on sex discrimination.
- O. “Retaliation” means intimidation, threats, coercion, or discrimination against any person by the school district, a student, or an employee or other person authorized by the school district to provide aid, benefit, or service under the school district’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- P. “Sex-based harassment” prohibited by Title IX and its regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. *Quid pro quo harassment.*

An employee, agent, or other person authorized by the school district to provide an aid, benefit, or service under the school district’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;

2. *Hostile environment harassment.*

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the school district’s education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- a. The degree to which the conduct affected the complainant’s ability to access the school district’s education program or activity;
- b. The type, frequency, and duration of the conduct;
- c. The parties’ ages, roles within the school district’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- d. The location of the conduct and the context in which the conduct occurred; and
- e. Other sex-based harassment in the school district’s education program or activity; or

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**3. *Specific offenses.***

- a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
- b. Dating violence meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship;
 - (b) The type of relationship; and
 - (c) The frequency of interaction between the persons involved in the relationship;
- c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the state of Minnesota, or a person similarly situated to a spouse of the victim;
 - ii. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. shares a child in common with the victim; or
 - iv. commits acts against a youth or adult victim who is protected from those acts under the family or

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS
domestic violence laws of the jurisdiction; or

- d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.
- Q. "Student" means a person who has gained admission.
- R. "Student with a disability" means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, or a child with a disability as defined in the Individuals with Disabilities Education Act.
- S. "Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:
 - 1. Restore or preserve that party's access to the school district's education program or activity, including measures that are designed to protect the safety of the parties or the school district's educational environment; or
 - 2. Provide support during the school district's grievance procedures or during the informal resolution process.

The school district will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the school district's education program or activity or provide support during the school district's Title IX grievance procedures or during the informal resolution process.
- T. "Title IX" means Title IX of the Education Amendments of 1972, as amended.

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- A. The school district must designate and authorize at least one employee, referred to as a Title IX Coordinator, to coordinate its efforts to comply with its obligations under Title IX and its regulations. If a school district has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over the responsibilities and ensure the school district's consistent compliance with its responsibilities under Title IX and its regulations.
- B. As appropriate, the school district may delegate, or permit a Title IX Coordinator to delegate, specific duties to one or more designees.

IV. PARENTAL, FAMILY, OR MARITAL STATUS; PREGNANCY OR RELATED CONDITIONS

- A. Status Generally

The school district must not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.

- B. Pregnancy or Related Conditions

- 1. Nondiscrimination

The school district must not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The school district does not engage in prohibited discrimination when it allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity provided the school district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

- 2. Responsibility to Provide Title IX Coordinator Contact and Other Information

The school district must ensure that when a student, or a person who has a legal right to act on behalf of the student, informs any

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the school district's education program or activity.

3. Specific Actions to Prevent Discrimination and Ensure Equal Access

The school district must take specific actions below to promptly and effectively prevent sex discrimination and ensure equal access to the school district's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions. The Title IX Coordinator must coordinate these actions.

a. Responsibility to provide information about school district obligations.

The school district must inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of the school district's obligations under 34 Code of Federal Regulations, section 106.31, paragraphs (b)(1) through (5) and section 106.44(j) and provide the school district's notice of nondiscrimination under section 106.8(c)(1)

b. Reasonable modifications

- i. The school district must make reasonable modifications to the school district's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the school district's education program or activity. Each reasonable modification must be based on the

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

student's individualized needs. In determining what modifications are required under this paragraph, the school district must consult with the student. A modification that a school district can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification.

- ii. The student has discretion to accept or decline each reasonable modification offered by the school district. If a student accepts the school district's offered reasonable modification, the school district must implement it.
- iii. Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures.

- c. Voluntary access to separate and comparable portion of program or activity

The school district must allow the student to voluntarily access any separate and comparable portion of the school district's education program or activity under Paragraph A. above.

- d. Voluntary leaves of absence

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

The school district must allow the student to voluntarily take a leave of absence from the school district's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by the school district that allows a greater period of time than the medically necessary period, the school district must permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to the school district's education program or activity, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

e. Lactation space

The school district must ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

f. Limitation on supporting documentation

The school district must not require supporting documentation under Paragraph B.3, subparagraphs b. through e. unless the documentation is necessary and reasonable for the school district to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action under Paragraph C. subparagraphs 3 through 5 is obvious, such as when a student who is pregnant needs a bigger uniform; when the student has previously provided the school district with sufficient supporting documentation; when the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk,

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

sit or stand, or take breaks to eat, drink, or use the restroom; when the student has lactation needs; or when the specific action under Paragraph C. subparagraphs 3 through 5 is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

4. Comparable Treatment to Other Temporary Medical Conditions

To the extent consistent with Paragraph B.3 above, the school district must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the school district administers, operates, offers, or participates in with respect to students admitted to the school district's education program or activity.

5. Certification to Participate

The school district must not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the school district's class, program, or extracurricular activity unless:

- a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- b. The school district requires such certification of all students participating in the class, program, or extracurricular activity; and
- c. The information obtained is not used as a basis for discrimination prohibited by this part.

V. REPORTING PROHIBITED CONDUCT

- A. Any student who believes they have been the victim of unlawful sex

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

- B. The school district requires all employees who are not confidential employees to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations. This requirement does not apply to an employee who has personally been subject to conduct that reasonably may constitute sex discrimination under Title IX or its regulations.
- C. Confidential Employee Requirements
 - 1. The school district must notify all participants in the school district's education program or activity of how to contact its confidential employees, if any.
 - 2. The school district must require a confidential employee to explain to any person who informs the confidential employee of conduct that reasonably may constitute sex discrimination under Title IX or its regulations:
 - a. The employee's status as confidential for purposes of this part, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination;
 - b. How to contact the school district's Title IX Coordinator and how to make a complaint of sex discrimination; and
 - c. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.
- D. Any employee of the school district who has experienced, has knowledge

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

- E. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during nonbusiness hours, and may be made in person, by mail, by telephone, or by email using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- F. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the school district may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

VI. SCHOOL DISTRICT'S RESPONSE TO SEXUAL HARASSMENT**A. General**

Upon knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, the school district must respond promptly and effectively. The school district must also comply with 34 Code of Federal Regulations, section 106.44 to address sex discrimination in its education program or activity.

B. Barriers to Reporting

The school district must require its Title IX Coordinator to:

1. Monitor the school district's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations; and

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

2. Take steps reasonably calculated to address such barriers.

C. Title IX Coordinator Requirements

1. The Title IX Coordinator is responsible for coordinating the school district's compliance with its obligations under Title IX and its regulations. The school district must require its Title IX Coordinator, when notified of conduct that reasonably may constitute sex discrimination under Title IX or its regulations, to take the following actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects:
 - a. Treat the complainant and respondent equitably;
 - b. Offer and coordinate supportive measures, as appropriate, for the complainant. In addition, if the school district has initiated grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;
 - c. Notify the complainant or, if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and if applicable and the informal resolution process, if available and appropriate. If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate;
 - d. In response to a complaint, initiate the grievance procedures or the informal resolution process, if available and appropriate and requested by all parties;
 - e. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- i. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:
 - [a] The complainant's request not to proceed with initiation of a complaint;
 - [b] The complainant's reasonable safety concerns regarding initiation of a complaint;
 - [c] The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
 - [d] The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
 - [e] The age and relationship of the parties, including whether the respondent is an employee of the school district;
 - [f] The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
 - [g] The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
 - [h] Whether the school district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance

**TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS
procedures.**

- ii. If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the school district from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint
 - f. If initiating a complaint under Subparagraph e. above, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures; and
 - g. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
2. The Title IX Coordinator is not required to comply with Paragraph C.1, subparagraphs a. through g. above upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its regulations.

D. Supportive Measures

Under the *Title IX Coordinator Requirements* above, the school district must offer and coordinate supportive measures, as appropriate, as described below. For allegations of sex discrimination other than sex-based harassment or retaliation, the school district's provision of supportive measures does not require the school district, its employee, or any other

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

person authorized to provide aid, benefit, or service on the school district's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

1. Supportive measures may vary depending on what the school district deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.
2. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or the school district's educational environment, or to provide support during the school district's grievance procedures, or during the informal resolution process. The school district must not impose such measures for punitive or disciplinary reasons.
3. The school district may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or the school district may continue them beyond that point.
4. The school district must provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the school district's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The school district must also provide a party with the opportunity to seek additional modification

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

or termination of a supportive measure applicable to them if circumstances change materially.

5. The school district must not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 Code of Federal Regulations section 106.44(j)(1) through (5) applies.
6. The school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 in the implementation of supportive measures.

E. Students with Disabilities

If a complainant or respondent is an elementary or secondary student with a disability, the school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 throughout the school district's implementation of grievance procedures under 34 Code of Federal Regulations, section 106.45.

F. Emergency Removal

Nothing in Title IX or its regulations precludes the school district from

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

removing a respondent from the school district's education program or activity on an emergency basis, provided that the school district undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

G. Administrative Leave

Nothing in Title IX or its regulations precludes the school district from placing an employee respondent on administrative leave from employment responsibilities during the pendency of the school district's grievance procedures. This provision must not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990.

H. Prohibited Disclosures of Personally Identifiable Information

The school district must not disclose personally identifiable information obtained in the course of complying with this part, except in the following circumstances:

1. When the school district has obtained prior written consent from a person with the legal right to consent to the disclosure;
2. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
3. To carry out the purposes of 34 Code of Federal Regulations, section 106, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the school district's education program or activity;

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

4. As required by federal law, federal regulations, or the terms and conditions of a Federal award, including a grant award or
5. To the extent such disclosures are not otherwise in conflict with Title IX or its regulations, when required by Minnesota or local law or when permitted under FERPA or its implementing regulations.

VII. GRIEVANCE PROCEDURES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS OF SEX DISCRIMINATION**A. General**

The school district's grievance procedures for the prompt and equitable resolution of complaints of sex discrimination must be in writing and include provisions that incorporate the requirements of this section. The requirements related to a respondent apply only to sex discrimination complaints alleging that a person violated the school district's prohibition on sex discrimination. When a sex discrimination complaint alleges that a school district's policy or practice discriminates on the basis of sex, the school district is not considered a respondent.

B. Basic Requirements for Grievance Procedures

The school district's grievance procedures must:

1. Treat complainants and respondents equitably;
2. Require that any person designated as a Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or investigator;
3. Include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the school district's grievance procedures for complaints of sex discrimination;

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

4. Establish reasonably prompt timeframes for the major stages of the grievance procedures, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Major stages include, for example, evaluation (i.e., the school district's decision whether to dismiss or investigate a complaint of sex discrimination); investigation; determination; and appeal, if any;
 - a. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
 - b. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
 - c. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the school district.
 - d. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.
 - e. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

f. The school district has established the following process for reasonable extension of timeframes on a case-by-case basis for good cause as set forth above. The process includes notice to the parties and the reason for the delay:

5. Require the school district to take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the school district's grievance procedures, provided that the steps do not restrict the ability of the parties to: obtain and present evidence, including by speaking to witnesses, subject to the prohibition against retaliation; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures;
6. Require an objective evaluation of all evidence that is relevant, as defined in Article II, and not otherwise impermissible—including both inculpatory and exculpatory evidence—and provide that credibility determinations must not be based on a person's status as a complainant, respondent, or witness;
7. Exclude the following types of evidence, and questions seeking that evidence, as impermissible (i.e., must not be accessed or considered, except by the school district to determine whether an exception in subparagraphs (a) through (c) applies; must not be disclosed; and must not otherwise be used), regardless of whether they are relevant:
 - a. Evidence that is protected under a privilege as recognized by federal or Minnesota law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

or paraprofessional in connection with the provision of treatment to the party or witness, unless the school district obtains that party's or witness's voluntary, written consent for use in the school district's grievance procedures; and

- c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred; and

8. If the school district adopts grievance procedures that apply to the resolution of some, but not all, complaints articulate consistent principles for how the school district will determine which procedures apply.

C. Notice of Allegations

Upon initiation of the school district's grievance procedures, the school district must provide notice of the allegations to the parties whose identities are known.

1. The notice must include:
 - a. The school district's grievance procedures, and if applicable, any informal resolution process;
 - b. Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

discrimination under Title IX or this part, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the school district;

c. A statement that retaliation is prohibited; and

d. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.

2. If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice or that are included in a complaint that is consolidated, the school district must provide notice of the additional allegations to the parties whose identities are known.

If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the school district will notify the parties of the additional allegations.

D. Consolidation

The school district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

E. Complaint Investigation

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- A. The school district must provide for adequate, reliable, and impartial investigation of complaints. To do so, the school district must:
1. Ensure that the burden is on the school district – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
 2. Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
 3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, consistent with § 106.2 and with paragraph (b)(7) of this section; and
 4. Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:
 - a. The school district must provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the school district provides a description of the evidence, it must further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - b. The school district must provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and
 - c. The school district must take reasonable steps to prevent and address the parties' unauthorized

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

disclosure of information and evidence obtained solely through the grievance procedures. For purposes of this paragraph, disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

F. Questioning Parties and Witnesses to Aid in Evaluating Allegations and Assessing Credibility

The school district must provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

G. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the school district must:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred, unless the school district uses the clear and convincing evidence standard of proof in all other comparable proceedings, including proceedings relating to other discrimination complaints, in which case the school district may elect to use that standard of proof in determining whether sex discrimination occurred. Both standards of proof require the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness; if the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its regulations including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS
applicable;

3. If there is a determination that sex discrimination occurred, as appropriate, require the Title IX Coordinator to coordinate the provision and implementation of remedies to a complainant and other persons the school district identifies as having had equal access to the school district's education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and require the Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity. The school district may not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the school district's grievance procedures that the respondent engaged in prohibited sex discrimination;
4. Comply with 34 Code of Federal Regulations, section 106.45, before the imposition of any disciplinary sanctions against a respondent; and
5. Not discipline a party, witness, or others participating in school district's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the school district's determination whether sex discrimination occurred.

H. Additional Provisions

If the school district adopts additional provisions as part of its grievance procedures for handling complaints of sex discrimination, including sex-based harassment, such additional provisions must apply equally to the parties.

I. Informal Resolution

In lieu of resolving a complaint through the school district's grievance procedures, the parties may instead elect to participate in an informal

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

resolution process under 34 Code of Federal Regulations, section 106.44(k) if provided by the school district consistent with that paragraph.

J. Provisions Limited to Sex-Based Harassment Complaints

For complaints alleging sex-based harassment, the grievance procedures must:

1. Describe the range of supportive measures available to complainants and respondents; and
2. List, or describe the range of, the possible disciplinary sanctions that the school district may impose and remedies that the school district may provide following a determination that sex-based harassment occurred.

VIII. INFORMAL RESOLUTION OF A COMPLAINT

A. At any time prior to determining whether sex discrimination occurred, the school district may offer to a complainant and respondent an informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student or such a process would conflict with federal, Minnesota, or local law. A school district that provides the parties an informal resolution process must, to the extent necessary, also require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.

1. Subject to the limitations in Paragraph A. above, the school district has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes.
2. In addition to the limitations in Paragraph A. above, circumstances when the school district may decline to allow informal resolution

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

include but are not limited to when the school district determines that the alleged conduct would present a future risk of harm to others.

- B. The school district must not require or pressure the parties to participate in an informal resolution process. The school district must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.
- C. Before initiation of an informal resolution process, the school district must provide to the parties notice that explains:
 - 1. The allegations;
 - 2. The requirements of the informal resolution process;
 - 3. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the school district's grievance procedures;
 - 4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
 - 5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
 - 6. What information the school district will maintain and whether and how the school district could disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.
- D. The facilitator for the informal resolution process must not be the same person as the investigator or the decision maker in the school district's

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

grievance procedures. Any person designated by the school district to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive training as provided under this policy.

E. Potential terms that may be included in an informal resolution agreement include but are not limited to:

1. Restrictions on contact; and
2. Restrictions on the respondent's participation in one or more of the school district's programs or activities or attendance at specific events, including restrictions the school district could have imposed as remedies or disciplinary sanctions had the school district determined at the conclusion of the school district's grievance procedures that sex discrimination occurred.

IX. DISMISSAL OF A COMPLAINT

A. The school district may dismiss a complaint of sex discrimination made through its grievance procedures under this policy for any of the following reasons:

1. The school district is unable to identify the respondent after taking reasonable steps to do so;
2. The respondent is not participating in a school district education program or activity and is not employed by the school district;
3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the school district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or,
4. The school district determines the conduct alleged in the complaint, even if

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the school district will make reasonable efforts to clarify the allegations with the complainant.

- B. Upon dismissal, the school district will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.
- C. The school district must notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent that the dismissal may be appealed on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal is appealed, the school district must:
 - 1. Notify the parties of any appeal, including notice of the allegations consistent with paragraph (c) of this section if notice was not previously provided to the respondent;
 - 2. Implement appeal procedures equally for the parties;
 - 3. Ensure that the decision maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 - 4. Ensure that the decisionmaker for the appeal has been trained as set out in this policy;
 - 5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 - 6. Notify the parties of the result of the appeal and the rationale for the result.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- D. When the school district dismisses a complaint, it must, at a minimum:
1. Offer supportive measures to the complainant as appropriate;
 2. For dismissals under Paragraph A. 3 and 4 above in which the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate under 34 Code of Federal Regulations, section 106.44(g); and
 3. Require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
- E. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

XI. APPEAL OF DETERMINATION

- A. The school district offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as the school district offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the appellate decisionmaker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the appellate decisionmaker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the appellate decisionmaker is final. No further review beyond the

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS
appeal is permitted.**XII. SANCTIONS AND REMEDIES**

Following a determination that sex-based harassment occurred, the school district may impose disciplinary sanctions.

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the decisionmaker determines a respondent is responsible for violating this policy, the decisionmaker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.]

XIII. RETALIATION

The school district must prohibit retaliation, including peer retaliation, in its education program or activity. When the school district has information about conduct that reasonably may constitute retaliation under Title IX or its regulations, the school district is obliged to comply with 34 Code of Federal Regulations, section 106.44. Upon receiving a complaint alleging retaliation, the school district must initiate its grievance procedures or, as appropriate, an informal resolution process.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**XIV. TRAINING**

- A. The school district must ensure that the following persons receive training related to their duties under Title IX promptly upon hiring or change of positions that alters their duties under Title IX or its regulations, and annually thereafter. This training must not rely upon sex stereotypes.

1. All employees must be trained on:

- a. The school district's obligation to address sex discrimination in its education program or activity;
- b. The scope of conduct that constitutes sex discrimination under Title IX and its regulations, including the definition of sex-based harassment; and
- c. All applicable notification and information requirements under 34 Code of Federal Regulations, sections 106.40(b)(2) and 106.44.

2. Investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures.

In addition to the training requirements for all employees described in Paragraphs 1 and 2 above, all investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures under 34 Code of Federal Regulations, section 106.44(g)(4) must be trained on the following topics to the extent related to their responsibilities:

- a. The school district's obligations under 34 Code of Federal Regulations, section 106.44;
- b. The school district's grievance procedures under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46;
- c. How to serve impartially, including by avoiding prejudgment of the

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

facts at issue, conflicts of interest, and bias; and

- d. The meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46.

3. Facilitators of informal resolution process

In addition to the training requirements for all employees described in Paragraph 1 above, all facilitators of an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) must be trained on the rules and practices associated with the school district’s informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

4. Title IX Coordinator and Title IX Personnel

In addition to the training requirements in Paragraphs 1 through 3 above, the Title IX Coordinator and Title IX Personnel must be trained on their specific responsibilities under 34 Code of Federal Regulations, section 106.8(a), section 106.40(b)(3), section 106.44(f) and (g), the school district’s recordkeeping system and the requirements of 34 Code of Federal Regulations, section 106.8 (f), and any other training necessary to coordinate the school district’s compliance with Title IX. “Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions.

XV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employees, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**C. Notice of Nondiscrimination**

1. The school district must provide notice of nondiscrimination to applicants for admission and employment, students, parents, guardians, or other authorized legal representatives of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the school district.

2. Contents of Notice of Nondiscrimination

The notice of nondiscrimination must include the following elements:

- a. A statement that the school district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment;
 - b. A statement that inquiries about the application of Title IX and its regulations to the school district may be referred to the school district's Title IX Coordinator, the federal Office for Civil Rights, or both;
 - c. The name or title, office address, email address, and telephone number of the Title IX Coordinator;
 - d. How to locate the school district's nondiscrimination policy and the school district's grievance procedures; and
 - e. How to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination under the regulations.
3. The school district must prominently include all elements of its notice of nondiscrimination on its website and in each handbook,

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

catalog, announcement, bulletin, and application form that it makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees.

4. If necessary, due to the format or size of any publication, the school district may instead include in those publications the information covered in the following statement: Eden Prairie School District prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at www.edenpr.org."
5. The school district must not use or distribute a publication stating that the school district treats applicants, students, or employees differently on the basis of sex, except as such treatment is permitted by Title IX or its regulations.

XVI. RECORDKEEPING

The school district must create, and maintain for a period of seven years:

- A. For each complaint of sex discrimination, records documenting the informal resolution process under 34 Code of Federal Regulations, section 106.44(k) or the grievance procedures under section 106.45, and if applicable section 106.46, and the resulting outcome.
- B. For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations, including notifications under 34 Code of Federal Regulations, section 106.44(c)(1) or (2), records documenting the actions the school district took to meet its obligations under section 106.44
- C. All materials used to provide training under this policy. The school district must make these training materials available upon request for inspection by members of the public.

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**I. ~~GENERAL STATEMENT OF POLICY~~**

~~A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.~~

~~B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.~~

~~C. This policy applies to sexual harassment as defined in Section II.II that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.~~

~~D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:~~

~~_____ Joe Perkl, Director of Student Activities~~

~~_____ Eden Prairie High School~~

~~_____ 952-975-8101~~

~~_____ Joseph_Perkl@edenpr.org~~

~~_____ Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.~~

~~E. The effective date of this policy is August 14, 2020 and applies to alleged violations~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS
~~of this policy occurring on or after August 14, 2020.~~**~~H. DEFINITIONS~~**

- ~~A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.~~
- ~~B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.~~
- ~~C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).~~
- ~~D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.~~
- ~~E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.~~
- ~~F. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.~~
- ~~1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.~~
 - ~~2. A formal complaint shall state that, at the time of filing the formal~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

~~complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.~~

- ~~A. "Informal resolution" means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.~~
- ~~B. "Relevant questions" and "relevant evidence" are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.~~
- ~~C. "Remedies" means actions designed to restore or preserve the complainant's equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.~~
- ~~D. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.~~
- ~~E. "Sexual harassment" means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:~~
- ~~1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);~~
 - ~~2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or~~
 - ~~3. Any instance of sexual assault (as defined in the Clery Act, 20 United States~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

~~Code section 1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 United States Code section 12291).~~

- F. ~~“Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minnesota Statutes section 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.~~
- G. ~~“Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:~~
1. ~~“Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.~~
 2. ~~“Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.~~
 3. ~~“Decision-maker” means a person who makes a determination regarding~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

~~responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.~~

- ~~4. "Appellate Decision-maker" means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.~~
- ~~5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.~~

~~III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS~~**~~A. Equitable Treatment~~**

- ~~1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.~~
- ~~2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.~~
- ~~3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.~~

~~B. Objective and Unbiased Evaluation of Complaints~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.~~
 - ~~2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.~~
- ~~C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.~~

~~D. Confidentiality~~

~~The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code section 1232g, FERPA regulations, 34 Code of Federal Regulations part 99, Minnesota law under Minnesota Statutes section 13.32, or as required by law, or to carry out the purposes of 34 Code of Federal Regulations part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).~~

~~E. Right to an Advisor; Right to a Support Person~~

~~Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner~~

~~during any phase of the grievance process.~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

~~A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.~~

F. Notice

~~The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.~~

G. Consolidation

~~The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.~~

H. Evidence

- ~~1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.~~
- ~~2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**I. ~~Burden of Proof~~**

- ~~1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.~~
- ~~2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.~~

J. ~~Timelines~~

- ~~1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.~~
- ~~2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.~~
- ~~3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.~~
- ~~4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the School District.~~
- ~~5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**~~K. — Potential Remedies and Disciplinary Sanctions~~**

- ~~1. — The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.~~
- ~~2. — If the Decision-maker determines a student respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506—Student Discipline. The discipline of a student respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.~~

~~IV. — REPORTING PROHIBITED CONDUCT~~

- ~~A. — Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.~~
- ~~B. — Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522**

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.~~
- ~~D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.~~

~~V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR~~

- ~~A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.~~
- ~~B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures.~~
- ~~The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.~~
- ~~C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is necessary in order to effectively address the concerns that have been raised and is not clearly unreasonable in light of the known circumstances.~~
- ~~D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522**

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known); the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;~~
- ~~2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;~~
- ~~3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;~~
- ~~4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;~~
- ~~5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and~~
- ~~6. A copy of this policy.~~

~~VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT~~

~~A. Emergency Removal of a Student~~

- ~~1. The school district may remove a student respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:~~
 - ~~a. The school district undertakes an individualized safety and risk analysis;~~
 - ~~b. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student respondent; and~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

~~c. — The school district determines the student respondent poses such a threat, it will so notify the student respondent and the student respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 — Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.~~

~~B. — Employee Administrative Leave~~

~~The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.~~

~~VII. — INFORMAL RESOLUTION OF A FORMAL COMPLAINT~~

~~A. — At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.~~

~~B. — The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.~~

~~C. — The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.~~

~~D. — The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the~~

~~requirements of the informal resolution process including the circumstances under~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

~~which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.~~

- ~~E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.~~

~~VIII. DISMISSAL OF A FORMAL COMPLAINT~~

- ~~A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:~~

- ~~1. Would not meet the definition of sexual harassment, even if proven;~~
- ~~2. Did not occur in the school district's education program or activity; or~~
- ~~3. Did not occur against a person in the United States.~~

- ~~B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:~~

- ~~1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;~~
- ~~2. The respondent is no longer enrolled or employed by the school district; or~~
- ~~3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.~~

- ~~C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.~~

- ~~D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**~~IX. INVESTIGATION OF A FORMAL COMPLAINT~~**

- ~~A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.~~
- ~~B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.~~
- ~~C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.~~
- ~~D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.~~
- ~~E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.~~
- ~~F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.~~

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**~~X. DETERMINATION REGARDING RESPONSIBILITY~~**

- ~~A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.~~
- ~~B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.~~
- ~~C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.~~
- ~~D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
 - ~~1. Identification of the allegations potentially constituting sexual harassment;~~
 - ~~2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;~~
 - ~~3. Findings of fact supporting the determination;~~
 - ~~4. Conclusions regarding the application of the school district's code of conduct to the facts;~~
 - ~~5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and~~~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522**

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made:~~
- ~~E. In determining appropriate disciplinary sanctions, the Decision-maker 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 incident occurred.~~
- ~~F. The written determination of responsibility must be provided to the parties simultaneously.~~
- ~~G. The Title IX Coordinator is responsible for the effective implementation of any remedies.~~
- ~~H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.~~

~~XI. APPEALS~~

- ~~A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:~~
 - ~~1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);~~
 - ~~2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and~~
 - ~~3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

- ~~B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.~~
- ~~C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.~~
- ~~D. The written decision describing the result of the appeal must be provided simultaneously to the parties.~~
- ~~E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.~~

XII. RETALIATION PROHIBITED

- ~~A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.~~
- ~~B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522****TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

- ~~C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.~~

~~XIII. TRAINING~~

- ~~A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:~~
- ~~1. The Title IX definition of sexual harassment;~~
 - ~~2. The scope of the school district's education program or activity;~~
 - ~~3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;~~
 - ~~4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;~~
 - ~~5. For Decision makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and~~
 - ~~6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.~~
- ~~B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.~~
- ~~C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.~~

~~XIV. DISSEMINATION OF POLICY~~

- ~~A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522**

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work email address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.~~
- ~~C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:~~
- ~~1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;~~
 - ~~2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;~~
 - ~~3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and~~
 - ~~4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.~~

~~XV. RECORDKEEPING~~

- ~~A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:~~
- ~~1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;~~

**EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 522**

TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

- ~~2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and~~
 - ~~3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.~~
 - ~~4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.~~
- ~~B. The school district must also maintain for a period of seven calendar years records of:~~
- ~~1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;~~
 - ~~2. Any appeal and the result therefrom;~~
 - ~~3. Any informal resolution and the result therefrom; and~~
 - ~~4. All materials used to train Title IX Personnel.~~

Adopted: 12/14/20

Revised: 3/25/24, 8/26/24

**USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS
WITH IEPs FROM SCHOOL GROUNDS****I. PURPOSE**

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

II. GENERAL STATEMENT OF POLICY

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

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

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

III. DEFINITIONS

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

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

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

- C. ~~“Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.~~
“Juvenile Liaison Officer” means a peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer’s regular responsibilities through the terms of a contract entered between the peace officer’s employer and the designated school district or charter school.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Physical holding” means physical intervention intended to hold a child immobile or limit a child’s movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.
- G. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- H. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS**A. Removal By Crisis Team**

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

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

measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

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

B. Removal By ~~Police Liaison Officer~~ **Juvenile Liaison Officer or Peace Officer**

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

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

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

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

**USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS
WITH IEPs FROM SCHOOL GROUNDS****C. Reasonable Force Permitted**

1. In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the ~~police liaison~~ **Juvenile Liaison** Officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
2. In removing a student with an IEP from school grounds, ~~police liaison~~ **Juvenile Liaison Officer** and school district personnel are further prohibited from engaging in the following conduct:
 - a. Corporal punishment prohibited by Minnesota Statutes, section 121A.58;
 - b. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
 - c. Totally or partially restricting a child's senses as punishment;
 - d. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
 - e. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes, section 626.556;
 - f. Physical holding (as defined **above and** in Minnesota Statutes, section 125A.0941) that restricts or impairs a child's ability to breathe restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
 - g. Withholding regularly scheduled meals or water; and/or
 - h. Denying a child access to toilet facilities.

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

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.

D. Parental Notification

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

E. Continued Removals; Review of IEP

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

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

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

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

Adopted: 08/14/2012

Revised: 08/26/2019; 08/28/23; 08/26/2024

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 120A.05 as follows:

- Elementary: Grades PreK-5
- Middle: Grades 6 through 8
- High School: 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.

C. *A school district may establish a voluntary prekindergarten program for eligible four-year-old children.*

Adopted: 5/28/2013

Revised: 12/9/2019; 12/14/2020; 07/25/2022; 8/26/24

I. PURPOSE

The purpose of this policy is to identify the status of religion as it pertains to the programs of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall neither promote nor disparage any religious belief or nonbelief. Instead, the school district encourages all students and employees to have appreciation for and tolerance of each other's views.
- B. The school district also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.
- C. The school district recognizes that one of its educational objectives is to increase its students' knowledge and appreciation of music, art, drama, and literature which may have had a religious basis or origin as well as a secular importance.
- D. The school district supports the inclusion of religious music, art, drama, and literature in the curriculum and in school activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.
- E. The historical and contemporary values and the origin of various religions, holidays, customs, and beliefs may be explained in an unbiased and nonsectarian manner.

III. RESPONSIBILITY

- A. The superintendent shall be responsible for ensuring that the study of religious materials, customs, beliefs, and holidays in the school district is in keeping with the following guidelines:
 - 1. The proposed activity must have a secular purpose.
 - 2. The primary objective of the activity must be one that neither advances nor inhibits religion.
 - 3. The activity must not foster excessive governmental relationships with religion.

4. Notwithstanding the foregoing guidelines, reasonable efforts will be made to accommodate any student who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. The school district must provide annual notice to parents of this policy.
- B. The superintendent is granted authority to develop and present for school board review and approval directives and guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion. Approved directives and guidelines shall be attached as an addendum to this policy.

Adopted: 5/28/2013

Revised: 12/9/2019; 07/25/2022; 08/26/24

I. PURPOSE

The purpose of this policy is to recognize and govern online instruction options of students enrolled in the school district for purposes of compulsory attendance and address enrollment of students with an online instruction site for supplemental or full-time online learning.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not prohibit an enrolled student from applying to enroll in online instruction.
- B. The school district shall grant academic credit for completing the requirements of an online instruction course or program.

III. DEFINITIONS

- A. "Blended instruction" means a form of digital instruction that occurs when a student learns part time in a supervised physical setting and part time through online instruction under paragraph (E).
- B. "Digital instruction" means instruction facilitated by technology that offers students an element of control over the time, place, path, or pace of learning and includes blended and online instruction.
- C. "Enrolling district" means the school district in which a student is enrolled under Minnesota Statutes, section 120A.22, subdivision 4.
- D. "Online course syllabus" means a written document that identifies the state academic standards taught and assessed in a supplemental online course under paragraph (I); course content outline; required course assessments; instructional methods; communication procedures with students, guardians, and the enrolling district under paragraph (C); and supports available to the student.

- E. "Online instruction" means a form of digital instruction that occurs when a student learns primarily through digital technology away from a supervised physical setting.
- F. "Online instructional site" means a site that offers courses using online instruction under paragraph (E) and may enroll students receiving online instruction under paragraph (E).
- G. "Online teacher" means an employee of the enrolling district under paragraph (C) or the supplemental online course provider under paragraph (J) who holds the appropriate licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction under paragraph (E).
- H. "Student" means a Minnesota resident enrolled in a school defined under Minnesota Statutes, section 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.
- I. "Supplemental online course" means an online learning course taken in place of a course provided by the student's enrolling district under paragraph (C).
- J. "Supplemental online course provider" means a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that is authorized by the Minnesota Department of Education (MDE) to provide supplemental online courses under paragraph (I).

IV. DIGITAL INSTRUCTION

- A. An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled

in the cooperating schools.

- B. When online instruction is provided, an online teacher shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the Commissioner of MDE grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.
- C. Students receiving online instruction full time shall be reported as enrolled in an online instructional site.
- D. Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.
- E. Digital instruction shall be accessible to students under section 504 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.
- F. An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under Minnesota Statutes, section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or MDE.
- G. An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under Minnesota Statutes, section 120A.21.

V. SUPPLEMENTAL ONLINE COURSES

- A. Notwithstanding Minnesota Statutes, sections 124D.03 and 124D.08 and Minnesota Statutes, chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.
- B. Any kindergarten through grade 12 student may apply to take a supplemental online course. The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:
 - 1. apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;
 - 2. apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; and
 - 3. apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit.
 - 4. enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.
- C. A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.
- D. A supplemental online course provider must have a current, approved application to be listed by MDE as an approved provider. The supplemental online course provider must:

1. use an application form specified by MDE;
 2. notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;
 3. notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;
 4. request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and
 5. track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.
- E. A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.
- F. A supplemental online course provider may request that MDE review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.
- G. A supplemental online course provider must participate in continuous improvement cycles with MDE.

VI. ENROLLING DISTRICT

- A. An enrolling district may not restrict or prevent a student from applying to take supplemental online courses.
- B. An enrolling district may request an online course syllabus to review whether the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district.
- C. Within 15 days after receiving notice of a student applying to take a supplemental online course, the enrolling district must notify the supplemental online course provider whether the student, the student's guardian, and the enrolling district agree that academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district. If the enrolling district does not agree that the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district, then:
 - 1. the enrolling district must provide a written explanation of the district's decision to the student, the student's guardian, and the supplemental online course provider; and
 - 2. the online provider must provide a response to the enrolling district explaining how the course or program meets the graduation requirements of the enrolling district.
- D. An enrolling district may reduce the course schedule of a student taking supplemental online courses in proportion to the number of supplemental online learning courses the student takes.
- E. An enrolling district must appoint an online learning liaison who:
 - 1. provides information to students and families about supplemental online courses;

2. provides academic support information including IEPs, EL support plans, and 504 plans to supplemental online providers; and
 3. monitors attendance and academic progress, and communicates with supplemental online learning providers, students, families, and enrolling district staff.
- F. An enrolling district must continue to provide support services to students taking supplemental online courses as they would for any other enrolled student including support for English learners, case management of an individualized education program, and meal and nutrition services for eligible students.
- G. An online learning student must receive academic credit for completing the requirements of a supplemental online learning course. If a student completes an online learning course that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met.
- H. Secondary credits granted to a supplemental online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including students taking supplemental online courses.
- I. An enrolling district must provide access to extracurricular activities for students taking supplemental online courses on the same basis as any other enrolled student.

VII. REPORTING

Courses that include blended instruction and online instruction must be reported in the manner determined by the Commissioner of MDE.

Adopted: 8/26/24

TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS**I. PURPOSE**

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

II. GENERAL STATEMENT OF POLICY

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

III. ELIGIBILITY

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

TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

- D. The school district shall provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services, if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minnesota Statutes, section 123B.44, subdivision 1)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the school district. (Minnesota Statutes, section 123B.86, subdivision 3; Minnesota Statutes, section 123B.91, subdivision 1a)
- F. The school board and a nonpublic school may mutually agree to a written plan for the board to provide nonpublic pupil transportation to nonpublic school students. The school district must report the number of nonpublic school students transported and the nonpublic pupil transportation expenditures incurred in the form and manner specified by the Minnesota Commissioner of Education.
- G. If the school board provides pupil transportation through the school's employees, the school board may transport nonpublic school students according to the plan and retain the nonpublic pupil transportation aid attributable to that plan. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services not required under Minnesota Statutes, sections 123B.84 to 123B.87.
- H. A school board that contracts for pupil transportation services may enter into a contractual arrangement with a school bus contractor according to the written plan adopted by the school board and the nonpublic school to transport nonpublic school students and retain the nonpublic pupil transportation aid attributable to that plan for the purposes of paying the school bus contractor. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services included in the contract that are not required under Minnesota Statutes, sections 123B.84 to 123B.87.
- I. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS**IV. STUDENTS WITH DISABILITIES**

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district shall provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district ~~shall~~ **must** provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school ~~shall~~ **must** pay the cost of transportation provided outside the school district. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (Minnesota Statutes, section 125A.18)
- B. When the disabling conditions of a student with a disability are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the disabling conditions and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (Minnesota Statutes, section 123B.88, subdivision 19; Minn. Rules Part 7470.1600, subdivision 1)
- C. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minnesota Rules Part 7470.1700)
- D. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minnesota Statutes, Ch. 125A. (Minnesota Rules Part 7470.1600, subdivision 2)

V. APPLICATION OF GENERAL POLICY

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

Adopted: 5/28/2013

Revised: 8/26/2019; 8/28/23; 8/26/24

I. PURPOSE

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

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**A. School Bus Safety Week**

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

B. Student School Bus Safety Training

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

STUDENT TRANSPORTATION SAFETY POLICY

and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four weeks of their first day of attendance.

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

C. Active Transportation Safety Training

1. Training required
 - a. The school district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.

STUDENT TRANSPORTATION SAFETY POLICY

- b. The school district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
 - (1) pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique; and
 - (2) bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques.
 - (3) electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

2. Deadlines.

- a. Students under subdivision 1, paragraph (a), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the third week of school.
- b. Students under subdivision 1, paragraph (b), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the sixth week of school.
- c. Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the second week of school and have not received the appropriate active transportation safety training in their previous school district must undergo the training or receive active transportation safety instructional materials within four weeks of the first day of attendance.
- d. The school district and a nonpublic school may provide kindergarten pupils with active transportation safety training

STUDENT TRANSPORTATION SAFETY POLICY

before the first day of school.

3. Instruction
 - a. The school district may provide active transportation safety training through distance learning.
 - b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.
 2. Rules at the Bus Stop
 - a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
 - b. Respect the property of others while waiting at your bus stop.
 - c. Keep your arms, legs, and belongings to yourself.
 - d. Use appropriate language.

- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

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

4. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular

events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

1. K-12 Student Consequences

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

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

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

2. Other Discipline

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

3. Records

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

4. Vandalism/Bus Damage

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

5. Notice

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

6. Criminal Conduct

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

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

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

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;

4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
 1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
 2. reckless driving;
 3. improper or erratic traffic lane changes;
 4. following the vehicle ahead too closely;
 5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;

6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus, who has a Minnesota commercial driver's license suspended, revoked, or canceled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

- A. Training
 1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the

STUDENT TRANSPORTATION SAFETY POLICY

Minnesota Department of Public Safety Model School Bus Driver Training

Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver “evaluation certification” form for each school district driver as contained in the Model School Bus Driver Training Manual.

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

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

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

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

VII. OPERATING RULES AND PROCEDURES**A. General Operating Rules**

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minnesota Statutes, section 169.011, subdivision 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10

STUDENT TRANSPORTATION SAFETY POLICY

or fewer people including the driver and a gross vehicle weight rating of

10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.

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

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

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 1. safe operation of a type III vehicle;
 2. understanding student behavior, including issues relating to students with disabilities;
 3. encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 4. knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
 5. handling emergency situations;
 6. proper use of seat belts and child safety restraints;
 7. performance of pretrip vehicle inspections;
 8. safe loading and unloading of students, including, but not limited to:
 - a. utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;

EDEN PRAIRIE SCHOOL ISD 272
DISTRICT POLICY 709
STUDENT TRANSPORTATION SAFETY POLICY

- b. refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - c. avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - d. placing the type III vehicle in “park” during loading and unloading;
 - e. escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- 9. compliance with paragraph V.F. concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minnesota Statutes, section 122A.18, subdivision 8, or Minnesota Statutes, section 123B.03 for school district employees; Minnesota Statutes, section 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minnesota Statutes, section 171.321, subdivision 3, for all other persons operating a type III vehicle under this section.
- d. Operators shall submit to a physical examination as required by Minnesota Statutes section 171.321, subdivision 2.
- e. The operator’s employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer’s policy under Minnesota Statutes, section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator’s employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.

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

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.
- D. Type A-I “Activity” Buses Driven by Employees with Driver’s License Without a School Bus Endorsement
1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minnesota Statutes, section 171.321, subdivision 2.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota Statutes, section 171.02, subdivisions 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.

2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.
4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

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

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

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

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

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

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

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

Adopted: 8/14/2012

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