SUPERINTENDENT'S REPORT AND AGENDA

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

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

If you require a reasonable accommodation in order to attend the board meeting or view the livestream, please contact Board Secretary Cassandra Quam at cassandra.quam@rpsmn.org or 612-798-6012 at least 24 hours before the meeting.

Monday, September 16, 2024
7 p.m. School Board Meeting

I. CALL TO ORDER

II. REVIEW AND APPROVAL OF THE AGENDA

III. INFORMATION AND PROPOSALS -- NON-ACTION ITEMS

A. Public Comment

B. Superintendent Update

1. READ Act Presentation
2. Superintendent Goals 2024-2025

IV. CONSENT AGENDA

A. Routine Matters

1. Minutes of the Regular Meeting held September 3, 2024
2. General Disbursements as of 9/11/24 in the Amount of $1,331,185.27

B. Personnel Items

V. OLD BUSINESS

A. Policy 115: Title IX

B. Policies Requiring Annual Review

1. Policy 103: Harassment Prohibition & Administrative Guideline 103.1
2. Policy 107: Electronic Use and Communications & Administrative Guidelines 107.1 & 107.2
3. Policy 113: Bullying Prohibition & Administrative Guideline 113.1 & 113.2
4. Policy 407: Leaves of Absence

5. Policy 409: Mandated Reporting of Child Neglect or Physical or Sexual Abuse & Administrative Guideline 409.1
6. Policy 410: Mandated Reporting of Maltreatment of Vulnerable Adults
7. Policy 541: Student Behavior & Administrative Guideline 541.1
8. Policy 602: School District System Accountability
9. Policy 716: Public Data Requests
10. Policy 802: Crisis Management
11. Policy 108: Hazing Prohibition

VI. NEW BUSINESS

A. Proposed Levy Certification 2024 Payable 2025

B. Property, Liability, Fleet, Professional and Faithful Performance and Cyber Liability Insurance Renewal

C. Resolution to Limit the Enrollment of Nonresidents Pupils

D. Policy 744: Activities Transportation & Administrative Guideline 744.1

E. Policy 408: Gifts to Employees & Administrative Guideline 408.1

F. Donations

VII. ADVANCE PLANNING

A. Legislative Update

B. Information and Questions from Board

C. Suggested/Future Agenda Items

D. Future Meeting Dates

10-7-2024	7 p.m.	Regular Board Meeting
10-21-2024	2 p.m.	Board Study Session
10-21-2024	7 p.m.	Regular Board Meeting – Public Comment

VIII. CLOSED SESSION AS ALLOWED BY MINNESOTA STATUTE 13D.03 FOR LABOR NEGOTIATIONS STRATEGY

IX. REOPEN MEETING

X. ADJOURN REGULAR MEETING

INFORMATION AND PROPOSALS – NON-ACTION ITEMS **Agenda Item II.A.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Ongoing Data Reference List

Acronyms:

This list will be added to for each board meeting whenever acronyms are presented in following items of the board packet.

ABE:	Adult Basic Education
AC:	All Conference
ACHM:	All Conference Honorable Mention
ADA:	Americans with Disabilities Act
ADM:	Average Daily Membership
A.I.:	American Indian
A.I.:	Artificial Intelligence
AIPAC:	American Indian Parent Advisory Committee
ALC:	Area Learning Center
AMSD:	Association of Metropolitan School Districts
AP:	Advanced Placement
AP:	Assistant Principal
APBP:	Association of Pedestrian and Bicycle Professionals
BGC:	Background Check
BGC:	Boys & Girls Club
BIPOC:	Black, Indigenous, and People of Color
BILT or ILT:	(Building) Instructional Leadership Team
BLT:	Beacons Leadership Team
BOLT:	Building Operational Leadership Team
BPH:	Bloomington Public Health
BSN:	Bachelor of Science in Nursing
C&A:	Connect & Assess
CACR:	Comprehensive Achievement and Civic Readiness (previously World's Best Workforce)
CAD:	Computer-aided Design
CAREI:	Center for Applied Research & Educational Improvement
CASEL:	Collaborative for Academic, Social, and Emotional Learning
CAV-X:	Connected and Automated Vehicles Office (MnDOT)

CBM:	Curriculum Based Measurement
CCR:	Career & College Readiness
CDC:	Centers for Disease Control
CE:	Community Education
CIS:	College in the Schools
CLSD:	Comprehensive Literacy State Development
CPR & AED:	Cardiopulmonary Resuscitation & Automated External Defibrillator
DA:	Dream Act
D.O.:	District Office
DSLN:	District Summer Learning Network
EAP:	Employee Assistance Program
ECFE:	Early Childhood Family Education
ECSE:	Early Childhood Special Education
ELA:	English Language Arts
EL or ELL:	English Learner or English Language Learner
ESSA:	Every Student Succeeds Act
ESL:	English as a Second Language
ESY:	Extended School Year
FAFSA:	Free Application for Federal Student Aid
FFVP:	Fresh Fruit and Vegetable Program
F/R or FRP:	Free/Reduced or Free and Reduced Price (usually referring to eligible students)
FTE:	Full-Time Equivalent
FY:	Fiscal Year
GASB:	Governmental Accounting Standards Board
GLOW:	Gay, Lesbian Or Whatever (LGBTQ+/allies student group)
GPA:	Grade Point Average
HHM:	Homeless/Highly Mobile
HR:	Human Resources
HSSC:	Hennepin South Services Collaborative
HVAC:	Heating, Ventilation, & Air Conditioning
IEP:	Individualized Education Plan
IHP:	Individual Healthcare Plan
IT:	Instructional Technology
LAN:	Local Area Network
LETRS:	Language Essentials for Teachers of Reading and Spelling
LGBTQ+ or LGBTQIA+:	Lesbian, Gay, Bisexual, Transgender, Queer, and others or Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and others
LOR:	Local Optional Revenue
LTD:	Long Term Disability
LTFM:	Long-Term Facilities Maintenance
LSN:	Licensed School Nurse
MASA:	Minnesota Association of School Administrators

MASMS:	Minnesota Educational Facilities Management Professionals Association
MCA:	Minnesota Comprehensive Assessments
MDE:	Minnesota Department of Education
MDH:	Minnesota Department of Health
MFA:	Multi-Factor Authentication
MIEA:	Minnesota Indian Education Association
MIRA:	Módulo de información recursos y apoyo (CE partner)
MLL:	Multilingual Learning
MnDOT:	Minnesota Department of Transportation
MNEEP:	Minnesota Education Equity Partnership
MOA:	Memorandum of Agreement
MSBA:	Minnesota School Boards' Association
MSHSL:	Minnesota State High School League
MTSS:	Multi-Tiered Systems of Support
MVP:	Most Valuable Player
NA/I:	Native American/Indigenous
NCTM:	National Council of Teachers of Mathematics
NSBA:	National School Boards' Association
NSPRA:	National School Public Relations Association
NWEA-MAP	Northwest Evaluation Association-Measures of Academic Progress
OPEB:	Other Post-Employment Benefits
OSHA:	Occupational Safety and Health Administration
OW:	Outreach Worker
PAG:	Parent Advisory Group
PD:	Professional Development
PICA:	Parents in Community Action (Head Start organization)
PHN:	Public Health Nurse
PLC:	Professional Learning Community
PRESS:	Path to Reading Excellence in School Sites
PSEO:	Postsecondary Enrollment Options
PTO or PTSO:	Parent-Teacher Organization or Parent-Teacher-Student Organization
POS:	Point of Sale
POY:	Player of the Year
Q Comp:	Alternative Teacher Professional Pay System
RCEP:	Richfield College Experience Program
RDLS:	Richfield Dual Language School
READY:	Residents Encouraging Asset Development in Youth
RFP:	Request for Proposal
RHRC:	Richfield Health Resource Center
RHS:	Richfield High School
RMS:	Richfield Middle School
RN:	Registered Nurse
RPS:	Richfield Public Schools

SAEBRS:	Social, Academic, and Emotional Behavior Risk Screener
SBG:	Standards-Based Grading
SEC:	South Education Center
SEIU:	Service Employees International Union
SEL:	Social-Emotional Learning
SIPPS:	Systematic Instruction in Phonological Awareness, Phonics, and Sight Words
SLA:	Spanish Language Arts
SPED:	Special Education
SRTS:	Safe Routes to School
STAR:	Standardized Test for Assessment of Reading
STAT:	Student and Teacher Assistance Team
STEM:	Science, Technology, Engineering, and Math
SWBE:	School Wide Behavior Expectations
SY:	School Year
T&L:	Teaching & Learning
TCRWP:	Teachers College Reading & Writing Project
TMC:	Tri-Metro Conference
T Plus or T+	Transition Plus
TS GOLD:	Teaching Strategies GOLD® Assessment
UFARS:	Uniform Financial Accounting and Reporting Standards
VEAP:	Volunteers Enlisted to Assist People
VEBA:	Voluntary Employees' Beneficiary Association
VPK:	Voluntary PreKindergarten
WBWF:	World's Best Workforce (renamed Comprehensive Achievement and Civic Readiness)
WCPM:	Words Correct Per Minute
WIN:	What I Need
YTD:	Year-to-Date

RPS Student Demographic Data 2023-2024:

4,073 Students Districtwide

- 3,925 Traditional Count
  - 1,685 Elementary (K-5) Average Class Size = 23.08
  - 797 Middle (6-8) Average Class Size = 23.21
  - 1,304 High (9-12) Average Class Size = 25.2
  - 119 ECSE
  - 20 Transition+
- 148 Voluntary Prekindergarten (VPK)

Student Diversity (based on MDE categories)

- BIPOC: 70.71%
  - American Indian or Alaska Native: 0.88%
  - Asian: 3.66%
  - Hispanic: 44.19%
  - Black or African American: 13.5%
  - Native Hawaiian or Other Pacific Islander: 0.07%
  - 2 or More Races: 8.4%
- White: 29.29%

English Learner

- ELL: 23.67%
- Non-ELL: 76.33%

Free/Reduced Eligible

- Eligible: 57.2%
- Not Eligible: 42.8%

INFORMATION AND PROPOSALS – NON-ACTION ITEMS **Agenda Item II.B.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Ongoing Board Calendar

Upcoming Events to Attend:

Friday, September 20: RDLS Carnival, 5 – 8 p.m.
Tuesday, September 24: RMS Latino Community Night, 6 - 7:30 p.m.
Wednesday, September 25: Sheridan Family Engineering Night, 5:30 – 7 p.m.
Saturday, September 28: Meet the Spartans, 4 – 5:30 p.m. @ RHS

Saturday, October 5: Homecoming Parade, 10 a.m.
Saturday, October 5: Homecoming Football Game, 1 p.m.
Monday, October 7: Board Meeting, 7 p.m.
Wednesday, October 9: Walk to School Day @ all elementary schools
Monday, October 21: Board Study Session, 4-6 p.m.
Monday, October 21: Board Meeting, 7 p.m.
Friday, October 25: Sheridan Hills Fall Family Craft Night

Upcoming Holidays, Heritage Months, and Appreciation Days:

September is Hispanic Heritage Month
September is MN School Board Recognition Month
September 23: EdTech Day (recognizing school technology professionals)
September 26: Human Resource Professional Day

October is National Principals Month
October 2: Custodial and Facilities Staff Appreciation Day
October 6: National Coaches Day

INFORMATION AND PROPOSALS – NON-ACTION ITEMS **Agenda Item III.A.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Superintendent Update

Director of Elementary Education Rachel Gens and Director of Secondary Education Alex Ward will present information on our professional development and curriculum updates related to the READ Act. Superintendent Unowsky will present a first draft of his goals for 2024-2025.

Attachments:
READ Act Presentation
Superintendent Goals Presentation

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READ Act: Professional Development and Curriculum Updates

Rachel Gens, Director of Elementary Education

Alexander Ward, Director of Secondary Education

September 16, 2024

Enriqueciendo y acelerando el aprendizaje

Learning Target & Success Criteria

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We are learning about the professional development and curricular changes supporting continuous improvement in literacy.

- I can describe the professional development, including the phased approach, leaders and teachers responsible for reading instruction are engaged in.
- I can describe the rationale for curricular shifts and the frameworks used for literacy instruction in RPS.

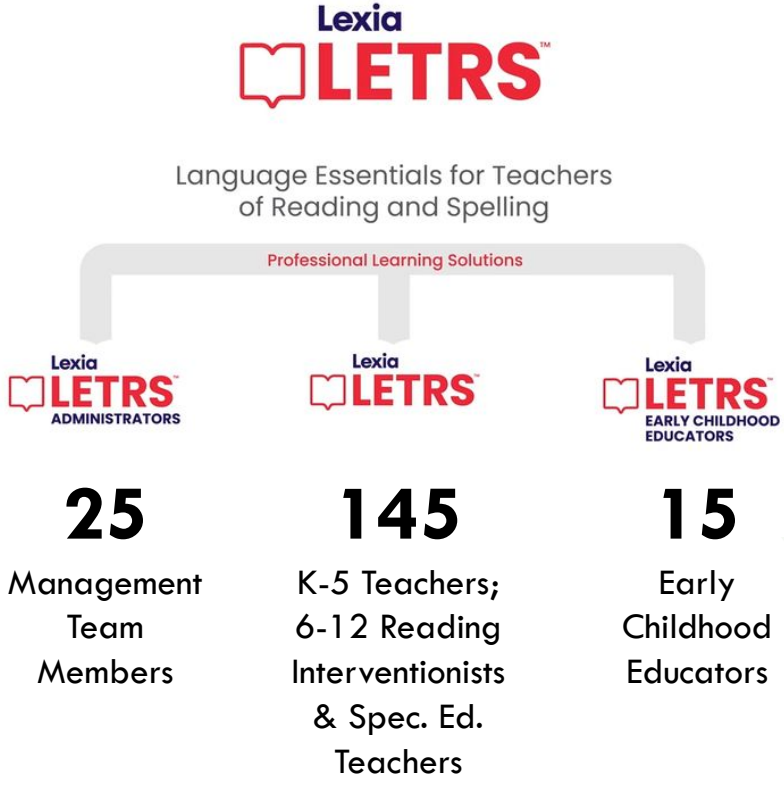
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Professional Development

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Language Essentials for Teachers of Reading and Spelling (LETRS)

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Phase 1 Training:

- 2024-25: Units 1-4
- 2025-26: Units 5-8

Training Format:

- Asynchronous readings & online modules (self-paced)
  - 46% completed
  - 23% in progress
  - 31% not started
- Synchronous sessions (summer, PD days, or after school sessions)

READ Act Phase 2

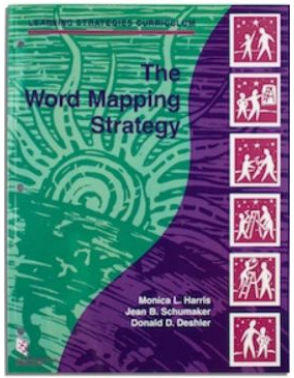


Phase 2 Training

- Required Staff
  - 4-12 ELA Teachers
  - 4-12 ELL Teachers
  - 6-12 Instructional Support Staff who provide reading instruction
  - 6-12 Curriculum Directors
- Professional Development Options have not been approved for grades 6-12 (Fall 2024)
- Registration February-October, 2025
- Professional Development completed by July 1, 2027

The University of Kansas Center for Research on Learning: Strategic Instruction Model

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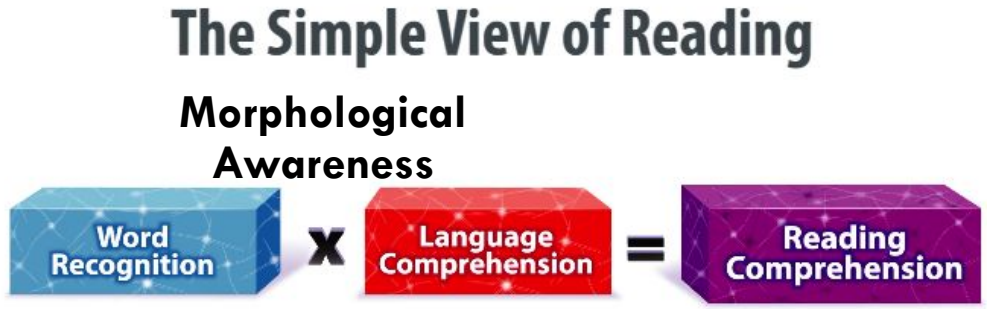


Trained 6-12 ELA Teachers During Workshop Week

- Rated "Strong" in Evidence for ESSA
- Student-Centered / Strengths-based approach
- Supports RMS & RHS School Improvement Goals
- A strategy not a curriculum
- Systematic and applicable to all curricula

Morphological Awareness as a Bridge

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- Phonological Awareness
- Phonics Knowledge
- Decoding

- Vocabulary
- Language Structures
- Background Knowledge
- Literacy Knowledge

Literacy Focus

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Workshop Week 2024

Session	Secondary Participants
Word Mapping	14
Making Text Comprehensible	14
Which Words Should I Teach?	13
Social Studies Department Meeting	14
Total	**55**

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Curriculum Review

Enriqueciendo y acelerando el aprendizaje

Benchmark Advance & Adelante

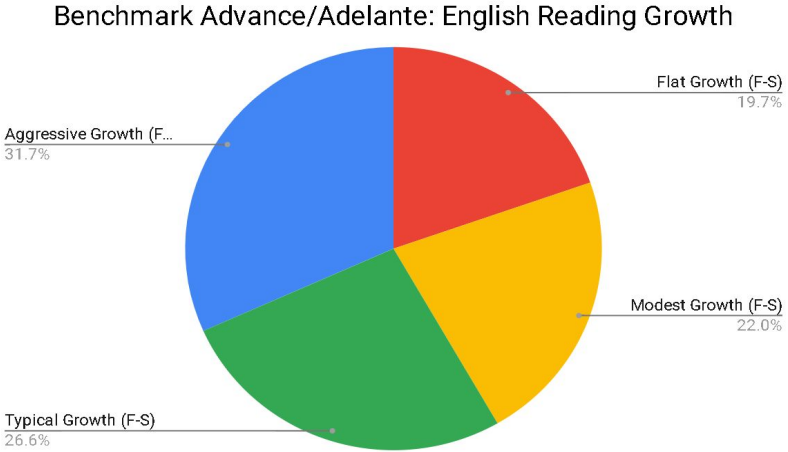
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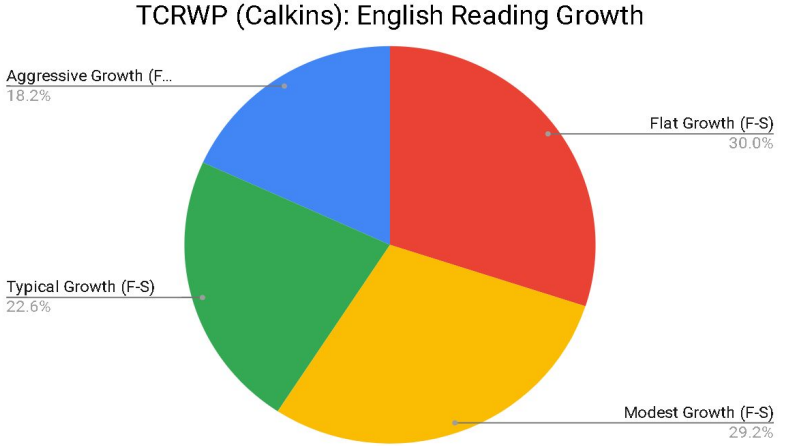


- Strong ratings on edReports
  - Alignment to Science of Reading
  - Text Quality
  - Building Knowledge
  - Usability
- Comprehensive core language arts programs designed to address both foundational and language comprehension skills
  - Foundational skills: phonemic awareness, phonics/morphology, fluency
  - Language comprehension skills: vocabulary, comprehension, writing
- Intentional integration of science and social studies topics
- Equitable materials in English and Spanish; materials designed for use in dual language immersion programs

2023-24 Pilot Results

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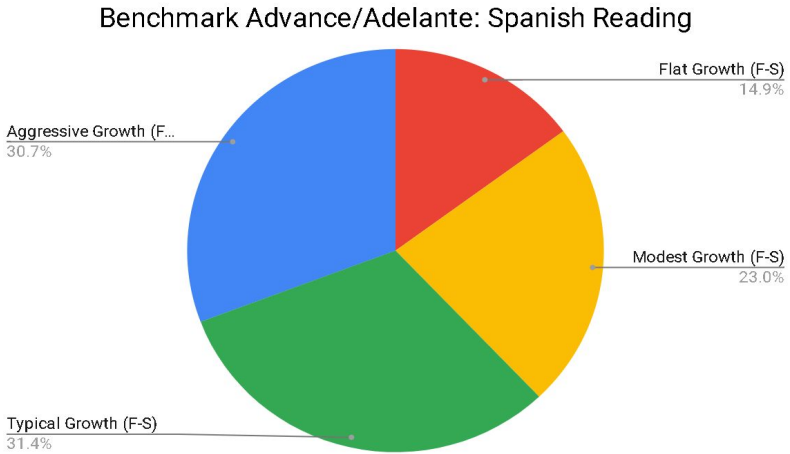


Typical/Aggressive Growth: 58.3%

Typical/Aggressive Growth: 40.8%

2023-24 Pilot Results

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Typical/Aggressive Growth: 62.1%

Knowledge Building Units

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Benchmark ADVANCE

Vertical Progression of Knowledge-Building Unit Topics and Essential Questions

Unit	Knowledge Strand	GRADES K	1	2	3	4	5
1	Life Science	**Plants and Animals Have Needs** Why do living things have different needs?	**Plants and Animals Grow and Change** Why do living things change?	**Plants and Animals in Their Habitats** How do living things get what they need to survive?	**Animal Adaptations** How do living things survive in their environment?	**Observing Nature** How do we respond to nature?	**Cultivating Natural Resources** How do we decide which resources we should develop?
2	Character Matters	**Every Story Has Characters** How are characters different?	**Many Kinds of Characters** How do we learn about characters?	**Characters Facing Challenges** What can we learn when we face problems?	**Ways Characters Shape Stories** How do our actions influence our lives?	**Characters' Actions and Reactions** How do we reveal ourselves to others?	**Developing Characters' Relationships** Why do we value certain qualities in people?
3	Government and Citizenship	**Rules at Home and School** Why do we have rules?	**Being a Good Community Member** Why do people get involved in their communities?	**Government at Work** Why do we need a government?	**Government for the People** Why do people participate in government?	**Government in Action** How can government influence the way we live?	**The U.S. Constitution: Then and Now** Why do laws continue to evolve?
4	Perspectives in Literature	**Writers Tell Many Stories** Why do people tell stories?	**Stories Have a Narrator** How do people create stories?	**Many Characters, Many Points of View** How can a story change depending on who tells it?	**Comparing Points of View** What makes people view the same experience differently?	**Understanding Different Points of View** What do we learn when we look at the world through the eyes of others?	**Recognizing Author's Point of View** How can other perspectives help us evaluate the world?
5	Technology and Society	**Technology at Home and School** Why do we use technology?	**Technology at Work** How can technology make a difference in our lives?	**Solving Problems Through Technology** Where do ideas for inventions come from?	**Advancements in Technology** What is the value of innovation?	**Technology for Tomorrow** How do we make decisions about developing new technology?	**Technology's Impact on Society** What value does technology bring to people's lives?

Instructional Blocks

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K-5 Literacy Instruction: 140-150 min. daily

Interactive Read-Aloud/ Lecturas en voz alta

(10-15 min.)



Phonics & Word Study/Fonética y estudio de palabras

(20-30 min.)



Reading/Lectura

(60 min.)



Writing & Grammar/Escritura y gramática

(45 min.)



Secondary Curriculum Review

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Curriculum Area	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Physical Education[S]		Curriculum Review								
Arts[S]										Curriculum Review
Science[S]	Curriculum Review K-8	Curriculum Review 9-12								
Language Arts[S]				Curriculum Review						
Social Studies[S]					Curriculum Review					
Mathematics[S]						Curriculum Review				
CTE[L]							Curriculum Review			
Health[L]								Curriculum Review		
World Languages[L]									Curriculum Review	

Policy 601: Commitment to a comprehensive educational experience

- Defined academic standards
- Aligned instructional curriculum (PreK - 12+)

Policy 612: Provides a timeline and guidance on continuous evaluation and improvement of our curriculum

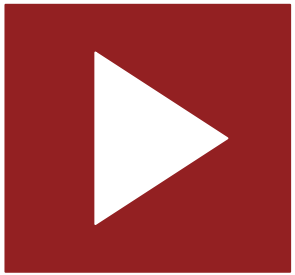
- Alignment of standards
- Evaluation of current curriculum materials
- Evaluation of other curriculum materials available

Secondary Curriculum Review: Past Steps

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- **Workshop Week 2023**
  - Created Instructional Materials Rubric
  - Director of Secondary Transition Delayed Process from November to January
- **January 2024**
  - Evaluated current teacher created materials with our Instructional Materials Rubric
- **February 2024**
  - Paused due to MDE Literacy Curriculum Review for Grades K-3



- **Summer 2024**
  - MDE is not reviewing 6-12 core literacy materials
  - MDE is reviewing 6-12 intervention materials (Nov. ‘25)
- **Workshop Week 2024**
  - Relaunched review process

Evaluation of Current Secondary ELA Curriculum

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ELA Teachers at RMS and RHS reviewed our current curriculum using the RPS Instructional Materials Rubric.

Criterion 1: Content-Specific Needs (Evidenced-Based Literacy Practices)

- RMS Average: 2.7
- RHS Average: 3.1
  - Lowest indicators: grammar instruction (1.9) & vocabulary instruction (2.08)

Criterion 2: Learning Supports for All Students

- RMS Average: 2.7
- RHS Average: 3.05
  - Lowest indicators: MN Indigenous representation (2.16) & Spanish materials (2.58)

Criterion 3: Teacher Materials

- RMS Average: 1.8
- RHS Average: 3.13

Criterion 4: Assessment

RMS Average: 3.45

RHS Average: 3.6

Rubric Key

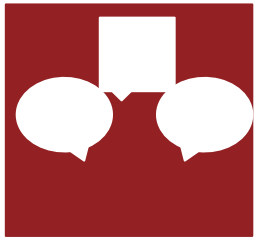
1 = No Evidence
2 = Limited Evidence
3 = Partial Evidence
4 = Full Evidence

Next Steps

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- **Parent/Guardian Information & Input** (Oct 15/16 & Oct 24)
  - RMS & RHS Conference Dates
  - Survey Curriculum Desires
  - Share Curriculum Review Dates for Community Members
    - RMS - TBD
    - RHS - December 5, 2024
    - DO - January 16, 2025

- **Teachers Will Review Curriculum Options** (November - January)
  - Options must have strong ratings on edReports
  - Review 3 options using Instructional Materials Rubric
  - Presentation & Materials

- **Teachers Will Debrief / Recommend** (January 27, 2025)

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Questions/Comments

Enriqueciendo y acelerando el aprendizaje

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Superintendent Goals 2024-2025

September 16, 2024

DRAFT

Enriqueciendo y acelerando el aprendizaje

2024-2025 Performance Evaluation Process

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Student Achievement (35%): Specific data based on gains and performance of students

Process Goals (35%): Strategic Plan strategies and activities designed to improve our district

Individual Performance (30%): Board evaluation of superintendent

Achievement Measure: Common Assessment Proficiency & Gap Closure

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- Increase the number of students scoring proficient on the 5th grade FastBridge CBM Reading Assessment by 5% and reduce the gap for students of color.
- Increase the number of students scoring proficient on the 8th grade FastBridge aReading assessment by 5% and reduce the gap for students of color.

2023-2024 Data	5th Grade Proficiency (Goal to increase)	Gap for BIPOC Students (Goal to decrease)
Fall	42%	18%
Winter	47%	16%
Spring	44%	13%

2023-2024 Data	8th Grade Proficiency (Goal to increase)	Gap for BIPOC Students (Goal to decrease)
Fall	37%	23%
Winter	39%	23%
Spring	38%	22%

Achievement Measure: Common Assessment Growth & Gap Closure

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- 70% of 3rd grade students showing typical to aggressive growth from fall to spring on the 24-25 FastBridge CBM Reading assessment, with no gap for students of color
- 70% of 8th grade students showing typical to aggressive growth from fall to spring on the 24-25 FastBridge aMath assessment, with no gap for students of color

3rd Grade FastBridge Reading	3rd Grade Typical to Aggressive Growth	Gap for BIPOC Students
2023-2024 Fall to Spring Growth	56%	2% in the other direction

8th Grade FastBridge Math	8th Grade Typical to Aggressive Growth	Gap for BIPOC Students
2023-2024 Fall to Spring Growth	55%	1%

Achievement Measure:
Math & Reading Standardized Test Proficiency & Gap Closure

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- Increase 2025 achievement on 3rd grade MCA reading test, disaggregated by racial demographic
- Increase 2025 achievement on 8th grade MCA math test, disaggregated by racial demographic
- Increase 2025 achievement on 3-5 grade MCA reading test, disaggregated by racial demographic
- Increase 2025 achievement on 6-8 grade MCA reading test, disaggregated by racial demographic

MCA	2024 Achievement	2024 Gap for BIPOC Students
3rd grade reading	33% scored proficient	Gap of 27%
8th grade math	29% scored proficient	Gap of 27%

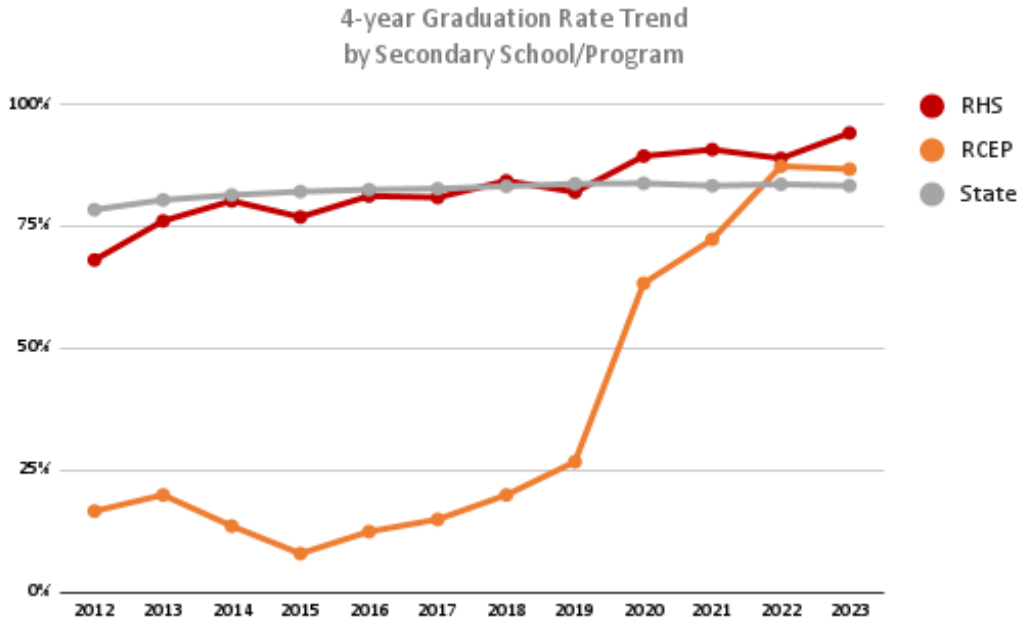
MCA	2024 Achievement
3-5 grade reading	37% scored proficient
6-8 grade reading	35% scored proficient

Achievement Measure: Graduation Rate Growth & Gap Closure

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Goal: Maintain a graduation rate over 90% overall and attain at least 90% in each demographic group

4-year Grads	2021	2022	2023
RPS	87.3%	88.3%	92.6%
RHS	90.7%	88.9%	94.1%
RCEP	72.3%	87.3%	86.3%
Minnesota	83.3%	83.6%	83.3%



RPS Grad Rate by Demographic	2021	2022	2023
Asian	70.6%	100%	91.7%
Black or African American	91.7%	89.6%	87.5%
Hispanic or Latino	83.2%	88.9%	90.6%
Two or More Races	93.3%	94.1%	100%
White	93.5%	88.1%	97.6%
Male	81.9%	83.9%	91.8%
Female	92.8%	94.4%	93.7%
English Learner	68.6%	86.5%	85.9%
Special Education	71.8%	65.6%	71.8%
Free/Reduced Price Eligible	82.6%	85.1%	91.1%

Process Goals: Data/Equity/Leadership

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- Goal: Data
  - Deepen Administrative Usage of Data in Guiding Decision-Making
  - Expand Utilization of FastBridge Assessment and Progress Monitoring Tools
- Goal: Equity
  - Effectively Implement New Elementary Literacy Curriculum
  - Increase Representation in Parent/Guardian Participation and Feedback
- Goal: Leadership
  - Lead the District through Phase 1 of the READ Act Training Requirements
  - Improve School Climate and Public Perception of RMS

Data Goal: Deepen Administrative Usage of Data in Guiding Decision-Making

RICHFIELD PUBLIC SCHOOLS

Measurement: Each administrative team and teacher leadership team will use a data protocol to analyze data throughout the school year

Progress:

- Management team members trained in data protocols to effective analyze and act on data
- PLC leaders trained in data protocols for PLC groups

Data Goal: Expand Utilization of FastBridge Assessment and Progress Monitoring Tools

RICHFIELD PUBLIC SCHOOLS

Measurement: 95% of students will be screened within the appropriate windows & progress monitoring will take place twice per month for students receiving Tier 3 interventions

Progress:

- Elementary students began screening at Connect & Assess meetings with the aReading, earlyReading and earlyMath assessments.

Equity Goal: Effectively Implement New Elementary Literacy Curriculum

RICHFIELD PUBLIC SCHOOLS

Measurement: Walkthrough data will show improvement in fidelity of implementation and evidence-based practices

Progress:

- All teachers were provided with training this fall
- Elementary walkthroughs will now be using the LETRS tool

Equity Goal: Increase Representation in Parent/Guardian Participation and Feedback

RICHFIELD PUBLIC SCHOOLS

Measurement: Annual survey participation demographic data & TBD parent engagement as implemented through board goals

Progress:

- In 2023-2024, a total of 478 parent/guardians participated in the annual survey (55.8% white, 30.1% Hispanic/Latino, 7% Black/African American, 4.5% Asian, 2.7% Native American)

Leadership Goal: Lead the District through Phase 1 of the READ Act Training Requirements

RICHFIELD PUBLIC SCHOOLS

Measurement: Training completion for all staff required by MDE and all grade 4-5 teachers of the asynchronous component and Units 1-4 of the synchronous component

Progress:

- As of September, 46% have completed asynchronous component, 23% in progress
- 25 teachers have already completed Units 1-8 of the synchronous component
- 47 teachers completed Unit 1 of the synchronous component on 8/27/24
- Instructional Management Team members have begun LETRS for Administrators training

Leadership Goal: Improve School Climate and Public Perception of RMS

RICHFIELD PUBLIC SCHOOLS

Measurement: Decrease in behavior incidents & improvement of parent/guardian survey data

Progress:

- In 2022-2023, 77% of RMS parents said they would recommend RMS to other parents. In 2023-2024, 78% of RMS parents said they would recommend RMS to other parents.

Individual Performance

RICHFIELD PUBLIC SCHOOLS

Evaluation occurs yearly in spring/summer:

- Data from Parent and Staff Surveys
- Feedback from Direct Reports
- Feedback from Board Members
- Board Member Closed Session and Evaluative Process

Enriching and accelerating learning

RICHFIELD
PUBLIC SCHOOLS

Questions/Comments

Enriqueciendo y acelerando el aprendizaje

CONSENT AGENDA – FOR ACTION **Agenda Item IV.A.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Routine Matters

(Recommended by the superintendent)

That the board of education approve the attached routine business items.

Attachments:

Minutes of the Regular Meeting held September 3, 2024
- Disbursements from the September 3, 2024 Meeting
- Checks & E-pay Register from the September 3, 2024 Meeting
- Superintendent's Report and Agenda Meeting Minutes from September 3, 2024

General Disbursements as of 9/11/24 in the Amount of $1,331,185.27
- Disbursements for the September 16, 2024 Meeting
- Checks & E-pay Register for the September 16, 2024 Meeting

P-CARD,CHECK RUNS, E-PAYS & WIRES FOR 09/03/2024 BOARD REPORTS

BANK 05	DATE	AMOUNT
Checks	8/20/2024	1,897.43
	8/21/2024	753,635.46
	8/22/2024	437,601.12
	8/26/2024	480,510.01
	8/27/2024	25,775.65
SCHOLARSHIPS	8/22/2024	13,000.00
E-Pays	8/22/2024	1,368.72
CHECK REGISTER BANK 05 TOTAL =		**1,713,788.39**

BREAKDOWN	
01-206-00	1,328,806.32
02-206-00	63,123.28
03-206-00	248,365.59
04-206-00	21,209.51
06-206-00	19,079.71
07-206-00	-
18-206-00	10,500.00
20-206-00	22,549.00
21-206-00	154.98
47-206-00	
BANK TOTAL =	**1,713,788.39**

FUND	CHECK	DATE	VENDOR	TYPE	AMOUNT
01	312362	08/20/2024	AVENUE SHIRT WORKS INC.	R	1,897.43
01	312363	08/21/2024	ALERUS RETIREMENT AND BENEFITS	R	968.60
01	312364	08/21/2024	ALL STATE COMMUNICATIONS INC	R	24,324.75
01	312365	08/21/2024	ASTLEFORD INTERNATIONAL	R	63.44
01	312366	08/21/2024	BLUUM OF MINNESOTA, LLC	R	3,891.07
01	312367	08/21/2024	BUILDING CONTROLS & SOLUTIONS	R	680.58
01	312368	08/21/2024	CANON USA	R	4,578.42
01	312369	08/21/2024	CEDAR SMALL ENGINE	R	269.92
01	312370	08/21/2024	CINTAS CORPORATION NO 2	R	608.03
01	312371	08/21/2024	COMMERCIAL KITCHEN	R	5,459.00
01	312372	08/21/2024	CONTEMPORARY TRANSPORTATION LLC	R	7,890.00
01	312373	08/21/2024	CONTINENTAL RESEARCH CORP	R	271.76
01	312374	08/21/2024	DARK KNIGHT SOLUTIONS, LLC	R	4,200.00
01	312375	08/21/2024	DELEGARD TOOL COMPANY	R	115.76
01	312376	08/21/2024	ECOLAB INC	R	145.11
01	312377	08/21/2024	GILBERT MECHANICAL CONTRACTORS, LLC	R	1,590.00
01	312378	08/21/2024	WW GRAINGER INC	R	722.06
01	312379	08/21/2024	HAWKINS INC	R	4,394.41
01	312380	08/21/2024	HD SUPPLY FORMERLY HOME DEPOT PRO	R	2,839.96
01	312381	08/21/2024	HILLYARD MINNEAPOLIS	R	14,625.49
01	312382	08/21/2024	HOJOON CHA	R	487.55
01	312383	08/21/2024	HOME DEPOT U.S.A.	R	1,115.87
01	312384	08/21/2024	IDEAL ENERGIES SOLAR LEASE 2021,LLC	R	7,592.16
01	312385	08/21/2024	IIX INSURANCE INFORMATION EXCHANGE	R	49.65
01	312386	08/21/2024	INTERMEDIATE DISTRICT 287	R	253,534.26
01	312387	08/21/2024	KAJEET, INC.	R	10,287.83
01	312388	08/21/2024	KAPLAN EARLY LEARNING	R	938.37
01	312389	08/21/2024	KEMPS LLC	R	131.45
01	312390	08/21/2024	MAXORPLUS, LTD	R	22,219.68
01	312391	08/21/2024	MCDONOUGH'S SEWER SERVICES, INC.	R	172.25
01	312392	08/21/2024	METROPOLITAN TILE & MARBLE, INC.	R	1,110.00
01	312393	08/21/2024	NAPA AUTO PARTS	R	54.90
01	312394	08/21/2024	NEI ELECTRIC, INC.	R	6,101.47
01	312395	08/21/2024	NOKOMIS SHOE SHOP	R	250.00
01	312396	08/21/2024	PAPER 101	R	26,367.60
01	312397	08/21/2024	PERMA-BOUND BOOKS	R	38.50
01	312398	08/21/2024	POMPS TIRE SERVICE	R	940.80
01	312399	08/21/2024	POWERSCHOOL GROUP LLC	R	37,497.60
01	312400	08/21/2024	RYAN JEANNIE M	R	821.12
01	312401	08/21/2024	SCHOOL HEALTH CORPORATION	R	416.97
01	312402	08/21/2024	SEAN FOLEY	R	25.00
01	312403	08/21/2024	SHERWIN WILLIAMS CO	R	711.00
01	312404	08/21/2024	SNA-SCHOOL NUTRITION	R	20.00
01	312405	08/21/2024	SYSTEM IMPACT CONSULTING	R	10,000.00
01	312406	08/21/2024	THE RETROFIT COMPANIES, INC.	R	4,510.31
01	312407	08/21/2024	TOLL COMPANY	R	13.18
01	312408	08/21/2024	TRACY D BULLOCK	R	520.00
01	312409	08/21/2024	TWIN CITY TRANSPORTATION	R	71,202.16
01	312410	08/21/2024	UPPER MIDWEST ATHLETIC CONSTRUCTION	R	39,900.00
01	312411	08/21/2024	WESTERN SPECIALTY CONTRACTORS INC	R	176,250.24
01	312412	08/21/2024	WORLD FUEL SERVICES, INC.	R	1,966.56
01	312413	08/21/2024	XCEL ENERGY	R	750.62
01	312414	08/22/2024	BLOOMSBURY PUBLISHING INC	R	1,198.92
01	312415	08/22/2024	ECM PUBLISHERS INC	R	167.20
01	312416	08/22/2024	ETTEL & FRANZ ROOFING CO	R	6,466.00
01	312417	08/22/2024	GROUP MEDICAREBLUE RX	R	7,832.00
01	312418	08/22/2024	INDEPENDENT SCHOOL DISTRICT 622	R	3,641.00
01	312419	08/22/2024	INTERMEDIATE DISTRICT 287	R	29,374.36

01	312420	08/22/2024	INTERMEDIATE SCHOOL DISTRICT 917	R	16,025.87
01	312421	08/22/2024	KIDCREATE STUDIO	R	1,728.00
01	312422	08/22/2024	MADISON NATIONAL LIFE INS CO INC	R	2,879.06
01	312423	08/22/2024	MCEA	R	50.00
01	312424	08/22/2024	MINNEAPOLIS COMMUNITY EDUCATION	R	1,008.00
01	312425	08/22/2024	MINUTEMAN PRESS EDINA	R	2,390.48
01	312426	08/22/2024	MOO CHICKA POO	R	2,396.99
01	312427	08/22/2024	MTN-METROPOLITAN TRANSP NETWORK	R	117,089.69
01	312428	08/22/2024	MULTILINGUAL WORD INC	R	219.43
01	312429	08/22/2024	NORTHEAST METRO ISD 916	R	15,876.00
01	312430	08/22/2024	PROPIO LS, LLC	R	85.32
01	312431	08/22/2024	RICHFIELD SOCCER ASSOCIATION	R	225.00
01	312432	08/22/2024	RYDIN DECAL	R	283.96
01	312433	08/22/2024	SAFEWAY DRIVING SCHOOL	R	6,390.00
01	312434	08/22/2024	SCHOOL SERVICE EMPLOYEES UNION	R	3,431.01
01	312435	08/22/2024	SHERWIN WILLIAMS CO	R	344.26
01	312436	08/22/2024	STEM SMART LLC	R	1,120.00
01	312437	08/22/2024	TARA PERRON	R	550.00
01	312438	08/22/2024	UNITED STATES TREASURER	R	430.00
01	312439	08/22/2024	UNIVERSITY LANGUAGE CENTER	R	188.71
01	312440	08/22/2024	VSP INSURANCE CO. (CT)	R	3,371.11
01	312441	08/22/2024	WESTERN SPECIALTY CONTRACTORS INC	R	211,015.25
01	312442	08/22/2024	YOUNG AMERICANS SCHL SELF-DEFENSE	R	759.50
01	312443	08/22/2024	YOUTH ENRICHMENT LEAGUE (YEL!)	R	1,064.00
01	312444	08/22/2024	CARLETON COLLEGE	R	1,500.00
01	312445	08/22/2024	GUSTAVUS ADOLPHUS COLLEGE	R	1,500.00
01	312446	08/22/2024	MINNESOTA STATE U, MANKATO	R	1,500.00
01	312447	08/22/2024	ST CATHERINE UNIVERSITY	R	1,500.00
01	312448	08/22/2024	ST OLAF COLLEGE	R	1,500.00
01	312449	08/22/2024	UNIVERSITY OF MINNESOTA DULUTH	R	2,500.00
01	312450	08/22/2024	UNIVERSITY OF MINNESOTA-TWIN CITIES	R	1,500.00
01	312451	08/22/2024	UNIVERSITY OF MN TWIN CITIES	R	1,500.00
01	V614096	08/22/2024	JENELLE BULLEN	R	44.97
01	V614097	08/22/2024	NICOLE BULLOCK	R	175.00
01	V614098	08/22/2024	NICKI KEEN DAWOLO	R	251.96
01	V614099	08/22/2024	KATRINA L MORGAN	R	172.18
01	V614100	08/22/2024	CASSI M O'MEARA	R	100.77
01	V614101	08/22/2024	NGUYEN PHAM	R	124.62
01	V614102	08/22/2024	ANGELA TAYLOR	R	9.86
01	V614103	08/22/2024	JENNIFER K VALLEY	R	290.37
01	V614104	08/22/2024	ALEXANDER WARD	R	54.99
01	V614105	08/22/2024	DANA L THOMPSON	R	144.00
01	312452	08/26/2024	BSN SPORTS, LLC	R	1,607.95
01	312453	08/26/2024	GEE TEEZ & COMPANY, LTD.	R	321.25
01	312454	08/26/2024	JAMES E MARSHALL JR	R	50.00
01	312455	08/26/2024	ON SITE SANITATION	R	1,218.81
01	312456	08/26/2024	SFM	R	477,312.00
01	312457	08/27/2024	CESA 5	R	3,300.00
01	312458	08/27/2024	GEE TEEZ & COMPANY, LTD.	R	9,475.65
01	312459	08/27/2024	HUDL	R	13,000.00
			TOTAL CHECKS, EPAYS & SCHOLARSHIPS		**1,713,788.39**

SUPERINTENDENT'S REPORT AND AGENDA

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

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

Monday, September 3, 2024
7 p.m. School Board Meeting

I. CALL TO ORDER

The regular meeting of the board of education of ISD 280, Hennepin County, Richfield, Minnesota was held on Tuesday, September 3, 2024 in the boardroom at the Richfield Public Schools District Office. Chair Cole called the regular board meeting to order at 7 p.m. with the following school board members in attendance: Banks Kupcho, Carter, Liss, Pollis and Spencer.

Administrators present were Superintendent Unowsky, Assistant Superintendent Daniels, Executive Director Clarkson and Chief HR and Administrative Officer Holje.

II. REVIEW AND APPROVAL OF THE AGENDA

Motion by Pollis, seconded by Banks Kupcho, and unanimously carried, the board of education approved the agenda.

III. INFORMATION AND PROPOSALS - NON-ACTION ITEMS

A. Superintendent Update
    1. Summer Programs Overview
    2. Back to School Update
B. Commendation

IV. CONSENT AGENDA

A. Routine Matters
    1. Minutes of the Regular Meeting held August 19, 2024
    2. General Disbursements as of 8/27/24 in the Amount of $1,713,788.39
    3. Investment Holdings
B. Personnel Items

Certified Full Time Contract Year 1 of 1
Megan Ambrosius – Instructional Coach – Sheridan Hills Elementary School
Effective: 8/20/2024
Elizabeth Sullivan – School Social Worker – Sheridan Hills Elementary School
Effective: 8/20/2024
Nathan Giles – Special Education Teacher – Richfield Senior High School
Effective: 8/20/2024

Certified Full Time Contract Year 1 of 3
Connor Klausing – Social Studies – Richfield Senior High School
Effective: 8/20/2024
Emma Busch – First Grade Teacher – STEM Elementary School
Effective: 8/20/2024

Certified Full Time TIER 2 Contract
Hailey Karolovich – Science Teacher – Richfield Middle School
Effective: 08/20/2024

Certified Full Time Out of Field Contract
Shannon Finnegan – Special Education Teacher – Richfield Senior High School
Effective: 8/20/2024

Certified Temporary Part Time Increase
Chelsey Payne - Math Interventionist – Richfield Dual Language Elementary School
0.5 to 0.7 FTE for the 2024-2025 school year

Classified Full Time Food & Nutrition Services for Employment
Anna Acosta Sanchez – Kitchen Assistant – Richfield High School
Effective: 09/03/2024
Elvira Cruz Miranda – Kitchen Assistant – Richfield High School
Effective: 09/03/2024
Maria Valdez – Kitchen Assistant – Richfield Middle School
Effective: 09/03/2024

Classified Full Time Paraprofessional for Employment
Diana Barrera Garcia – Special Education Paraprofessional – Richfield High School
Effective: 09/02/2024
Brandon Camp – Managerial Paraprofessional – Sheridan Hills Elementary
Effective: 09/04/2024
Joshua Moton - Campus Supervisor – Richfield Middle School
Effective: 09/03/2024
Muna Abdi - Health Assistant Paraprofessional – Richfield Centennial School
Effective: 09/04/2024
Kiara Behl – Managerial Paraprofessional – Richfield STEM Elementary
Effective: 09/04/2024

Classified Full Time Facilities and Transportation Employment
Ethan Thompson – Fac/Groundskeeper – Districtwide
Effective: 08/23/2024

Classified Full Time Paraprofessional Probation Extension
Angelika Reid - Special Education Paraprofessional- Richfield Middle School
Effective: 09/03/2024

Classified Full Time Facilities and Transportation Retirement
Jack Swaggert – Fac/Building Cleaner – Richfield Middle School

Effective: 08/30/2024
Yrs. of Service: 29
**Correction from 06/03/2024 board minutes effective date*

Classified Full Time Paraprofessional Resignation
Brooke Johnson – Special Education Paraprofessional – South Education Center
Effective: 06/06/2024
Yrs. of Service: 1
Denisse Gonzalez Onofre – Clerical Paraprofessional – Sheridan Hills Elementary
Effective: 06/06/2024
Yrs. of Service: 2
Brianna Boykins – Clerical Paraprofessional – Richfield STEM Elementary
Effective: 06/06/2024
Yrs. of Service: 1

Classified Full Time Food & Nutrition Services Resignation
Tracy Motley – Kitchen Assistant – Richfield High School
Effective: 06/06/2024
Yrs. of Service: 0.25

Motion by Spencer, seconded by Banks Kupcho, and unanimously carried, the board of education approved the consent agenda.

V. OLD BUSINESS

A. Policy 505: Student Disability Nondiscrimination & Administrative Guidelines 505.1-505.3 - third read

Motion by Carter, seconded by Pollis, and unanimously carried, the board of education approved the revised policy.

B. Policy 525: The Pledge of Allegiance - third read

Motion by Carter, seconded by Banks Kupcho, and unanimously carried, the board of education approved the revised policy.

C. Policy 115: Title IX - second read

VI. NEW BUSINESS

A. Policies Requiring Annual Review
1. Policy 103: Harassment Prohibition & Administrative Guideline 103.1
2. Policy 107: Electronic Use and Communications & Administrative Guidelines 107.1 & 107.2
3. Policy 113: Bullying Prohibition & Administrative Guidelines 113.1 & 113.2
4. Policy 407: Leaves of Absence
5. Policy 409: Mandated Reporting of Child Neglect or Physical or Sexual Abuse & Administrative Guideline 409.1

6. Policy 410: Mandated Reporting of Maltreatment of Vulnerable Adults
7. Policy 541: Student Behavior & Administrative Guideline 541.1
8. Policy 602: School District System Accountability
9. Policy 716: Public Data Requests
10. Policy 802: Crisis Management

B. Policy 455: Reserve Teacher Pay Scale - single read

Motion by Spencer, seconded by Banks Kupcho, and unanimously carried (with Pollis and Liss abstaining), the board of education approved the revised policy.

C. Resolution Approving Cooperative Sponsorship Agreement for Dance Team

Motion by Pollis, seconded by Spencer, and unanimously carried, the board of education approved the resolution.

D. Donations

Motion by Pollis, seconded by Carter, and unanimously carried, the board of education accepted the donations with gratitude.

VII. ADVANCE PLANNING

A. Legislative Update
B. Information and Questions from Board
C. Suggested/Future Agenda Items
D. Future Meeting Dates

9-16-2024	7 p.m.	Regular Board Meeting - Public Comment
10-7-24	7 p.m.	Regular Board Meeting

VIII. ADJOURN REGULAR MEETING

Chair Cole adjourned the meeting at 8:30 p.m.

P-CARD,CHECK RUNS, E-PAYS & WIRES FOR 09/16/2024 BOARD REPORTS

BANK 05	DATE	AMOUNT
Checks	8/28/2024	463,647.69
	8/30/2024	38,296.57
	9/5/2024	260,283.18
	9/11/2024	498,539.64
PCARDS-August 2024	9/5/2024	62,098.19
SCHOLARSHIPS	8/28/2024	5,000.00
E-Pays	9/5/2024	3,320.00

CHECK REGISTER BANK 05 TOTAL =	**1,331,185.27**

BREAKDOWN	
01-206-00	996,399.29
02-206-00	42,974.64
03-206-00	36,546.78
04-206-00	18,027.40
06-206-00	93,169.47
07-206-00	-
18-206-00	144,067.69
20-206-00	
21-206-00	
47-206-00	
BANK TOTAL =	**1,331,185.27**

FUND	CHECK	DATE	VENDOR	TYPE	AMOUNT
01	312460	08/28/2024	AIM ELECTRONICS INC	R	48,083.00
01	312461	08/28/2024	BITUMINOUS ROADWAYS, INC.	R	96,261.00
01	312462	08/28/2024	BRINK'S INCORPORATED	R	2,228.32
01	312463	08/28/2024	CDW GOVERNMENT INC	R	20,500.00
01	312464	08/28/2024	CITY OF RICHFIELD	R	1,347.81
01	312465	08/28/2024	COMCAST	R	397.30
01	312466	08/28/2024	ENVIROMATIC CORP OR AMERICA, INC	R	1,093.18
01	312467	08/28/2024	FLASHLIGHT LEARNING, INC.	R	9,000.00
01	312468	08/28/2024	INNOVATIVE OFFICE SOLUTIONS LLC	R	147.86
01	312469	08/28/2024	LOMAX CARLA	R	320.00
01	312470	08/28/2024	MALLOY MONTAGUE KARNOWSKI & RADO	R	4,450.00
01	312471	08/28/2024	MAXORPLUS, LTD	R	58,634.11
01	312472	08/28/2024	MESPA-MN ELEMENTARY	R	703.00
01	312473	08/28/2024	MINUTEMAN PRESS EDINA	R	582.50
01	312474	08/28/2024	NENA'S DESIGN LLC	R	530.00
01	312475	08/28/2024	NORTHERN STAR COUNCIL / BSA	R	20.00
01	312476	08/28/2024	PERMA-BOUND BOOKS	R	164.70
01	312477	08/28/2024	PROQUEST LLC	R	3,502.95
01	312478	08/28/2024	RASHAD COHEN LLC	R	5,000.00
01	312479	08/28/2024	RENAISSANCE	R	36,108.35
01	312480	08/28/2024	SOUTH CENTRAL SERVICE COOP	R	3,600.00
01	312481	08/28/2024	STONE ARCH STUDIO LLC	R	200.00
01	312482	08/28/2024	TAFFE SARAH ANN	R	9,750.00
01	312483	08/28/2024	TYLER TECHNOLOGIES, INC.	R	30,260.65
01	312484	08/28/2024	UHL COMPANY INC	R	48,385.50
01	312485	08/28/2024	VISTA HIGHER LEARNING	R	8,610.00
01	312486	08/28/2024	XCEL ENERGY	V	0.00
01	312487	08/28/2024	XCEL ENERGY	R	73,767.46
01	312488	08/28/2024	MINNESOTA STATE U, MANKATO	R	500.00
01	312489	08/28/2024	NORMANDALE COMMUNITY COLLEGE	R	3,000.00
01	312490	08/28/2024	UNIVERSITY OF SAN FRANCISCO	R	1,500.00
01	312491	08/30/2024	ETTEL & FRANZ ROOFING CO	R	3,406.00
01	312492	08/30/2024	MASSP-MN ASSOCIATION	R	885.00
01	312493	08/30/2024	MAXORPLUS, LTD	R	33,080.57
01	312494	08/30/2024	MCTLC	R	625.00
01	312495	08/30/2024	PERFORMANCE EXCELLENCE NETWORK	R	300.00
01	312496	09/05/2024	ARVIG ENTERPRISES INC	R	1,307.90
01	312497	09/05/2024	BEST PLUMBING SPECIALTIES, INC.	R	639.92
01	312498	09/05/2024	BIX FRUIT COMPANY	R	2,401.19
01	312499	09/05/2024	CENTURYLINK	R	47.22
01	312500	09/05/2024	CINTAS CORPORATION NO 2	R	140.01
01	312501	09/05/2024	COMCAST BUSINESS	R	414.80
01	312502	09/05/2024	CULLIGAN SOFT WATER	R	10.95
01	312503	09/05/2024	DAVIS MARIE	R	125.00
01	312504	09/05/2024	ECM PUBLISHERS INC	R	134.40
01	312505	09/05/2024	FASTENAL INDUSTRIAL	R	21.54
01	312506	09/05/2024	WW GRAINGER INC	R	2,425.31
01	312507	09/05/2024	HAAG COMPANIES, INC.	R	66.00
01	312508	09/05/2024	HILLYARD MINNEAPOLIS	R	3,301.24
01	312509	09/05/2024	INNOVATIVE OFFICE SOLUTIONS LLC	R	177.20
01	312510	09/05/2024	INSTITUTE FOR ENVIROMENTAL	R	10,601.19
01	312511	09/05/2024	INTEGRATED FIRE & SECURITY INC	R	315.00
01	312512	09/05/2024	INTEREUM, INC	R	384.91
01	312513	09/05/2024	JW PEPPER & SON INC	R	699.69
01	312514	09/05/2024	KEMPS LLC	R	1,209.90
01	312515	09/05/2024	KINECT ENERGY INC	R	14,302.39
01	312516	09/05/2024	LAJ CONSULTING, LLC	R	1,200.00
01	312517	09/05/2024	LAURSEN PIANO SERVICE	R	130.00

01	312518	09/05/2024	LOFFLER COMPANIES	R	71.80
01	312519	09/05/2024	MAGERS & QUINN BOOKSELLERS	R	915.50
01	312520	09/05/2024	MATRIX COMMUNICATIONS, INC	R	2,927.38
01	312521	09/05/2024	MINUTEMAN PRESS EDINA	R	193.20
01	312522	09/05/2024	MOLLY ANTHONY	R	438.00
01	312523	09/05/2024	NATURES TOUCH TREE CARE	R	7,700.00
01	312524	09/05/2024	NEI ELECTRIC, INC.	R	5,302.90
01	312525	09/05/2024	ON SITE SANITATION	R	1,508.33
01	312526	09/05/2024	PAN O GOLD BAKING CO	R	416.74
01	312527	09/05/2024	PER MAR SECURITY SERVICES	R	10.50
01	312528	09/05/2024	PITNEY BOWES BANK PURCHASE POWER	R	2,400.00
01	312529	09/05/2024	PREMIUM WATERS INC	R	36.00
01	312530	09/05/2024	RATWIK ROSZAK & MALONEY PA	R	1,391.50
01	312531	09/05/2024	SCHOOL HEALTH CORPORATION	R	204.99
01	312532	09/05/2024	SCHUMACHER ELEVATOR COMPANY	R	249.00
01	312533	09/05/2024	STEVE WEISS MUSIC INC	R	190.00
01	312534	09/05/2024	THE MASTER TEACHER, INC.	R	1,320.00
01	312535	09/05/2024	TRACY D BULLOCK	R	70.00
01	312536	09/05/2024	TRI METRO CONFERENCE	R	5,000.00
01	312537	09/05/2024	TRIO SUPPLY COMPANY	R	1,677.41
01	312538	09/05/2024	TWIN CITY FILTER SERVICE INC	R	131.02
01	312539	09/05/2024	UHL COMPANY INC	R	33.00
01	312540	09/05/2024	UPPER LAKES FOODS	R	25,722.30
01	312541	09/05/2024	UPPER MIDWEST ATHLETIC CONSTRUCTION	R	149,007.00
01	312542	09/05/2024	VERIZON WIRELESS	R	360.09
01	312543	09/05/2024	XCEL ENERGY	R	12,950.76
01	V614106	09/05/2024	MATTHEW ARNOLD	R	70.00
01	V614107	09/05/2024	MICHELLE L AXELL	R	70.00
01	V614108	09/05/2024	ERICA T BARLOW	R	70.00
01	V614109	09/05/2024	MARY L CLARKSON	R	70.00
01	V614110	09/05/2024	LATANYA R DANIELS	R	70.00
01	V614111	09/05/2024	PETER J FITZPATRICK	R	40.00
01	V614112	09/05/2024	RACHEL GENS	R	70.00
01	V614113	09/05/2024	AREND J GEURINK	R	70.00
01	V614114	09/05/2024	JAMES A GILLIGAN	R	70.00
01	V614115	09/05/2024	CHRISTINA M GONZALEZ	R	70.00
01	V614116	09/05/2024	AMY E HAGER	R	70.00
01	V614117	09/05/2024	KEVIN D HARRIS	R	40.00
01	V614118	09/05/2024	MICHAEL G HARRIS	R	70.00
01	V614119	09/05/2024	JONATHAN W HEYER	R	70.00
01	V614120	09/05/2024	JAMES L HILL	R	40.00
01	V614121	09/05/2024	JESSICA M HOFFMAN	R	40.00
01	V614122	09/05/2024	CRAIG D HOLJE	R	70.00
01	V614123	09/05/2024	DANIEL E KRETSINGER	R	70.00
01	V614124	09/05/2024	JENNIFER KRUEGER	R	70.00
01	V614125	09/05/2024	ANOOP KUMAR	R	40.00
01	V614126	09/05/2024	SHANNON J LINDBERG	R	40.00
01	V614127	09/05/2024	JOHN M LORENZINI	R	70.00
01	V614128	09/05/2024	COLLEEN M MAHONEY	R	70.00
01	V614129	09/05/2024	MICHAEL A MANNING	R	70.00
01	V614130	09/05/2024	DANIEL P MCGINN	R	40.00
01	V614131	09/05/2024	DOUG R MCMEEKIN	R	70.00
01	V614132	09/05/2024	KENT D MEYER	R	70.00
01	V614133	09/05/2024	KATRINA L MORGAN	R	40.00
01	V614134	09/05/2024	ERIN H NEILON	R	40.00
01	V614135	09/05/2024	ROBERT G OLSON	R	40.00
01	V614136	09/05/2024	LAURA B OTTERNESS	R	70.00
01	V614137	09/05/2024	MARK S PEDERSEN	R	40.00
01	V614138	09/05/2024	CHRISTOPHER A PETERSON	R	70.00

01	V614139	09/05/2024	CASSANDRA QUAM	R	70.00
01	V614140	09/05/2024	RENEE C REED-KARSTENS	R	40.00
01	V614141	09/05/2024	KEITH D RIEF	R	40.00
01	V614142	09/05/2024	ASHLEY SCHAEFER	R	70.00
01	V614143	09/05/2024	AMY B SKARE-KLECKER	R	70.00
01	V614144	09/05/2024	NANCY J STACHEL	R	70.00
01	V614145	09/05/2024	JUSTIN STEELE	R	70.00
01	V614146	09/05/2024	ANGELA TAYLOR	R	70.00
01	V614147	09/05/2024	STACY THEIEN-COLLINS	R	70.00
01	V614148	09/05/2024	VLADIMIR S TOLEDO	R	40.00
01	V614149	09/05/2024	STEVEN P UNOWSKY	R	270.00
01	V614150	09/05/2024	CARRIE A VALA	R	70.00
01	V614151	09/05/2024	JENNIFER K VALLEY	R	70.00
01	V614152	09/05/2024	REBECCA S WALD	R	40.00
01	V614153	09/05/2024	ALEXANDER WARD	R	70.00
01	V614154	09/05/2024	MICHELLE R WHITESIDE	R	70.00
01	V614155	09/05/2024	KASYA L WILLHITE	R	70.00
01	V614156	09/05/2024	KELLY L WOODS	R	70.00
01	V2501994	09/05/2024	P-CARD BAIRD LISA	R	5,442.89
01	V2501995	09/05/2024	P-CARD BARLOW ERICA	R	5,313.50
01	V2501996	09/05/2024	P-CARD BLUMA, MEGAN BOLLIG	R	51.99
01	V2501997	09/05/2024	P-CARD BROWN MATTHEW	R	335.54
01	V2501998	09/05/2024	P-CARD BRUNNER PATTI	R	1,754.29
01	V2501999	09/05/2024	P-CARD CRUZ ESTEVA JENNIFER	R	2,403.47
01	V2502000	09/05/2024	P-CARD EDWARDS NATHAN	R	118.20
01	V2502001	09/05/2024	P-CARD GEURINK AREND	R	4,029.62
01	V2502002	09/05/2024	P-CARD GONZALEZ CHRISTINA	R	678.70
01	V2502003	09/05/2024	P-CARD HOLJE CRAIG	R	455.00
01	V2502004	09/05/2024	P-CARD HUERTA-ANAYA ALICIA	R	1,124.10
01	V2502005	09/05/2024	P-CARD KRETSINGER DAN	R	1,934.79
01	V2502006	09/05/2024	P-CARD LEWIS JENNIFER	R	382.95
01	V2502007	09/05/2024	P-CARD LUNDY MICHELLE	R	10,853.05
01	V2502008	09/05/2024	P-CARD MAHONEY COLLEEN	R	2,478.47
01	V2502009	09/05/2024	P-CARD MANNING MICHAEL	R	3,844.15
01	V2502010	09/05/2024	P-CARD MCGINN DAN	R	762.39
01	V2502011	09/05/2024	P-CARD MORALES LIZETTE	R	4,521.00
01	V2502012	09/05/2024	P-CARD PETERSON CHRIS	R	1,533.94
01	V2502013	09/05/2024	P-CARD SKARE-KLECKER AMY	R	2,511.88
01	V2502014	09/05/2024	P-CARD STACHEL NANCY	R	4,743.54
01	V2502015	09/05/2024	P-CARD VALLEY JENNIFER	R	2,069.08
01	V2502016	09/05/2024	P-CARD VENTURA PEREZ RAMIRO	R	653.46
01	V2502017	09/05/2024	P-CARD WILLHITE KASYA	R	157.60
01	V2502018	09/05/2024	P-CARD WOODS KELLY	R	3,944.59
01	312544	09/11/2024	STAR TRIBUNE	R	246.00
01	312545	09/11/2024	AHMED TAUFIQ	R	100.00
01	312546	09/11/2024	ANDREWS JOHN	R	85.00
01	312547	09/11/2024	ARMSTRONG BOYS CRS COUNTRY BOOSTERS	R	400.00
01	312548	09/11/2024	BCN TELECOM, INC TBS	R	1,848.72
01	312549	09/11/2024	BENCHMARK EDUCATION COMPANY, LLC.	R	340,960.95
01	312550	09/11/2024	BRAINPOP LLC	R	15,561.00
01	312551	09/11/2024	CAPTIVATE MEDIA & CONSULTING	R	1,540.50
01	312552	09/11/2024	CDW GOVERNMENT INC	R	3,776.77
01	312553	09/11/2024	CEDAR SMALL ENGINE	R	258.11
01	312554	09/11/2024	CENTURYLINK	R	71.00
01	312555	09/11/2024	CEP ART & DESIGN	R	175.50
01	312556	09/11/2024	CINTAS CORPORATION NO 2	R	1,289.93
01	312557	09/11/2024	COMCAST BUSINESS	R	549.80
01	312558	09/11/2024	COMO PARK HIGH SCHOOL	R	250.00
01	312559	09/11/2024	CONSOLIDATED COMMUNICATIONS	R	2,668.64

01	312560	09/11/2024	CONTINENTAL RESEARCH CORP	R	677.24
01	312561	09/11/2024	DICKS SANITATION SERVICE, INC (DSI)	R	7,687.47
01	312562	09/11/2024	EDWARD J STEVENS IV	R	89.00
01	312563	09/11/2024	ETTEL & FRANZ ROOFING CO	R	2,995.00
01	312564	09/11/2024	FARMINGTON HIGH SCHOOL	R	230.00
01	312565	09/11/2024	FREEWAY FORD	R	16.30
01	312566	09/11/2024	GOEBEL JUDITH K	R	250.00
01	312567	09/11/2024	WW GRAINGER INC	R	3,444.27
01	312568	09/11/2024	HILLYARD MINNEAPOLIS	R	6,109.88
01	312569	09/11/2024	HOME DEPOT U.S.A.	R	1,236.51
01	312570	09/11/2024	HUPPERT QUINN	R	89.00
01	312571	09/11/2024	IIX INSURANCE INFORMATION EXCHANGE	R	53.50
01	312572	09/11/2024	KELLY JOHNSON	R	145.67
01	312573	09/11/2024	KLEIST DOUGLAS	R	309.00
01	312574	09/11/2024	KRAMER PAUL	R	162.00
01	312575	09/11/2024	KROONBLAWD DAVID	R	100.00
01	312576	09/11/2024	LAKEVILLE NORTH HIGH SCHOOL	R	310.00
01	312577	09/11/2024	LEROY'S GREAT BEAR	R	15.00
01	312578	09/11/2024	MANDILE RICHARD J	R	100.00
01	312579	09/11/2024	MASSP-MN ASSOCIATION	R	984.00
01	312580	09/11/2024	MASTER TECHNOLOGY GROUP	R	320.00
01	312581	09/11/2024	MATRIX COMMUNICATIONS, INC	R	28,220.61
01	312582	09/11/2024	MAXORPLUS, LTD	R	51,935.88
01	312583	09/11/2024	METRO VOLLEYBALL OFFICIAL ASSOC LLC	R	1,890.00
01	312584	09/11/2024	METROPOLITAN MECHANICAL CONTRACTORS	R	1,412.99
01	312585	09/11/2024	MIDWEST BUS PARTS INC	R	175.40
01	312586	09/11/2024	MITSON STEPHEN	R	100.00
01	312587	09/11/2024	MOORE JAMES H	R	62.00
01	312588	09/11/2024	MOUND WESTONKA HIGH SCHOOL	R	325.00
01	312589	09/11/2024	MOUNDS VIEW HIGH SCHOOL	R	350.00
01	312590	09/11/2024	MRI SOFTWARE LLC	R	33.00
01	312591	09/11/2024	NAPA AUTO PARTS	R	415.27
01	312592	09/11/2024	NEI ELECTRIC, INC.	R	4,366.60
01	312593	09/11/2024	NEW LIFE ENTERPRISE	R	960.00
01	312594	09/11/2024	NORTH CENTRAL BUS	R	154.08
01	312595	09/11/2024	PAYDHEALTH	R	417.13
01	312596	09/11/2024	PLAGGE, RONETTE	R	120.97
01	312597	09/11/2024	PLUNKETT'S /VARMENT GUARD	R	1,159.37
01	312598	09/11/2024	PROFESSIONAL WIRELESS COMMUNICATION	R	1,350.15
01	312599	09/11/2024	ROSEMOUNT HIGH SCHOOL	R	300.00
01	312600	09/11/2024	SHERWIN WILLIAMS CO	R	609.36
01	312601	09/11/2024	ST OLAF COLLEGE	R	3,500.00
01	312602	09/11/2024	STATE SUPPLY COMPANY	R	493.61
01	312603	09/11/2024	TAYLOR BRANDON	R	89.00
01	312604	09/11/2024	TOLL COMPANY	R	13.18
01	312605	09/11/2024	TRI CITY UNITED	R	200.00
01	312606	09/11/2024	TWIN CITY HARDWARE	R	778.66
01	312607	09/11/2024	TWIN CITY TRANSPORTATION	R	1,509.95
01	312608	09/11/2024	UNITED HEALTHCARE/AARP MEDICARE RX	R	103.50
01	312609	09/11/2024	UNITED HEARTHCARE /AARP MEDICARE RX	R	103.50
01	312610	09/11/2024	UNITEDHEALTHCARE	R	590.91
01	312611	09/11/2024	VAN RIESSEN EDWIN	R	85.00
01	312612	09/11/2024	LIGHTNING PRINTING, INC	R	1,554.75
01	312613	09/11/2024	XCEL ENERGY	R	54.01
			TOTAL CHECKS, EPAYS, PCARDS & SCHOLARSHIPS		**1,331,185.27**

Consent Agenda – For Action **Agenda Item IV.B.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting September 16, 2024

Subject: PERSONNEL ITEMS

(Recommended by superintendent)

That the board of education approve the following personnel items:

Certified Full Time TIER 2 Contract
Arnee Martin – Art Teacher – STEM Elementary
Effective: 9/4/2024

Certified Full Time TIER 1 Contract
Alain Perez – Language Arts – Richfield Middle School
Effective: 8/20/2024

Classified Full Time Paraprofessional for Employment
Stephanie Blonigan – Special Education Paraprofessional – South Education Center
Effective: 09/09/2024
Stephanie Espinoza Coyote – Managerial Paraprofessional – Sheridan Hills
Effective: 09/09/2024

Classified Full Time Administrative Assistant & Management Support Resignation
Shannon Lindberg – Administrative Assistant 4 – Richfield Athletics Office
Effective: 09/11/2024
Yrs. of Service: 17

OLD BUSINESS – FOR ACTION **Agenda Item V.A.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Title IX

(Recommended by the superintendent)

Passage upon a third read of Policy 115: Title IX. This policy affirms the District's commitment to nondiscrimination on the basis of sex and lays out the prohibition of sexual harassment, as well as the reporting and grievance process for violations.

Recent changes to federal law require a revision of this policy.

In order to create a revised version of this policy, District administration used the policy drafted by Squires, Waldspurger & Mace, P.A. as a model, updated it to follow RPS branding and style guidelines, and added in some specific elements from the MSBA model policy. Due to the extensive changes required, it was not useful to create a redlined version of the existing policy.

Some suggested changes added since the previous read of this draft policy have been included in redline. These changes include removed items that do not apply to K-12 public schools, as well as one additional definition and other clarifications.

Attachments:
Policy 115: Title IX – replaced, then redlined
MSBA Model Policy 522: Title IX
Model Policy 522 Title IX Sex Nondiscrimination & Addendum (drafted by Squires, Waldspurger & Mace, P.A.)

Section 100
District

Policy Number 115

RICHFIELD PUBLIC SCHOOLS

TITLE IX POLICY

I. GENERAL STATEMENT OF POLICY/ NOTICE OF NONDISCRIMINATION

A. Richfield Public Schools 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 District does not discriminate in such a manner in its implementing regulations.~~ The District is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

Commented [1]: From MSBA

B. Inquiries about Title IX may be referred to the Title IX Coordinator, the United States Department of Education's Office for Civil Rights, or both. The District's Title IX Coordinator is:

Craig Holje, Chief Human Resources and Administrative Officer
612-798-6031, craig.holje@rpsmn.org
401 70th St. W., Richfield, MN 55423

C. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator identified above or refer to **richfieldschools.org/about/equity**.

D. The District's nondiscrimination policy and grievance procedures can be located on the District's website as Policy 115: Title IX. Related policies include Policy 102: Harassment Prohibition and Policy 506: Student Sex Nondiscrimination.

E. 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

For the purposes of this policy and its Addendum, the following definitions apply.

A. "Complaint" means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a

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determination about alleged discrimination under Title IX or its regulations.

B. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the District Office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

C. "Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the District's prohibition on sex discrimination.

D. "Parental status" 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.

E. "Party" means a complainant or respondent.

F. "Peer retaliation" means retaliation by a student against another student.

G. "Pregnancy or related conditions" means:

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.

H. "Program or activity" and "program" means all of the operations of the District.

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~~H~~I. "Relevant" means related to the allegations of sex discrimination under investigation . 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.

~~I~~J. "Remedies" means measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the 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 District's education program or activity after a determination that sex discrimination occurred.

~~J~~K. "Respondent" means a person who is alleged to have violated the District's prohibition on sex discrimination.

~~K~~L. "Retaliation" means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the 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.

~~L~~M. "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 District to provide an aid, benefit, or service under the 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 District's education program or activity (*i.e.,* creates a hostile environment). Whether a hostile

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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 District's education program or activity;

b. The type, frequency, and duration of the conduct;

c. The parties' ages, roles within the 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 District's education program or activity; or

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 crime(s) 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

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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 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.

~~M~~N. "Student" means a person who has gained admission.

~~N~~O. "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.

~~O~~P. "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 District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or

2. Provide support during the District's grievance procedures or during the informal resolution process.

~~P~~Q. "Title IX" means Title IX of the Education Amendments of 1972, as amended.

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

A. The District will designate and authorize at least one Title IX Coordinator

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to coordinate its efforts to comply with its obligations under Title IX and its regulations. If the District has more than one Title IX Coordinator, it will designate one of its Title IX Coordinators to retain ultimate oversight over the responsibilities and ensure the District's consistent compliance with its responsibilities under Title IX and its regulations.

B. As appropriate, the Title IX Coordinator may delegate specific duties to one or more designees.

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. All employees must 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. Any employee of the District who has experienced, has 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.

D. 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.

E. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the District may report the alleged conduct to law enforcement authorities. The District encourages complainants to report criminal behavior to law enforcement immediately.

V. RETALIATION

The District prohibits retaliation, including peer retaliation, in its education

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program or activities. Upon receiving a complaint alleging retaliation, the District will initiate its grievance procedures or, as appropriate, an informal resolution process.

VI. GRIEVANCE PROCEDURE AND PROCESS

The grievance procedure and process adopted by the District shall be included with this policy as an addendum, and may be reviewed and revised as deemed appropriate by the District administration.

VII. TRAINING

Commented [2]: This section was added

The District will ensure that all staff members receive appropriate 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.

VIII. DISSEMINATION OF POLICY

Commented [3]: This section was added

A. This policy ~~shall~~ will be made available to all students, parents/guardians of students, District employees, and employee unions.

B. The District ~~shall~~ will ~~conspicuously~~ post the name or title 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. Notice of Nondiscrimination

1. The District ~~must~~ will 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. The District ~~must~~ will prominently include its notice of nondiscrimination on its website and in each handbook, 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.

3. Contents of Notice of Nondiscrimination

The full notice of nondiscrimination is as follows: “Richfield Public Schools does not discriminate on the basis of sex and prohibits sex

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discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including ~~in admission~~ and employment. Inquiries about the application of Title IX and its regulations may be referred to the District's Title IX Coordinator, the federal Office for Civil Rights, or both. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator: Craig Holje, 612-798-6031, craig.holje@rpsmn.org, 401 70th St. W., Richfield, MN 55423. The District's Title IX policy and grievance procedures can be located at richfieldschools.org as Policy 115."

If necessary, due to the format or size of any publication, the District may instead include the following statement: "Richfield Public Schools prohibits sex discrimination in any education program or activity that it operates. Individuals may ~~report~~ direct concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at richfieldschools.org/equity."

The District may incorporate the required notice into a broader statement of the RPS commitment to equity, inclusion and non-discrimination, as long as the minimum components are included.

Legal References:
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act")

Cross References:
Policy 102: Equal Educational Opportunity
Policy 103: Harassment Prohibition Policy
Policy 113: Bullying Prohibition Policy
Policy 402: Equal Employment Opportunity
Policy 506: Student Sex Nondiscrimination
Policy 541: Student Behavior

Policy 586: Gender Inclusion

RATIFIED BY THE BOARD OF EDUCATION: 2/1/21

REVISED BY THE BOARD OF EDUCATION:

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Title IX Grievance Procedure and Process
Addendum to Policy 522

I. GRIEVANCE PROCEDURES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS OF SEX DISCRIMINATION

A. General

These grievance procedures apply only to sex discrimination complaints alleging that a person violated the District's prohibition on sex discrimination. When a sex discrimination complaint alleges that a District's policy or practice discriminates on the basis of sex, the District is not considered to be a respondent.

B. Core Requirements of Grievance Procedures

1. The District treats complainants and respondents equitably.

2. The District requires that any 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. The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.

4. The District has established the following reasonably prompt timeframes for the major stages of the grievance procedures:

   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 decision dismissing a complaint must be received by the District within five (5) days of the date the notice of dismissal was provided to the parties.

   c. Any appeal of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the District.

   d. The District will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the l complaint was received by the District.

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e. Although the District strives to adhere to the timelines described above, in each case, the 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 District holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

f. The District has established the following process for reasonable extension of timeframes on a case-by-case basis for good cause as set forth above: Any party or an investigator or decisionmaker may make a request to the Title IX Coordinator to extend the timeline for good cause. If the Title IX Coordinator determines the reason for the extension constitutes good cause, the Title IX Coordinator will notify the parties of the reason for delay.

5. The District will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the grievance procedures. These steps will 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. The District will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

7. The following types of evidence, and questions seeking that evidence, as impermissible (i.e., will not be accessed or considered, unless an exception below applies ; will not be disclosed; and will 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, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

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b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District has that party's or witness's voluntary, written consent for use in the 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

C. Complaints

1. The following people have the right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX:

a. A "complainant," which includes:

i. a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or

ii. a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination at a time when that individual was participating or attempting to participate in the District's education program or activity;

b. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or

c. The District's Title IX Coordinator.

The individuals above are entitled to make a complaint of sex-based

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harassment only if they themselves are alleged to have been subjected to sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator submits the complaint.

2. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have the right to make a complaint:

   a. Any student or employee of the District; or

   b. Any person other than a student or employee who was participating in or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

D. Notice of Allegations

Upon initiation of the District's grievance procedures, the District will notify the parties of the following:

1. The District's grievance procedures, and if applicable, any informal resolution process;

2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the District;

3. Retaliation is prohibited; and

4. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the 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.

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice, the District will provide notice of the additional allegations to the parties whose identities are known.

E. Dismissal of a Complaint

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1. The District may dismiss a complaint of sex discrimination if:

    a. The District is unable to identify the respondent after taking reasonable steps to do so;

    b. The respondent is not participating in a District education program or activity and is not employed by the District;

    c. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the 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,

    d. The District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the complainant.

2. Upon dismissal, the 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 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.

3. The District will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

    a. Procedural irregularity that would change the outcome;

    b. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and

    c. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

4. If the dismissal is appealed, the District will:

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a. Notify the parties of any appeal, including notice of the allegations if notice was not previously provided to the respondent;

b. Implement appeal procedures equally for the parties;

c. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;

d. Ensure that the decisionmaker for the appeal has received training required by Title IX;

e. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and

f. Notify the parties of the result of the appeal and the rationale for the result.

5. When the District dismisses a complaint, it must, at a minimum:

a. Offer supportive measures to the complainant as appropriate;

b. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

c. Take other appropriate prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the District's education program or activity.

6. Dismissal of a complaint or a portion thereof does not preclude the District from addressing the underlying conduct in any manner that the District deems appropriate.

E. Investigation

1. The District will provide for adequate, reliable, and impartial investigation of complaints.

2. The burden is on the District – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;

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3. The District will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;

4. The District will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

5. The District will 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 District will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the District provides a description of the evidence, it will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;

   b. The District will provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and

   c. The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. 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 District will enable 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 District will:

1. Use the preponderance of the evidence standard of proof to

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determine whether sex discrimination occurred. This standard of proof requires 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 will 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;

3. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination;

4. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:

   a. Coordinate the provision and implementation of remedies to a complainant and other persons the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;

   b. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and

   c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity;

4. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and

5. Not discipline a party, witness, or others participating in District's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the District's determination whether sex discrimination occurred.

H. Informal Resolution

In lieu of resolving a complaint through the District's grievance procedures, the parties may instead elect to participate in an informal resolution process offered by the District.

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I. Provisions Limited to Sex-Based Harassment Complaints

1. Supportive measures may be made available to complainants and respondents, as appropriate. Available supportive measures include: reassignment of classes, transportation changes, no-contact directives, alternate passing times, escorts, extensions of deadlines or course-related requirements, counseling or support from designated adults, and other measures that are necessary and appropriate to ensure complainants and respondents are not denied equal access to the District's education program and activity.

2. Following a determination that sex-based harassment occurred by a student-respondent, the District may impose discipline consistent with Policy 506. Following a determination that sex-based harassment occurred by an employee-respondent, the District may impose discipline consistent with any applicable personnel policy, collective bargaining agreement, or Minnesota law, including suspension without pay and termination or discharge. Available remedies may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, leaves of absence, monitoring of certain areas of District buildings or property, transfer, transportation changes, and other remedies determined appropriate by the Title IX Coordinator.

II. INFORMAL RESOLUTION OF A COMPLAINT

A. At any time prior to determining whether sex discrimination occurred, the District a complainant and respondent may participate inan informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of a student or such a process would conflict with federal, Minnesota, or local law

1. Subject to the limitations in Paragraph A. above, the 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 District may decline to allow informal resolution include but are not limited to when the District determines that the alleged

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conduct would present a future risk of harm to others.

B. The District will not require or pressure the parties to participate in an informal resolution process. The parties must voluntarily consent to the informal resolution process. The District will 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 District will provide the parties notice of the following:

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 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 District will maintain and whether and how the 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 will not be the same person as the investigator or the decisionmaker in the District's grievance procedures.

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 District's programs or activities or attendance at specific events, including restrictions the District could have imposed as remedies or disciplinary sanctions had the District determined at the

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conclusion of the District's grievance procedures that sex discrimination occurred.

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Adopted: _____ *MSBA/MASA Model Policy 522*
Orig. 1995
Revised: _____ *Rev. 2024*

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

[NOTE: In 2024, the U.S. Department of Education, Office of Civil Rights (OCR), released the latest version of the Final Rule amending Title IX regulations at 34 Code of Federal Regulations, part 106. These regulations have an effective date of August 1, 2024.]

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 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:

[INSERT: NAME(S) TITLE(S) PHONE NUMBER(S) OFFICE ADDRESS(ES) EMAIL ADDRESS(ES)]

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 **[INSERT: LINK TO LOCATION(S) ON WEBSITE OR OTHERWISE DESCRIBE LOCATION(S)]**

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 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.

[NOTE: When a Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination under Title IX (and 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), the Title IX Coordinator must determine whether to initiate a complaint of sex discrimination as required under Title IX. The requirements for such a fact-specific determination are set forth in 34 Code of Federal Regulations, section 106.44(f)(1)(v).]

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 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:

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.

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

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 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

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 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 r school district's education program or activity. Each reasonable modification must be based on the 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

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, 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 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 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

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.

    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 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 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 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 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;

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;

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;

[NOTE: The Title IX regulations require reasonably prompt timeframes for major stages of the grievance procedures, but do not specify any particular timeframes. School districts may establish their own district-specific timeframes. A sample set of provisions is offered below.]

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 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:

[NOTE: The school district should set forth its process for determining a reasonable extension of a timeframe.]

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 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 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.

   [NOTE: If the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.]

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

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 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 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 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

[NOTE: The 2024 Title IX amendments do not require a school district to offer an informal resolution process. However, a school district is free to provide such a process in some circumstances, as long as it complies with certain regulatory requirements. Requirements related to informal resolution are set forth in 34 Code of Federal Regulations, section 106.44(k).]

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 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 decisionmaker in the school district's 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 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 decisionmaker 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.

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.

[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes, section 122A.20, subdivision 2, to make a mandatory report to the Minnesota Professional Educator Licensing and Standards Board concerning any teacher who resigns during the course of an investigation of

misconduct.]

XI. APPEAL OF DETERMINATION

[NOTE: Regarding an appeal of a determination, the 2024 Title IX Final Rule states that the school district must offer the parties an appeal process that, at a minimum, is the same as it offers in all other comparable proceedings, if any, including proceedings relating to other discrimination complaints.

This section provides sample text a school district may elect to include in its grievance procedures, but school districts are not required to use the text provided.]

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 appeal is permitted.

XII. SANCTIONS AND REMEDIES

Following a determination that sex-based harassment occurred, the school district may impose disciplinary sanctions, which may include **[INSERT LIST OR DESCRIBE RANGE]**. The school district may also provide remedies, which may include **[INSERT LIST OR DESCRIBE RANGE]**.

[NOTE: The school district may choose to consult its legal counsel for district-specific sanctions and remedies. The following sample language may be considered:

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.

XIV. TRAINING

[NOTE: Training requirements are set forth in 34 Code of Federal Regulations, section 106.8(d).]

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 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.

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, 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: "**[INSERT NAME OF 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 **[INSERT WEBSITE ADDRESS]**."

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.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act")

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Adopted: _____ *MSBA/MASA Model Policy 522*
Orig. 1995
Revised: _____ *Rev. 2024*

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

I. GENERAL STATEMENT OF POLICY/ NOTICE OF NONDISCRIMINATION

A. 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, including in employment.

B. Inquiries about Title IX may be referred to the Title IX Coordinator(s), the United States Department of Education's Office for Civil Rights, or both. The school district's Title IX Coordinator(s) is/are:

[INSERT: NAME(S) TITLE(S) PHONE NUMBER(S) OFFICE ADDRESS(ES) EMAIL ADDRESS(ES)]

C. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator identified above or refer to **[INSERT: LINK TO LOCATION(S) ON WEBSITE OR OTHERWISE DESCRIBE LOCATION(S)]**

D. The school district's nondiscrimination policy and grievance procedures can be located on the school district's website as Policy 522 [identify other locations, if any].

E. 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

For the purposes of this policy and its Addendum, the following definitions apply.

A. "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.

B. "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).

C. "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.

D. "Parental status" 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.

E. "Party" means a complainant or respondent.

F. "Peer retaliation" means retaliation by a student against another student.

G. "Program or activity" and "program" means all of the operations of the school district.

H. "Relevant" means related to the allegations of sex discrimination under investigation . 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.

I. "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 determination that sex discrimination occurred.

J. "Respondent" means a person who is alleged to have violated the school district's prohibition on sex discrimination.

K. "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.

L. "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

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 crime(s) 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 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.

M. "Student" means a person who has gained admission.

N. "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.

O. "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.

P. "Title IX" means Title IX of the Education Amendments of 1972, as amended.

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

A. The school district will designate and authorize at least one Title IX Coordinator to coordinate its efforts to comply with its obligations under Title IX and its regulations. If the school district has more than one Title IX Coordinator, it will 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 Title IX Coordinator may delegate specific duties to one or more designees.

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. All employees must 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. Any employee of the school district who has experienced, has 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.

D. 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.

E. 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 law enforcement immediately.

V. RETALIATION

The school district prohibits retaliation, including peer retaliation, in its education program or activities. Upon receiving a complaint alleging retaliation, the school district will initiate its grievance procedures or, as appropriate, an informal resolution process.

VI. GRIEVANCE PROCEDURE AND PROCESS

The grievance procedure and process adopted by the school district shall be included with the Policy as an addendum, and may be reviewed and revised as deemed appropriate by the school district administration.

Legal References:
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act")

Cross References:
MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status

Nondiscrimination)

Revised by Squires, Waldspurger & Mace, P.A., August 6, 2024

Title IX Grievance Procedure and Process
Addendum to Policy 522

I. GRIEVANCE PROCEDURES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS OF SEX DISCRIMINATION

A. General

These grievance procedures 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 to be a respondent.

B. Core Requirements of Grievance Procedures

1. The school district treats complainants and respondents equitably.

2. The school district requires that any 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. The school district presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.

4. The school district has established the following reasonably prompt timeframes for the major stages of the grievance procedures:

   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 decision dismissing a complaint must be received by the school district within five (5) days of the date the notice of dismissal was provided to the parties.

   c. Any appeal 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 l 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 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: Any party or an investigator or decisionmaker may make a request to the Title IX Coordinator to extend the timeline for good cause. If the Title IX Coordinator determines the reason for the extension constitutes good cause, the Title IX Coordinator will notify the parties of the reason for delay.

5. The school district will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the grievance procedures. These steps will 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. The school district will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

7. The following types of evidence, and questions seeking that evidence, as impermissible (i.e., will not be accessed or considered, unless an exception below applies ; will not be disclosed; and will 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, 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 or paraprofessional in connection with the provision of treatment to the party or witness, unless the school district has that party's or witness's voluntary, written consent for use in the 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

C. Complaints

1. The following people have the 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," which includes:

i. 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

ii. 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 at a time when that individual was participating or attempting to participate in the school district's education program or activity;

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.

The individuals above are entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator submits the complaint.

2. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have the right to make a complaint:

a. Any student or employee of the school district; or

b. Any person other than a student or employee who was participating in or attempting to participate in the school district's education program or activity at the time of the alleged sex discrimination.

D. Notice of Allegations

Upon initiation of the school district's grievance procedures, the school district will notify the parties of the following:

1. The school district's grievance procedures, and if applicable, any informal resolution process;

2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the school district;

3. Retaliation is prohibited; and

4. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. 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.

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, the school district will provide notice of the additional allegations to the parties whose identities are known.

E. Dismissal of a Complaint

1. The school district may dismiss a complaint of sex discrimination if:

   a. The school district is unable to identify the respondent after taking reasonable steps to do so;

   b. The respondent is not participating in a school district education program or activity and is not employed by the school district;

   c. 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,

   d. The school district determines the conduct alleged in the complaint, even if 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.

2. 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.

3. The school district will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. 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. Dismissals may be appealed on the following bases:

   a. Procedural irregularity that would change the outcome;

   b. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and

   c. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

4. If the dismissal is appealed, the school district will:

a. Notify the parties of any appeal, including notice of the allegations if notice was not previously provided to the respondent;

b. Implement appeal procedures equally for the parties;

c. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;

d. Ensure that the decisionmaker for the appeal has received training required by Title IX;

e. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and

f. Notify the parties of the result of the appeal and the rationale for the result.

5. When the school district dismisses a complaint, it must, at a minimum:

a. Offer supportive measures to the complainant as appropriate;

b. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

c. Take other appropriate prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the school district's education program or activity.

6. Dismissal of a 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.

E. Investigation

1. The school district will provide for adequate, reliable, and impartial investigation of complaints.

2. 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;

3. The school district will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;

4. The school district will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

5. The school district will 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 will 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 will 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 will provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and

c. The school district will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. 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 will enable 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 will:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires 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 will 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;

3. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination;

4. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:

a. 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;

b. Coordinate the imposition of any disciplinary sanctions on a

respondent, including notification to the complainant of any such disciplinary sanctions; and

c. 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;

4. Comply with the grievance procedures 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. 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 resolution process offered by the school district.

I. Provisions Limited to Sex-Based Harassment Complaints

1. Supportive measures may be made available to complainants and respondents, as appropriate. Available supportive measures include: reassignment of classes, transportation changes, no-contact directives, alternate passing times, escorts, extensions of deadlines or course-related requirements, counseling or support from designated adults, and other measures that are necessary and appropriate to ensure complainants and respondents are not denied equal access to the school district's education program and activity.

2. Following a determination that sex-based harassment occurred by a student-respondent, the school district may impose discipline consistent with Policy 506. Following a determination that sex-based harassment occurred by an employee-respondent, the school district may impose discipline consistent with any applicable personnel policy, collective bargaining agreement, or Minnesota law, including suspension without pay and termination or discharge. Available remedies may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, leaves of absence, monitoring of certain areas of school district buildings or property, transfer, transportation changes, and other remedies determined appropriate by the Title IX Coordinator.

II. INFORMAL RESOLUTION OF A COMPLAINT

A. At any time prior to determining whether sex discrimination occurred, the school district a complainant and respondent may participate inan informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of a student or such a process would conflict with federal, Minnesota, or local law

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 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 will not require or pressure the parties to participate in an informal resolution process. The parties must voluntarily consent to the informal resolution process. The school district will 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 will provide the parties notice of the following:

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 will not be the same person as the investigator or the decisionmaker in the school district's grievance procedures.

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.

OLD BUSINESS – FOR ACTION **Agenda Item V.B.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Policies for Annual Review

(Recommended by the superintendent)

Passage upon a single read of the attached policies that are required to be reviewed annually. Minor changes are recommended only to Policy 103: Harassment Prohibition, Policy 113: Bullying Prohibition & Administrative Guideline 113.2 and Policy 602: School District System Accountability.

One section is recommended to be added to Policy 107: Electronic Use and Communications to align to the District's responsible use policy regarding student use of AI tools.

Significant additions are recommended for Policy 716: Public Data Requests in order to reflect changes to statute and include guidance about data subject requests. This includes updating the title of the policy to Policy 716: Public Data and Data Subject Requests.

All other policies and guidelines included here are recommended for passage with no changes.

Policy 108: Hazing Prohibition was also added to this list in order to remove the term "perpetrator" from the policy.

Attachments:
Policy 103: Harassment Prohibition - redlined
- Administrative Guideline 103.2
- MSBA Model Policy 413: Harassment and Violence

Policy 107: Electronic Use and Communications - redlined
- Administrative Guideline 107.1
- Administrative Guideline 107.2

Policy 113: Bullying Prohibition - redlined
- Administrative Guideline 113.1
- Administrative Guideline 113.2 - redlined
- MSBA Model Policy 514: Bullying Prohibition

Policy 407: Leaves of Absence

Policy 409: Mandated Reporting of Child Neglect or Physical or Sexual Abuse
- Administrative Guideline 409.1

Policy 410: Mandated Reporting of Maltreatment of Vulnerable Adults

Policy 541: Student Behavior
- Administrative Guideline 541.1

Policy 602: School District System Accountability – redlined
- MSBA Model Policy 616: School District System Accountability

Policy 716: Public Data Requests – redlined
- MSBA Model Policy 722: Public Data and Data Subject Requests

Policy 802: Crisis Management

Policy 108: Hazing Prohibition - redlined

RICHFIELD PUBLIC SCHOOLS

HARASSMENT PROHIBITION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. Richfield Public Schools prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any other class protected under the law.

B. A violation of this policy occurs when any student, teacher, administrator, or other District personnel harasses or inflicts, threatens to inflict, or attempts to inflict violence upon a student, teacher, administrator, or other District personnel or group of students, teachers, administrators, or other District personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, District personnel includes: school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.)

C. The District will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

A. "Assault" is:

1. an act done with intent to cause fear in another of imminent 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, and nonverbal behavior such as graphic and written statements, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law 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 longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability": "A person with a disability" is any person who:

a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;

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. ~~their~~ 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.

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The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. "Gender identity or expression" includes the manner in which an individual expresses their gender and an individual's sense of being male, female, or otherwise on a continuum of gender.

4. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

5. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.

6. "Sex" includes, but is not limited to, gender assigned at birth, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

7. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

8. "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. Racial Harassment/Violence; Definition

1. Race-based harassment is intimidation or abusive behavior

towards a student or employee based on perceived or actual race, color, creed or national origin that creates a hostile environment by interfering with or denying a student or employee's participation in or receipt of benefits, services, or opportunities in the schools' programs or employment.

2. Racial violence is a physical act or aggression or force, or threat thereof which is directed toward a student or employee based upon their perceived or actual race, color, creed, or national origin

F. Religious Harassment/Violence; Definition

1. Religion-based harassment is intimidation or abusive behavior toward a student or employee based on perceived or actual religious belief that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the schools' programs.

2. Religious violence is the threat of or an actual physical act of aggression or force which is directed toward a student or employee based upon their perceived or actual religion.

G. Sexual Harassment; Definition

1. Sexual harassment consists of 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 or unreasonably 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 pupil(s) by teachers, administrators, or other school 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.

H. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 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, whether that person is of the same sex or the opposite sex;

b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;

c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or

d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

I. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law.

IV. REPORTING PROCEDURES

A. Any person who believes they have been the victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any other protected class, by a student, teacher, administrator, or other District personnel, or any person (e.g., witness, parent, colleague) with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other District personnel or group of students, teachers, administrators, or other District personnel should report the alleged acts immediately to an appropriate school district official designated by this policy.

B. The District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the 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, to the District's Title IX coordinator, or to the superintendent. The District has a Title IX policy and grievance procedure, and nothing in this policy shall prevent any person from reporting sexual harassment or violence in the manner specified by Policy 115: Title IX.

D. In Each School Building. The building principal, the principal's designee, or the building/program supervisor (hereinafter Building Report Taker) is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building/program level. Any adult District personnel who receives a report of harassment or violence prohibited by this policy shall inform the Building Report Taker immediately. If the complaint involves the Building Report Taker, the complaint shall be made or filed directly with the superintendent or the District human rights officer by the reporting party or complainant. District personnel who fail to inform the Building Report Taker of a report of harassment or violence in a timely manner may be subject to disciplinary action.

E. Upon receipt of a report, the Building Report Taker must notify the District human rights officer immediately, without screening or

investigating the report. If the complaint only involves students, the Building Report Taker is designated to review the complaint, initiate the investigation and notify the District human rights officer if the complaint includes allegations of sexual harassment or other potentially criminal allegations. The Building Report Taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the Building Report Taker to the human rights officer. If the report was given verbally, the Building Report Taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the Building Report Taker.

F. In the District. The school board hereby designates Craig Holje, Chief Human Resources and Administrative Officer as the District human rights officer to receive reports or complaints of harassment or violence prohibited by this policy. The District human rights officer also serves as the District Title IX coordinator, and it is ultimately the responsibility of this individual to determine whether any allegations of sexual harassment fall under the purview of Policy 115: Title IX or under this policy and to proceed according to the correct policy. If the complaint involves the human rights officer, the complaint shall be filed directly with the superintendent, and the superintendent shall then assume that responsibility. The District shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.

G. 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, or work assignments. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited. Knowingly false accusations or reports of violence or harassment against another person are prohibited.

H. 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. The 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.

V. INVESTIGATION

A. By authority of the District, the human rights officer or Building Report Taker as appropriate, upon receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall

immediately undertake or authorize any investigation that may be required to understand the facts of the situation. The investigation may be conducted by District officials or by a third party designated by the 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 and necessary by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy, the 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 District may take immediate steps, at its discretion, to protect the complainant, students, teachers, administrators, or other school personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

E. The investigation will be completed as soon as practicable. The District human rights officer or Building Report Taker shall make a written report to the superintendent upon completion of a formal investigation involving an employee or any complaint that involves criminal allegations. The report for any complaint involving students will be documented appropriately in the student information system. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. If no formal investigation was authorized by the human rights officer, they will ensure appropriate follow up with the employee(s) or student(s) or other parties involved.

VI. SCHOOL DISTRICT ACTION

A. Upon completion of the investigation, the District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

B. If requested, the result of the District's investigation of each complaint filed under these procedures will be reported orally or in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

VII. REPRISAL

The District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who makes a good faith report of alleged harassment or violence prohibited by this policy or any person who testifies, assists, or participates in an investigation, 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.

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, 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 Minn. Stat. § 260E may be applicable.

B. Nothing in this policy will prohibit the 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 in each school building in areas accessible to students and staff members. It will be available on the District website.

B. This policy shall be given to or access provided to the website containing the policy for each District employee and independent contractor at the time of entering into the person's employment contract.

C. This policy shall appear in the student handbook.

D. The District will develop a method of discussing this policy with students and employees.

E. The 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.

Legal References:
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 260E (Reporting of Maltreatment of Minors)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act")
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References:
Policy 102 (Equal Educational Opportunity)
Policy 113 (Bullying Prohibition Policy)
Policy 108 (Hazing Prohibition)
Policy 115 (Title IX)
Policy 111 (Weapons on School Premises)
Policy 402 (Equal Employment Opportunity)
Policy 403 (Disability Nondiscrimination)
Policy 409 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 410 (Mandated Reporting of Maltreatment of Vulnerable Adults)
Policy 412 (Public and Private Personnel Data)
Policy 505 (Student Disability Nondiscrimination)
Policy 506 (Student Sex Nondiscrimination)
Policy 541 (Student Behavior)
Policy 581 (Protection and Privacy of Pupil Records)

Policy 582 (Staff Notification of Violent Behavior by Students)
Policy 586 (Gender Inclusion)
Policy 742 (Student Transportation Services)
Policy 783 (Video Surveillance)

RATIFIED BY THE BOARD OF EDUCATION: January 18, 1994

REVIEWED & REAFFIRMED BY THE BOARD OF EDUCATION: April 18, 2005; August 16, 2021; September 6, 2022

REVISED BY THE BOARD OF EDUCATION: December 7, 1999; January 22, 2002; March 17, 2003; June 17, 2008; August 18, 2014; January 19, 2021; September 5, 2023; September 16, 2024

RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

HARASSMENT PROHIBITION POLICY

The attached forms are to be used in the implementation of Board Policy 103: Harassment Prohibition. The first page is for notification of the district's policy. The second page is a form that may be used to report an incident. The third page is an intake form that may be used by the appropriate administrator.

Dated: January 18, 1994
Revised: December 7, 1999; March 17, 2003; August 18, 2014; January 19, 2021; September 6, 2022
Reviewed: January 22, 2002; April 18, 2005; June 17, 2008; August 16, 2021; September 5, 2023

*****ATTENTION*****
DISTRICT 280 POLICIES AGAINST
HARASSMENT, VIOLENCE AND BULLYING

1. Everyone at District 280 has a right to feel respected and safe. Consequently, we want you to know about our policies to prohibit harassment, violence and bullying based upon any kind of legally protected classification.

2. A harasser may be a student or an adult. Harassment may include the following when related to race, color, creed, religion, national origin, sex, age, familial status, marital status, status with regard to public assistance, disability, sexual orientation, gender identity or expression, or any other class protected under the law:
   a. name calling, jokes or rumors;
   b. pulling on clothing
   c. graffiti;
   d. notes or cartoons;
   e. unwelcome touching of a person or clothing
   f. offensive or graphic posters or book covers; or
   g. any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad.

3. If any words or actions make you feel uncomfortable or fearful, you need to tell a teacher, counselor, the principal or the Human Rights Officer and Title IX Coordinator, Craig Holje.

4. You may also make a written report. It should be given to a teacher, counselor, the principal or the Human Rights Officer/Title IX Coordinator.

5. Your right to privacy will be respected as much as possible.

6. We take seriously all reports of harassment, violence or bullying and will take all appropriate actions based on your report.

7. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported.

8. This is a summary of the School District policies against harassment, violence, and bullying. Complete policies are available in the district office upon request or on the district website: www.richfieldschools.org

HARASSMENT, VIOLENCE, AND BULLYING AGAINST A PROTECTED CLASS ARE AGAINST THE LAW.
DISCRIMINATION IS AGAINST THE LAW.

CONTACT: **CRAIG HOLJE**
HUMAN RIGHTS OFFICER/TITLE IX COORDINATOR
401 70TH STREET W (DOOR #26)
RICHFIELD, MN 55423
PHONE**: 612-798-6031**

RICHFIELD PUBLIC SCHOOLS – ISD #280
HARASSMENT, VIOLENCE AND BULLYING REPORT FORM

General Statement of Policies Prohibiting Harassment, Violence, and Bullying

Richfield Public Schools prohibits harassment, violence, discrimination and bullying in all forms, including but not limited to that which occurs on the basis of a person's actual or perceived race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law. If you or someone you know has experienced harassment, violence, discrimination, or bullying at school or at any school-related event for any reason, please complete this reporting form to have the incident(s) investigated by the District. Any student, parent/guardian, or district employee may complete this form and return it to any administrator.

Retaliation against any individual who makes a report or who participates or assists in an investigation of harassment, violence, discrimination, or bullying is strictly prohibited.

1. Preliminary Information

Date of Report: _____

Name of Person Making Report: _____

Daytime Phone _____ Email _____

2. Description of Incident:

Date of Alleged Incident(s) _____

Please provide the name(s) of all persons (including yourself, if applicable) who were the target of the harassment, discrimination, violence or bullying: _____

_____

Please provide the name(s) and/or descriptions of all individuals (students, school employees, school visitors, or others) who engaged or participated in the alleged discrimination, harassment, or bullying (if known): _____

_____

Where and when did the incident(s) occur (please be specific)? _____

_____

List any witnesses who were present. _____

_____

_____

Detailed Description of Incident (Attach additional pages if necessary.) _____

_____

_____

_____

_____

By signing below, I am stating that all of the information I have provided is true, accurate, and complete to the best of my knowledge:

_____ _____

Complaint Signature Date

_____ _____

Received by Date

RICHFIELD PUBLIC SCHOOL - I.S.D. #280
HARASSMENT, VIOLENCE AND BULLYING
INVESTIGATION INTAKE AND REPORT FORM
(To be completed by appropriate administrator)

1. Investigation Summary

Date of Intake Review_____

Name & Title of Person Conducting Review:_____

_____

2. Initial Category of Claim

_____Harassment (Non-sexual) _____School Related
_____Violence _____Outside of School Only
_____Discrimination (Not on the basis of sex) _____Electronic Communication
_____Bullying
_____Sexual Harassment or Sex Discrimination

3. Action(s) Recommended (check all that apply

_____Formal Investigation _____Refer to Outside Agency
_____Refer to Student Services Agency Name: _____
_____Monitor
_____Report to District Human Rights Officer/Title IX Coordinator
_____Contact Parent/Guardian
_____Other:_____

Reason for determination of action recommended: _____
_____

4. Formal Investigation Summary:

Please provide the name(s) of all persons interviewed as part of the investigation _____
_____
_____

Detailed Description of Incident (Attach additional pages if necessary.) _____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Final Action Taken (Attach additional pages if necessary.) _____
_____
_____
_____
_____

_____ _____
Received by Date

Adopted: _____ *MSBA/MASA Model Policy 413*
Orig. 1995
Revised: _____ *Rev. 2024*

413 HARASSMENT AND VIOLENCE

[NOTE: State law (Minnesota Statutes, section 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 Statutes, chapter 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minnesota Statutes, section 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minnesota Statutes, section 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, 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 include 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, 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.

[NOTE: In 2023, the Minnesota legislature amended the definition of "sexual orientation" in the Minnesota Human Rights Act as reflected in subpart 6 below. A charter school board may choose whether to retain the phrase "including gender identity or expression" in light of the legislative amendment.]

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means, with respect to an individual who

a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;

b. has a record of such an impairment; or

c. is regarded as having such an impairment.

2. "Familial status" means the condition of one or more minors 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.

[NOTE: The 2024 Minnesota legislature revised the definition of "familial status"].

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.

[NOTE: The 2023 Minnesota legislature redefined 'sexual orientation' in the Minnesota Human Rights Act.]

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. 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 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 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 immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form 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 immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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 address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

G. In the District. The school board hereby designates _____ 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.[1]

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.

[1] In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

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 other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

V. INVESTIGATION

A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other

school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, 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 consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse

which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

IX. HARASSMENT OR VIOLENCE AS ABUSE

A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.

B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.

B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.

C. This policy shall appear in the student handbook.

D. The school district will develop a method of discussing this policy with students and employees.

E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.

F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References:
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References:
MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

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

RICHFIELD PUBLIC SCHOOLS

ELECTRONIC USE AND COMMUNICATIONS

I. PURPOSE

The purpose of this policy is to set forth guidelines for access to and appropriate use of the Richfield Public School District's digital technologies and wireless and wired computer network systems. This includes, but is not limited to, acceptable and safe use of District-provided devices for student academic use.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding employee and student access to the District's digital technologies, wireless and wired computer network systems, and software applications, including electronic communications, the District considers its own stated educational mission, goals, and objectives -- digital literacy, fluency, and citizenship, along with electronic information research skills are fundamental to the preparation of citizens and future employees. Access to the District's computer systems and to the internet enables students and employees to explore thousands of resources while communicating and collaborating with people around the world. The school district expects that all users will blend thoughtful use of the District's computer system and the internet throughout curriculum and instruction and will provide guidance to students in their use.

III. DEFINITIONS

A. Communications equipment and networks: includes, but is not limited to, telephones (VoIP), voicemail, fax machines, desktop and laptop computers, Chromebooks, tablets, computer networks, email, and the internet.

B. Electronic communications: The sharing of information and ideas through the use of electronic communications devices and internet applications. Electronic communications may have a permanency like that of paper communication and may be traceable to the sender. Applicable modes of communication include, but are not limited to, telephone/cell phone, voicemail, fax transmissions, computers, software, phone and computer applications, operating systems, computer networks, email, storage media, file transfer protocol (FTP), portable electronic devices, social media, and the internet.

C. Intellectual property: An individual's own thoughts and ideas expressed through a product such as a drawing or written document which may be viewed in the form of a tangible, "hard copy" such as paper or stored electronically and viewed on a monitor or screen. Student homework and teacher-created curricular items are specific examples.

D. Internet: A world-wide network of computers. Internet access is viewed both as an extension of the District's email and as an extension of the schools' digital resources. This includes email, the World Wide Web, social media, streaming media, and other similar electronic content.

E. Copyright: The exclusive right granted by the federal government to reproduce, publish, and sell the matter and form of a literary, musical, or artistic work. Permission must be received from copyright holders before copyrighted works can be used by others.

F. Fair use: A copyright law doctrine which permits educational organizations and staff rights to legal, non-licensed citation or incorporation of copyrighted materials within the confines of the educational environment for criticism, comment, and instructional purposes.

G. Eligible students: All rights and protections given parents/guardians under this policy transfer to the student when the student 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/guardians of an eligible student who is also a “dependent student” are entitled to gain access to the educational records of such student without first obtaining the consent of the student.

H. Access: Refers to a staff or student’s rights to hardware and software provided by Richfield Public Schools. Access can be altered or even denied if a user violates this or other Board Policies.

I. Bullying: Refer to Board Policy 113 (Bullying Prohibition Policy)

IV. LIMITED EDUCATIONAL PURPOSE

The District is providing students and employees with access to the District’s digital network system, hardware, and software, which includes internet access. The purpose of the District’s digital network system is more specific than providing students and employees with general access to the internet. District communication systems and resources have limited educational purposes, which include the use of the resources and system for classroom activities, educational research, and professional or career development.

Users are expected to use access through the District's digital network resources and system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable to a user's private personal account or equipment on another system may not be acceptable on this limited-purpose system.

V. PROHIBITED USES

A. While not an exhaustive list, the following uses of the District's system, hardware, software, and internet resources or accounts are considered unacceptable:

1. Users will not use the District's system to access, review, upload, download, store, print, post, receive, transmit, or distribute:

   a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;

   b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;

   c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;

   d. information or materials that could cause damage or danger of disruption to the educational process;

   e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.

2. Users will not use the District's system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.

3. Users will not use the District's system to engage in any illegal act or violate any local, state, or federal statute or law.

4. Users will not use the District's system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment,

software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the District's system software, hardware, or wiring or take any action to violate the District's security system, and will not use the District's system in such a way as to disrupt the use of the system by other users.

5. Users will not use the District's system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.

6. Users will not use the District's system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, unapproved labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

   a. This paragraph does not prohibit the posting of employee contact information on the District's website or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

   b. Employees creating or posting school-related digital presences may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:

      (1) such information is classified by the District's as directory information and verification is made that the District has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 581; or

      (2) Such information is not classified by the District as directory information but written consent for release of the information to be posted has been

obtained from a parent/guardian or eligible student in accordance with Policy 581.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator or the District's Director of Marketing & Communications.

c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, "Facebook, ~~Twitter~~X, formerly known as Twitter, Instagram, Snapchat, TikTok, etc."

7. Users will not attempt to gain unauthorized access to the District's system or any other system through the District's system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the District's system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the District's system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the internet.

9. Users will not use the District's system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the District. Users will not use the District's system to offer or provide goods or services or for product advertisement, except for in the case of school-related fundraisers.

10. Users will not use the District's system to engage in bullying or cyberbullying in violation of the District's Bullying Prohibition Policy 113. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

B. The District has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in unacceptable use of the internet when off District premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals; threats aimed at teachers or other students; failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities; and breaches of school security devices. If the District receives a report of an unacceptable use originating from a non-school computer or resource, the District may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the District computer system and the internet and discipline under other appropriate District policies, including suspension, expulsion, exclusion, or termination of employment.

C. If a user inadvertently accesses unacceptable materials or an unacceptable internet site, the user shall immediately disclose the inadvertent access to an appropriate District official. In the case of a District employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a District employee, the building administrator.

VI. LIMITATIONS ON SCHOOL DISTRICT LIABILITY

Use of the District's system is at the user's own risk. The system is provided on an "as is, as available" basis. The District will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on District hard drives, cloud services, or servers (physical or virtual), or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The District is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The District will not be responsible for financial obligations arising through unauthorized use of the school district system or the internet.

VII. INTERNET SAFETY

The District will employ technical systems designed to restrict and monitor access to materials harmful to minors, including but not limited to internet filtering systems. Access to systems such as email and social media will be limited to curriculum-related work only.

A. With respect to any of its computers with internet access, the District will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter internet access to any visual depictions that are:

1. Obscene;

2. Child pornography;

3. Harmful to minors; or

4. Detrimental to, or obstructive of a student's ability to learn in a safe, productive environment.

B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or

2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

D. An administrator, supervisor, or other person authorized by the superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

E. The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and will actively train students on digital fluency, literacy, and cyberbullying awareness and response.

VIII. PRIVACY EXPECTATIONS

A. The District maintains control of the materials on its systems contained in files on the system. Users should not expect privacy in the contents of personal files on the District's systems. Files stored on District computers and servers should not be considered the private property of individuals and may be viewed by supervisory school employees.

B. Routine maintenance and monitoring of District systems may lead to a discovery that a user has violated this policy, another District policy, or the law.

C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or District policy.

D. Parents/guardians may have the right at any time to investigate or review the contents of their child's files and email files by way of written request in accordance with Policy: 581: Protection and Privacy of Pupil Records.

E. District employees should be aware that the District retains the right at any time to investigate or review the contents of their files and email files. In addition, District employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

F. The District will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with District policies conducted through the District's systems.

IX. USER NOTIFICATION

A. All users shall be notified of the District's policies relating to the use of the District's digital network system and internet use.

B. This notification shall include the following:

1. Notification that use of the District's digital network system and internet use is subject to compliance with District policies.

2. Disclaimers limiting the District's liability relative to:

a. Information stored on District hard drives, cloud-based storage, or servers.

b. Information retrieved through District computers, networks, or online resources.

c. Personal property used to access District computers, networks, or online resources.

d. Unauthorized financial obligations resulting from use of District resources/accounts to access the internet.

3. A description of the privacy rights and limitations of school sponsored/managed internet accounts.

4. Notification that, even though the District may use technical means to limit student and staff internet access, these limits do not provide a foolproof means for enforcing the provisions of this ~~acceptable~~ responsible use policy.

5. Notification that goods and services can be purchased over the internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the internet is the sole responsibility of the student and/or the student's parents/guardians.

6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the internet, including electronic communications, is governed by Policy 412: Public and Private Personnel Data, and Policy 581: Protection and Privacy of Pupil Records.

7. Notification that, should the user violate the District's ~~acceptable~~ responsible use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

8. Notification that all provisions of the ~~acceptable~~ responsible use policy are subordinate to local, state, and federal laws.

X. PARENT/GUARDIAN RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

A. Outside of school, parents/guardians bear responsibility for the same guidance of internet use as they exercise with information sources such as television, telephones, smartphones, tablets, personal computers, radio, movies, streaming content, video games, and other

possibly offensive media. Parents/guardians are responsible for monitoring their child's use of the District's system and of the internet if the child is accessing the District's system from home or a remote location.

B. Parents/guardians will be notified that their child will be using District resources/accounts to access the internet. This notification should include:

1. A copy of the user notification form provided to the student user.

2. A description of parent/guardian responsibilities.

3. A statement that the Internet Use Agreement must be digitally or physically signed by the user and the parent or guardian prior to use by the student.

4. A statement that the District's ~~acceptable~~ responsible use policy is available for parental review on the District website.

XIII. ARTIFICIAL INTELLIGENCE (AI)

A. The use of Artificial Intelligence (AI) tools is common in educational settings. We encourage students to take advantage of these tools responsibly to enhance their learning experience. However, it's important to remember the following guidelines:

1. AI-Assisted Original Work: While students are encouraged to utilize AI tools for studying, homework, and researching, any work submitted must reflect the student's own understanding and knowledge. Students should not use AI-generated content as their own without appropriate understanding and processing of the information. This includes AI-created essays, solutions to problems, or any other assignments that are not the result of the student's own intellectual efforts.

2. Responsible Use of AI: Students should not allow other students to copy or use their original work that has been AI-assisted. Sharing AI-generated answers or enabling others to pass off AI-assisted work as solely their own is against our policy.

3. AI and Plagiarism: Just as copying information from websites or other resources without giving proper credit is plagiarism, using AI-generated content without due acknowledgment or understanding is also a form of plagiarism. Students should not represent AI-generated content as their own original work. Instead, students are allowed and

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encouraged to use AI tools to help them in the academic process, not as a substitute for their own authentic work.

B. Cases involving academic dishonesty, including misuse of AI, may be handled by the classroom teacher or may be referred to the administration. Consequences may include, but are not limited to: an assignment being reset, consultation with the media center staff on appropriate and inappropriate uses of AI before any more assignments may be attempted, additional monitoring of student work, limitation of devices and digital resource access.

C. We trust in our students' ability to use AI tools responsibly, with the goal of enhancing their learning experience rather than compromising the integrity of their work.

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XIV. IMPLEMENTATION; POLICY REVIEW

A. The District administrators may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.

B. The administration shall revise the user notifications, including student and parent/guardian notifications, if necessary, to reflect the adoption of these guidelines and procedures.

C. The District's internet policies and procedures are available for review by all parents, guardians, staff, and members of the community on the District website.

D. Because of the rapid changes in the development of the internet, the school board shall conduct an annual review of this policy.

***Legal References**:*

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act
15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)

Mahanoy Area Sch. Dist. v. B.L., 594 U.S., 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 1942003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:
Board Policy 103 ~~(~~: Harassment Prohibition~~)~~
Board Policy 109 ~~(~~: Distribution of ~~Nonschool-sponsored~~ Materials on School Premises ~~by Students and Employees)~~
Board Policy 113 ~~(~~: Bullying Prohibition~~)~~
Board Policy 412 ~~(~~: Public and Private Personal Data
Board Policy 452 ~~(~~: Evaluation and Development of Professional Staff~~)~~
Board Policy ~~4554~~1 ~~(~~: Student ~~Discipline~~Behavior~~)~~
~~Board Policy 564 (School Records and Data Privacy)~~
Board Policy 581 ~~(~~: Protection and Privacy of Pupil Records~~)~~
Board Policy 601 ~~(~~: ~~Curriculum and Instruction Goals~~Academic Standards and Instructional Curriculum~~)~~
Board Policy 607 ~~(~~: Online Learning Options~~)~~
Board Policy 608 ~~(~~: Education of Students with Disabilities~~)~~
Board Policy 610 ~~(~~: Selection and Reevaluation of Instructional Material~~)~~
Board Policy 611 ~~(~~: Provision for Alternative Instruction~~)~~
Board Policy 612 ~~(~~: Curriculum ~~Management~~Development~~)~~
Board Policy 616 ~~(~~: School Sponsored Student Publications~~)~~
Board Policy 802 ~~(~~: Crisis Management~~)~~
Employee handbooks, collective bargaining agreements

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RATIFIED BY THE BOARD OF EDUCATION: September 16, 1996

REVISED BY THE BOARD OF EDUCATION: August 23, 1999; October 15, 2001; November 20, 2006; December 4, 2007; March 16, 2015; April 19, 2021; September 6, 2022; September 16, 2024

REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: February 5, 2001; August 16, 2021; September 5, 2023

RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

ELECTRONIC USE AND COMMUNICATIONS

Richfield Public Schools' technology and communication resources are intended for authorized users only. The purpose of these administrative guidelines is to assist in the implementation of Board Policy 107 pertaining to the appropriate usage of these resources.

Inappropriate use exposes Richfield Public Schools to risks including ransomware, virus attacks, compromise of network systems and services, and legal issues. It is the responsibility of every technology resource user to know these guidelines and to conduct their activities accordingly.

A. NOTIFICATION

1. The director of technology shall coordinate with the school principals to develop and distribute site-specific information, which is aligned with these guidelines.

2. Relevant parts of these guidelines shall be distributed to all staff, students, and parents/guardians. They shall also be posted in media centers, computer labs, and flexible learning spaces.

B. DEFINITIONS

1. AUTHORIZED USER – Employees or students of Richfield Public Schools, or visitors specifically authorized by the District.

2. AUTHORIZED USES – All staff are authorized to use technology resources for administration, curriculum development, student instruction, personal productivity and professional development. Students are authorized to use technology resources for school-based programs and activities. Authorized visitors are able to utilize technology resources for school-based programs, school-based activities, or District approved activities.

3. TRAINING – Development opportunities include online, district provided, externally provided, on site and off site instruction.

C. TRAINING

1. TECHNOLOGY STANDARDS – Technology standards shall be periodically updated to include relevant technology expectations for staff. Staff shall have access to training related to professional expectations.

2. NEW STAFF – The director of technology shall coordinate plans to ensure that training is provided for all new staff on network access, network accounts, email accounts, passwords and required information systems. This training shall generally be coordinated and delivered by the District's digital learning coach, technology lead teachers, and media specialists.

3. STUDENT INSTRUCTION – As part of the instructional program, all students will receive instruction on the following as appropriate:

- responsibilities, privacy, and acceptable usage of systems
- web information tools and appropriate search techniques so students will be able to use the internet in an efficient manner
- login and password use for network accounts and email
- accessing grade and attendance information from online systems utilized by the District

D. SETUP AND USE OF COMPUTERS AND THE NETWORK

1. PLATFORM – Use of software platforms and hardware will be limited to those creating specific teaching, learning, and school management benefits.

2. ACCESS CONTROL – All computers or devices connecting to District technology resources shall have access control that restricts the use to authorized persons.

3. CRITICAL AREAS – Critical technology equipment including, but not limited to, telephone cabinets, switches, servers and wiring racks shall be kept in locked areas. This equipment shall include uninterrupted power supplies, surge protection, and environmental controls for temperature and humidity where applicable.

4. STANDARD CONFIGURATION – Hardware and software will be configured by vendors and/or technology support personnel in a known and documented manner that can be easily restored if necessary.

5. NETWORK RESOURCES – Use of the school network shall be in a manner as to conserve the resources of the network. This includes traffic generated on the network, as well as files saved on servers. Individuals are expected to remove old and unnecessary files from network storage. Student files will be deleted 30 days after the end of each school year.

6. PRINTING LOCATIONS – Printers shall be strategically located for ease of use and to reduce maintenance and hardware costs. Document

printing centers shall be the primary location to print documents in excess of 10 pages. These locations will be determined by building administrators. Printing more than 10 pages at a time using a printer other than the printing center may be subject to review by building and department administrators.

7. SCANNING FOR VIRUSES – Virus scanning software shall be installed on all school issued computers with virus definition files kept up-to-date. Non-school issued computers will be restricted to use on a network that is separate from the internal network unless specifically authorized by the director of technology or authorized representative of the technology department.

8. INTERNET AND EMAIL FILTERING – Redundant systems shall be installed to block inappropriate internet sites and email messages. This system shall allow the addition or removal of individual internet sites and email addresses from a list of those to be blocked. Staff may submit requests for changes to the blocking list to the director of technology for consideration by a committee made up of instructional representatives, the director of technology, and a member of the technology department.

9. RESPONSIBILITY FOR INTERNET USE – Each individual has the responsibility to avoid inappropriate sites, and to report any occurrence of inappropriate internet use to building staff or administration. Although systems to block access to inappropriate internet sites are in place, it is not possible to block all sites that may contain inappropriate or undesirable material. If a user inadvertently accesses unacceptable materials or an unacceptable internet site, the user shall immediately disclose the inadvertent access to an appropriate District official. In the case of an employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy.

10. REFORMAT COMPUTERS - District computers will be reconfigured when an employee leaves the District or a computer is reassigned. Files or individual applications may be removed. It is the responsibility of the individual to back up their files before returning their computer for reuse.

11. LIMIT PER PERSON – Staff is limited to a maximum of one computer per user for most user groups and shared computers for others. The director of technology is responsible for designating standard issue technology by employee classification group and for keeping technology up to date.

E. STAFF, STUDENT AND TENANT NETWORK ACCESS AND ACCOUNTS

TECHNOLOGY SUPPORT PROVIDER – The District technology support team shall support network accounts, network resources, passwords and

software/hardware maintenance. Building staff shall report all technology support requests to the technology support provider via the District help desk system. District technology support staff shall initiate or coordinate basic repairs on equipment and/or coordinate requests for repair or network services in a timely manner.

1. DISTRICT ACCOUNTS – User accounts shall be setup as follows:

   - Each user shall be authorized to use the adequate features necessary rather than all available features possible.

   - Accounts shall be accessible via an intranet portal for access in and away from school.

   - Students no longer enrolled in Richfield Public Schools will have limited account access upon leaving the District, and their accounts permanently removed 30 days after being unenrolled or on June 30 of the school year they are last enrolled, whichever occurs first.

   - Staff no longer employed in Richfield Public Schools will have limited account access upon ending employment with the District either voluntarily or involuntarily, and their accounts permanently removed 30 days after ending employment or on June 30th of the school year they are last employed, whichever occurs first.

2. TENANTS' ACCOUNTS – Tenants and other non-authorized users of District facilities desiring access to the network must follow District operating procedures in obtaining and maintaining network access and accounts.

3. LOG OFF – Employees should log out of accounts when finished with their use. Computers should be turned off or locked whenever an employee walks away from their work station. Logged on computers should never be left unattended at workstations.

4. PASSWORDS – Staff and students are expected to use passwords and keep them secure. Automated systems shall periodically expire passwords, yet notify users that passwords are about to expire. Individuals are expected to respect the privacy and security of others. Persons should not watch when others are entering their password. Users should not write passwords where others may access them and should change a password as soon as possible if they suspect someone else knows it. New password creation and management structures such as multi factor authentication (MFA) may be enforced at any time by the District technology department with a 30 day prior notice to affected users.

5. PERSONAL BACKUPS – Storage will be available on District computers or servers to support the instructional activities of staff and students. All

individuals are encouraged to make backups of their important work, since files on District computers cannot be guaranteed.

6. UNAUTHORIZED USE OR ACCESS REVOKING ACCOUNTS – Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the District's system or the internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other applicable District policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

Unauthorized access could include but is not limited to network and email accounts, network administrative functions, computer lab management software, unauthorized internet sites, infrastructure resources, printers, servers, switches, and networking closets.

If unauthorized uses are observed or documented, the following actions may be taken:

- Staff: temporary suspension of an account by an administrator or designee in accordance with provisions of employee contracts.

- Students: network and email privileges may be temporarily suspended by a supervising staff member, or suspended for a period of time not to exceed one (1) school year by building administration according to the school's discipline policies.

7. INTERNET USE AGREEMENT AND DISCLAIMER
The proper use of the internet and the educational value to be gained from proper internet use is the joint responsibility of students, parents/guardians, and employees of the District.

- An internet use agreement form for students must be read and physically or digitally signed by the user and the parent or guardian annually. The internet use agreement form for employees must be digitally signed annually by all employees.

- All users shall be notified of the District policies relating to internet use. Notification shall include:
  - Disclaimers limiting the District's liability
  - A description of privacy rights and limitations
  - Notification that means used to limit student access do not provide a fool proof means for enforcing provisions of this policy
  - Notification that violation of the acceptable use policy may result in revocation of privileges, school disciplinary action or other appropriate legal action

8. PARENT/GUARDIAN OPT OUT OF STUDENT INTERNET USE – Parents/guardians may request alternative activities for their children that do not require internet access or computer use. If parents/guardians exercise this right, the students will have no internet or computer access throughout the District.

F. SOFTWARE

1. LEGAL LICENSING – The District will install and use only legally purchased and licensed software on District computers and servers. The District will purchase software licenses for each computer, site licenses or concurrent use licenses.

2. CURRENT SUPPORTED SOFTWARE – Curriculum software shall be aligned with academic standards and curricular needs based on teacher recommendation and shall be approved by the District teaching and learning staff and the District network staff prior to purchase.

3. INSTALLATION OF DISTRICT-WIDE SOFTWARE – Technology support staff shall load operating system software, District-wide application software, local application software, or peripherals onto District computers or onto district servers.

4. SYSTEM SOFTWARE – System software shall be maintained as the vendor has intended, unless modification is recommended by the District technical staff and approved by District administration.

5. COPYING APPLICATIONS – A software application shall not be copied to another computer without a legal license or procedure to pay for that additional license.

6. HOME SOFTWARE – Use of software applications (purchased for home use by staff or students) on school computers is prohibited. Use of school applications on home computers is prohibited, unless specifically allowed in the software license.

G. ADDING EQUIPMENT BY PURCHASE OR DONATION

1. NETWORK ACCESSIBILITY – Technology equipment purchased or obtained for use by students, teachers, administrators, and/or staff with the capability of fully utilizing network and internet resources, will be considered for both the intended use at the time of purchase and future, undetermined uses.

2. CONSIDERATIONS FOR ADDITIONAL EQUIPMENT – Criteria for identifying computer and network hardware for purchase, or for accepting donated hardware, will include:

- The alignment of the computer hardware to educational outcomes for students and teachers.

- The educational and developmental appropriateness of the hardware.

- The ability of technical support staff to administer and maintain the equipment.

- The ability to operate and communicate with the existing network configuration in place or being developed at the time of acquisition.

- The ability of the District to maintain low total cost of ownership (TCO), to include initial purchase cost, device security, ongoing maintenance costs, costs for necessary and/or desired software, and purchase of replacement parts.

3. APPROVAL PROCEDURES – All purchases of instructional and non-instructional software, computer, and video and media hardware must be approved by the director of technology before being placed in the District's order entry system. The director of technology will also approve re-installation of previously removed software after verification that such software aligns with current curriculum and student objectives, as well as wider District strategic goals.

   All purchases of network infrastructure hardware and software must be approved by the District's technology support department before being placed in the District's order entry system.

   All potential donations of computer technology or equipment must be approved by the director of technology and director of finance before being accepted and added to the District equipment inventory system. Technology support personnel shall assist in the evaluation of donated equipment prior to its acceptance by the District.

4. TECHNOLOGY SPECIFICATIONS – Technology specifications shall be developed and updated at appropriate intervals to reflect current software and workstation requirements for new and donated equipment.

H. HOME USE OF COMPUTERS

1. AUTHORIZED USERS – Current employees and students of the District may, upon completion of proper forms or procedures as developed, use school computer, technology and/or electronics equipment at their home for school use.

2. CHECKOUT PROCEDURES –School technology equipment should not be signed out to any staff or student for home use unless designated as a personal issue device. This is limited to a laptop for staff and a

Chromebook and/or wireless hotspot for students. No other technology should be issued for home use.

I. USE OF PERSONAL DIGITAL DEVICES AT SCHOOL WORKSITES

1. AUTHORIZED USERS – Current employees, students, and authorized visitors of the Richfield Public Schools may, with prior approval, use their personal digital devices for school related tasks on the District's guest network.

2. INSTALLATION, MAINTENANCE AND REMOVAL

   - The date when equipment is added to the District network will be recorded.

   - Personal computers or digital devices shall not be repaired, maintained, nor have other hardware changes or additions provided by District staff.

   - The District is not liable for any damages or loss (including theft) to personal property that may result from the use of personal equipment at the school work site.

J. STAFF USE OF EMAIL, CHAT, VOICEMAIL, PHONE AND FAX

1. ETIQUETTE – Individuals sending messages using District technology such as voicemail and email should keep in mind that they are perceived as a representative of the Richfield Public Schools.

2. VOICE MESSAGES– Voicemail messages are not backed up or archived by network personnel. Messages are automatically deleted after 90 days.

3. STAFF EMAIL AND CHAT - Staff email and chat is archived for a period of three (3) years from the date the message was sent or received.

4. STUDENT EMAIL AND CHAT - Student email and chat, sent or received, is archived for a period of one (1) year from the date the message was sent or received, or upon removal of the account, whichever comes first.

5. MESSAGES ARE NOT PRIVATE – Messages stored on District systems or District authorized systems shall not be considered private property and may be accessed by District administrative employees. This would generally be done to resolve technical problems or at the request of administration.

6. CONSERVE RESOURCES – Individuals should use the voicemail, email and fax systems in a manner to conserve resources

7. AVOID AUTOMATIC FORWARDING – Emails sent to District email addresses should not be setup to automatically forward to external email locations in order to avoid the distribution of sensitive student or employee information.

8. 900 NUMBERS – Calls to 900 numbers shall not be permitted.

K. WEBSITE MANAGEMENT

1. WEBSITES – Schools and District programs shall have the opportunity to post content on the official school and District websites to enhance communication with students, families, and the community. These websites were established within systems agreed upon by the director of marketing and communications, the director of technology, and the District Technology Advisory Committee (DTAC).

   a. Intranet: An internal "intranet" website will be maintained for uses specific to internal Richfield Public Schools authorized users. Technical management of the intranet will be done by the communications department and the technology department. Content for the site will be determined by District administration. Teachers, building staff, and building administration may provide recommendations for additional site content.

2. WEBSITE PUBLISHING RIGHTS – The director of marketing and communications and the director of technology have the responsibility for granting publishing rights to District or school websites. These rights may be extended to employees, students, parents/guardians and/or community members. Training shall be provided to all users prior to granting of publishing rights to ensure effective use of the system, and to emphasize proper etiquette and accepted format to professionally and appropriately represent Richfield Public Schools. Training includes, but is not limited to, ADA compliance in web content, AP Style, and District brand guidelines. Employees should not create public, school-related websites outside of the official school or District websites. Teachers should use school-approved learning management systems for communicating with students and families. If educators or other District staff create Google sites for communication purposes, they should be set to be visible only to District students and staff; they should not be public.

3. WEBSITE CONTENT EXPECTATIONS – Teaching staff, program leaders, and administrators are expected to provide up-to-date website content with information of interest to District staff, students and the community. Expectations shall be developed by the director of marketing and communications and District administration, monitored at the building level by building administration.

4. STUDENT WEBSITES – Student websites will not be provided through the District website structure. However, students may occupy web presences such as blogs, Google Sites, etc. Training shall be provided to students prior to granting publishing rights to ensure effective use of the systems, and to emphasize proper etiquette and industry accepted formats, which appropriately represent Richfield Public Schools. Sites that contain inappropriate content, inaccurate information, or are not a positive representation of Richfield Public Schools will be edited or removed, generally at the recommendation of the director of marketing and communications and the appropriate building or District administrator.

Dated: February 5, 2001

Reviewed: November 4, 2007; April 6, 2015; August 16, 2021; September 6, 2022

Revised: November 20, 2006; April 19, 2021; September 5, 2023

RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

SOCIAL MEDIA

Richfield Public Schools recognizes the continually growing presence and potential social media has in our daily experiences and educational settings. The purpose of this document is to guide social media practices and outline specific expectations that are designed to increase the effectiveness of social media in our educational settings.

A. GENERAL STATEMENT

Information produced, shared, retrieved, or highlighted through the use of social media reaches a magnified audience and has a significant level of impact. As an ever-emerging medium, social media reaches its audiences and establishes its impacts in new ways on a continual basis.

Richfield Public Schools expects that when staff and students use social media in the educational setting, they maintain the highest ethical and educational standards. These guidelines are designed to create an atmosphere of honesty, individual accountability, and safety. Failure to meet or follow these guidelines may result in professional intervention and/ or disciplinary action.

B. DEFINITIONS

1. SOCIAL MEDIA - Social media is defined as any electronic communication program, application, or network that allows communication between and among multiple individuals, allowing individuals to retrieve, share, exchange, and produce information, or allowing individuals to highlight information whether they created it or not.

C. GENERAL GUIDELINES

The following guidelines are established to meet the expectations in the general statement provisions set forth above. These general guidelines apply to staff and students engaging in the use of social media on school sites or at school-sponsored events and/or on district-provided technology and technology systems. They may also apply to social media that impacts the educational or work environment in a way that impedes any person’s use or enjoyment of the environment or causes disruption or harm.

1. Treat all information and ideas contained in social media as being fully accessible to the public.

2. Treat all information and ideas contained in social media as being subject to all of the District's policies, specifically including discipline, anti-bullying, anti-harassment, and internet usage policies.

3. Treat all information and ideas contained in social media as if it is or could be permanent public information that represents the staff member or student now and in the future.

4. Staff and students must self- identify and may not misrepresent themselves using another person's or organization's identity.

5. Staff and students must follow copyright regulations and give appropriate credit to the source of the information.

6. Post and/or link only appropriate and relevant information that does not violate any District policy relating to the treatment of other individuals.

7. Respond to others with respect and avoid comments that may be hurtful.

8. Communicate without the use of profanity, obscenities, or threatening language.

9. Only accept invitations to share information from people you know and trust.

10. Whenever possible, consider utilizing privacy settings to control access to your information and ideas.

11. Keep passwords and other personal information secure and monitor and track their disclosure.

12. Notify a staff member immediately when coming across inappropriate material, or material that is disrespectful or discriminatory in content or language, or is in violation of any District policy.

D. GUIDELINES FOR EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

The decision to make personal use of social media is left to the discretion of each employee. The District does not affirmatively monitor employee use of social media; However, it may take appropriate responsive action when it becomes aware of, or suspects, conduct or communication on social media that adversely affects the workplace or educational environment or violates applicable professional codes of ethics, law, or District policy. Employees will be held responsible for their disclosure, whether purposeful or not of confidential or private information; information that violates the rights or privacy of individuals or of a third party, or for the content of anything communicated by the employee on social media. For that reason, employees shall observe the following when using social media:

1. Employees must consider their role as a school employee before posting or communicating content that is obscene, profane, vulgar, harassing, threatening, bullying, libelous, or defamatory, or content that discusses or encourages any illegal or inappropriate use of alcohol, use of illegal drugs, sexual behavior and/or sexual harassment or content that violates District policy, professional ethics, or law.

2. Views expressed on personal social media are the employee's alone and do not necessarily reflect the view of the District. Employees cannot act as an official spokesperson for the District or post comments as a representative of the District, except as authorized by the superintendent or the superintendent's designee. If an employee chooses to personally post on social media any commentary related to the District, the employee assumes all risk associated with the posting. Employees may not state or suggest that their personal messages are endorsed by the District.

3. Employees may not disclose information on social media that is private, confidential or proprietary to the District, its students, or employees or that is protected by data privacy laws.

4. The District recognizes that student groups or members of the public create and use social media representing students or groups within the district. When employees, including coaches/ advisors, choose to join or engage with these social media tools, they do so as an employee of the District, and thus the guidelines outlined above apply.

5. Employees have a responsibility for maintaining appropriate employee-student relationships at all times. This includes exercising good judgment and professionalism in any interpersonal relationship with students, for the safety of the students online, and responding as required as mandated reporters when applicable. Employees are strongly discouraged from engaging in any social media interaction with students.

E. DISCIPLINARY MEASURES

When using social media using District resources, including technology and/or wifi, or during the school day, or in a manner that impacts the work or educational environment and may be disruptive or cause harm, students and staff are subject to all disciplinary policies. Disciplinary consequences are assigned as related to the severity, frequency, and/ or extenuating circumstances of the event. Primary consideration is given to those consequences for students that are educational in nature and designed to bring about the desired change in behavior. The District reserves its right to consider the full range of disciplinary consequences outlined in District policy and/or Minnesota Statute should the circumstances warrant a more stringent disciplinary approach.

F. RESERVATION OF RIGHTS

The District reserves the right to remove individual social media site access from users, as well as content posted in our educational setting and the district social media sites that contain ideas or information that:

1. Provides an unauthorized commercial endorsement.

2. Presents illicit, pornographic, discriminatory, unlawful, misleading, untrue, or malicious content. This includes content intended to or that may bully, demean, intimidate, or harass and content that uses ideas or information in an inappropriate manner.

3. Advocates illegal or illicit activity.

4. Is repeatedly posted information identical or very similar content in a counter-productive manner, including aggressive promotion (spam).

5. Uses ideas or information that are not attributable to a specific source or uses the ideas or information from a specific source without required approval or source cite.

6. Provides little to no academic value.

Dated: April 6, 2015
Revised: April 19, 2021
Reviewed: August 16, 2021; September 6, 2022; September 5, 2023

RICHFIELD PUBLIC SCHOOLS

BULLYING PROHIBITION POLICY

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. Richfield Public Schools cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the District and the rights and welfare of its students and is within the control of the District in its normal operations, it is the District's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the District in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

II. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

A. "Bullying" means repeated behavior by a student or a group of students that is intended to cause or is perceived as causing another student or a group of students to feel frightened, threatened, intimidated, humiliated, shamed, disgraced, ostracized, or physically abused. The bullying that is addressed in this policy is that which substantially interferes with the targeted student's or students' educational benefits, opportunities, or performance. Bullying implies an imbalance in real or perceived physical, social or psychological power. Bullying can occur via physical, verbal, social/relational, electronic or other forms of interactions or communication. Bullying includes, but is not limited to, repeated conduct by a student against another student or a group of students that a reasonable person under the circumstances knows or should know has the effect of:

1. Hurting another physically by hitting, kicking, tripping, or pushing;

2. Stealing or damaging another person's property;

3. Ganging up on another person;

4. Teasing another person in a hurtful way;

5. Calling another person hurtful names;

6. Using put-downs, such as insulting another person's race, making fun of another person because of their characteristics related to gender, or denigrating another person for other personal characteristics;

7. Isolating a person;

8. Spreading rumors or untruths about another person.

9. Intimidating a student or group of students.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network internet web site or forum, transmitted through a computer, cell phone, or other electronic device.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

E. "On District property or at school-related functions" means all District buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for District purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. 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 bullying at these locations and events, the District does not represent that it will provide supervision or assume liability at these locations and events.

F. "Prohibited conduct" means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited

conduct.

III. GENERAL STATEMENT OF POLICY

An act of bullying, by either an individual student or a group of students, is expressly prohibited on District property or at school-related functions. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying that interferes with or obstructs the mission or operations of Richfield Public Schools or the safety or welfare of the student, other students, or employees. The misuse of technology including, but not limited to, teasing, intimidating, defaming, threatening, or terrorizing another student, teacher, administrator, volunteer, contractor, or other employee of the District by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs, also may constitute an act of bullying regardless of whether such acts are committed on or off District property and/or with or without the use of District resources. This policy also applies to sexual exploitation.

A. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

   Malicious and sadistic conduct and sexual exploitation by a District or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

B. No teacher, administrator, volunteer, contractor, or other employee of the District shall permit, condone, or tolerate bullying.

C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.

D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

E. False accusations or reports of bullying against another student are prohibited.

F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying

maybe subject to discipline for that act in accordance with District's policies and procedures. The District may take into account the following factors in determining whether discipline is required and if so, the type and extent of discipline:

1. The developmental and maturity levels of the parties involved;

2. The levels of harm, surrounding circumstances, and nature of the behavior;

3. Past incidences or past or continuing patterns of behavior;

4. The relationship between the parties involved; and

5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from District property and events and/or termination of services and/or contracts.

G. The District will act to investigate all complaints of bullying and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the District who is found to have violated this policy.

IV. REPORTING PROCEDURE

A. Any person who believes they have been the victim of bullying or any other person (e.g. witness, parent, colleague) with knowledge or belief of conduct that may constitute bullying is encouraged to report the alleged acts immediately to an appropriate District official designated by this policy. A person may report conduct they believe to be bullying even if more than 24 hours have passed. A person may report bullying anonymously. However, the District's ability to take action against an alleged bully based solely on an anonymous report may be limited.

B. The District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the District office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter Building Report Taker) is the person responsible for receiving reports of bullying at the building level. Any person may report bullying directly to a District human rights officer or the superintendent. If the complaint involves the Building Report Taker, the complaint shall be made or filed directly with the superintendent or the District human rights officer by the reporting party or complainant.

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the Building Report Taker immediately. District personnel who fail to inform the Building Report Taker of conduct that may constitute bullying in a timely manner may be subject to disciplinary action.

E. Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

F. Submission of a good faith complaint or report of bullying will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.

G. The 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 District's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. STAFF EXPECTATIONS

Teachers and staff at Richfield Public Schools are expected to take the following actions in order to prevent bullying and help students feel safe at school:

A. Closely supervise students in all areas of the school and playground;

B. Watch for signs of bullying and stop it when it happens;

C. Respond quickly and sensitively to bullying reports using an appropriate response process;

D. Report bullying to the Building Report Taker;

E. Notify the Building Report Taker when efforts to address the bullying prove unsuccessful;

F. Help create a school culture of respect and kindness by modeling and fostering these traits.

VI. INVESTIGATION

A. Upon receipt of a complaint or report of bullying, the District shall undertake or authorize an investigation by District officials or a third party designated by the District within three school days of the report. This process is overseen by the Building Report Taker.

B. The Building Report Taker may take immediate steps, at their discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law.

VII. DISTRICT ACTION

A. Upon completion of the investigation, the District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. The primary purpose of such action is to protect the student(s) who have been the target of bullying behavior and to deter the prohibited behavior in the future. District action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; District policies; and regulations.

B. The District is not authorized to disclose to a victim private educational or personnel data regarding an alleged bully who is a student or employee of the District. School officials will notify the parent(s) or guardian(s) of students involved in a bullying incident of the incident and of action taken, to the extent permitted by law.

C. Referral to Professional School Support Staff. A student who violates this policy may be asked to meet with a school counselor or other staff to work on positive behavioral interventions to help prevent future violations.

D. Referral to available community resources. The involved students and their parents will be given references to community resources and support, as it is appropriate.

E. Individualized Education Plans or Section 504 Plans may address the skills and proficiencies needed for students with disabilities to

engage in positive behaviors and respond appropriately to prohibited conduct.

F. Staff Consequences. A Richfield Public School employee who fails to immediately and appropriately address bullying may be asked to participate in additional staff training, may be mentored, or may be disciplined. A staff member's repeated failure to address bullying behavior may result in discipline up to and including termination or discharge.

VIII. REPRISAL

The District will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the District who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

IX. TRAINING AND EDUCATION

A. The District annually will provide information and any applicable training to District staff ~~regarding this policy~~to prevent, identify, and respond to prohibited conduct.

B. The District shall require ongoing professional development, consistent with Minnesota Statutes, section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;

2. The complex dynamics affecting a student exhibiting bullying behavior, target of bullying, and witnesses to prohibited conduct;

3. Research on prohibited conduct, including specific categories of students at risk for bullying others or being the target or victim of bullying or other prohibited conduct in school;

4. The incidence and nature of cyberbullying; and

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5. Internet safety and cyberbullying.

C. The District annually will provide education and information to students regarding bullying, including information regarding this District policy prohibiting bullying, appropriate reporting procedures for reporting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying.

~~C~~D. The administration of the District is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the victim, and to make resources or referrals to resources available to victims of bullying.

~~D~~E. The 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, and resourcefulness.

X. NOTICE

A. The District will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy must be conspicuously posted throughout each school building, in the administrative offices of the District, and in the office of each school.

C. This policy must be distributed to each District or school employee and independent contractor, if the contractor regularly interacts with students, at the time of hiring or contracting with the District.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy distributed to parents at the beginning of each school year.

E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the District's or a school's website.

~~F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.~~

G. The District shall provide an electronic copy of its most recently

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amended policy to the Minnesota Commissioner of Education.

Legal References:
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. §121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. Ch. 124E (Charter Schools)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References:
Policy 103: Harassment Prohibition
Policy 108: Hazing Prohibition
Policy 111: Weapons on School Premises
Policy 409: Mandated Reporting of Child Neglect or Physical or Sexual Abuse
Policy 410: Mandated Reporting of Maltreatment of Vulnerable Adults
Policy 505: Student Disability Nondiscrimination
Policy 506: Student Sex Nondiscrimination
Policy 541: Student Behavior
Policy 581: Protection and Privacy of Pupil Records
Policy 582: Staff Notification of Violent Behavior by Students
Policy 742: Student Transportation Services
Policy 783: Video Surveillance

RATIFIED BY THE BOARD OF EDUCATION: July 16, 2007

REVISED BY THE BOARD OF EDUCATION: September 4, 2007; August 18, 2014; January 19, 2021; September 5, 2023; September 16, 2024

REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: August 16, 2021; September 6, 2022

*****ATTENTION*****
DISTRICT 280 POLICIES AGAINST
HARASSMENT, VIOLENCE AND BULLYING

1. Everyone at District 280 has a right to feel respected and safe. Consequently, we want you to know about our policies to prevent harassment, violence and bullying based upon any kind of legally protected classification.

2. A harasser may be a student or an adult. Harassment may include the following when related to race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law..
   a. name calling, jokes or rumors;
   b. pulling on clothing
   c. graffiti;
   d. notes or cartoons;
   e. unwelcome touching of a person or clothing
   f. offensive or graphic posters or book covers; or
   g. any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad.

3. If any words or actions make you feel uncomfortable or fearful, you need to tell a teacher, counselor, the principal or the Human Rights Officer and Title IX Coordinator, Craig Holje.

4. You may also make a written report. It should be given to a teacher, counselor, the principal or the Human Rights Officer/Title IX Coordinator.

5. Your right to privacy will be respected as much as possible.

6. We take seriously all reports of harassment or violence and will take all appropriate actions based on your report.

7. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported.

8. This is a summary of the school district policies against harassment, violence and bullying. Complete policies are available in the district office upon request, or on the district website: www.richfieldschools.org

HARASSMENT, VIOLENCE AND BULLYING AGAINST A PROTECTED CLASS ARE AGAINST THE LAW.
DISCRIMINATION IS AGAINST THE LAW.

CONTACT: **CRAIG HOLJE**
HUMAN RIGHTS OFFICER/TITLE IX COORDINATOR
401 70TH STREET W (DOOR #26)
RICHFIELD, MN 55423
PHONE**: 612-798-6031**

RICHFIELD PUBLIC SCHOOL – I.S.D. #280
HARASSMENT, VIOLENCE AND BULLYING REPORT FORM

General Statement of Policy Prohibiting Harassment, Violence, and Bullying

Richfield Public Schools prohibits harassment, violence, discrimination and bullying in all forms, including but not limited to that which occurs on the basis of a person's actual or perceived race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity or expression, disability, or any class protected under the law.. If you or someone you know has experienced harassment, violence, discrimination, or bullying at school or at any school-related event for any reason, please complete this reporting form to have the incident(s) investigated by the District. Any student, parent/guardian, or district employee may complete this form and return it to any administrator.

Retaliation against any individual who makes a report or who participates or assists in an investigation of harassment, violence, discrimination, or bullying is strictly prohibited.

1. Preliminary Information

Date of Report: _____

Name of Person Making Report: _____

Daytime Phone _____ Email _____

2. Description of Incident:

Date of Alleged Incident(s) _____

Please provide the name(s) of all persons (including yourself, if applicable) who were the target of the harassment, discrimination, violence or bullying: _____

_____

Please provide the name(s) and/or descriptions of all individuals (students, school employees, school visitors, or others) who engaged or participated in the alleged discrimination, harassment, or bullying (if known): _____

_____

Where and when did the incident(s) occur (please be specific)? _____

_____

List any witnesses who were present. _____

_____

_____

Detailed Description of Incident (Attach additional pages if necessary.) _____

_____

_____

_____

_____

By signing below, I am stating that all of the information I have provided is true, accurate, and complete to the best of my knowledge:

_____ _____

Complaint Signature Date

_____ _____

Received by Date

RICHFIELD PUBLIC SCHOOL - I.S.D. #280
HARASSMENT, VIOLENCE AND BULLYING
INVESTIGATION INTAKE AND REPORT FORM
(To be completed by appropriate administrator)

1. Investigation Summary

Date of Intake Review_____

Person Conducting Review:_____

2. Initial Category of Claim

_____Harassment (Non-sexual)
_____Violence
_____Discrimination (Not on the basis of sex)
_____Bullying
_____Sexual Harassment or Sex Discrimination
_____School Related
_____Outside of School Only
_____Electronic Communication

3. Action(s) Recommended (check all that apply

_____Formal Investigation
_____Refer to Student Services
_____Monitor
_____Report to District Human Rights Officer/Title IX Coordinator
_____Contact Parent/Guardian
_____Other:_____
_____Refer to Outside Agency
Agency Name: _____

Reason for determination of action recommended: _____
_____

4. Formal Investigation Summary:

Please provide the name(s) of all persons interviewed as part of the investigation _____
_____
_____

Detailed Description of Incident (Attach additional pages if necessary.) _____
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Final Action Taken (Attach additional pages if necessary.) _____
_____
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_____

_____ _____
Received by Date

Richfield Public Schools
Summary of Policy 113: Bullying Prohibition

It is the intent of Richfield Public Schools to prevent bullying, and to take action to investigate, respond, remediate, and discipline acts of bullying which have not been successfully prevented. Richfield Public Schools defines bullying as "repeated behavior by a student or a group of students that is intended to cause or is perceived as causing another student or a group of students to feel frightened, threatened, intimidated, humiliated, shamed, disgraced, ostracized, or physically abused. Bullying that is addressed in this policy substantially interferes with the targeted student's or students' educational benefits, opportunities, or performance. Bullying takes many forms, and can occur via physical, verbal, social-relational, electronic or other forms of interactions or communication, including cyberbullying, where an imbalance of power is implied. It includes conduct that interferes with the mission or operations of the District, and also the misuse of technology – committed on or off District property and with or without the use of District resources - that hurts or defames a student, students, or employees. The term "bullying" also specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

Bullying, by either an individual student or a group of students, is expressly prohibited on all District property or at school-related functions. This policy applies not only to students who directly engage in the act of bullying, but also to students who, through their indirect behavior, condone or support another student's or students' act of bullying.

No district employee or District volunteer shall permit, condone or tolerate bullying. The consequences for students who commit acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences for employees who permit, condone or tolerate bullying, or who engage in reprisal or false reporting of bullying may result in disciplinary action up to and including termination or discharge. The District will act to investigate *all* complaints of bullying in a timely manner and will take appropriate action against any student, staff member, volunteer, or contractor who is found to have violated the Bullying Prohibition Policy.

Any person who believes ~~he or she~~they has been the victim of bullying or any other person with knowledge or belief of conduct that may constitute bullying shall report the alleged acts immediately to an appropriate District official designated to receive the reports at school, which is the building principal or their designee, or the building supervisor (herein called the Building Report Taker). Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except permitted by law.

Filing a complaint or report of bullying will in no way affect the reporter's future employment, grades, or work assignments, or educational work environment. The District will respect the privacy of all involved parties as much as possible, but the District shall undertake or authorize an investigation by District officials or a third party designated by the District within **three school days of the report**. While this investigation is in process, the Building Report Taker may take immediate steps at their discretion to protect the reporter, the alleged victim, students or others. Upon completion of the investigation, the District will take appropriate action which may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Such action will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; District policies; and regulations. This policy protects all those involved in the reporting and investigation from any and all acts of retaliation, including intimidation, reprisal, harassment, or intentional harmful treatment.

The District will annually provide information and any applicable training to District staff regarding this policy, and will provide education and information to students regarding bullying, including the information found in this policy about reporting procedures.

For more information on Richfield Public Schools' Bullying Prohibition Policy, view Board Policy 113 at richfieldschools.org/about/policies.

Adopted: _____ *MSBA/MASA Model Policy 514*
Orig. 2003
Revised: _____ *Rev. 2024*

514 BULLYING PROHIBITION POLICY

[Note: School districts are required by statute to have a policy addressing bullying.]

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:

1. on the school premises, at the school functions or activities, on the school transportation;

2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or

3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also

applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

H. False accusations or reports of bullying against another student are prohibited.

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;

2. The levels of harm, surrounding circumstances, and nature of the behavior;

3. Past incidences or past or continuing patterns of behavior;

4. The relationship between the parties involved; and

5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

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

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

J. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher,

administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or

2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;

2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

E. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, 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 grounds, 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 bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

G. "Prohibited conduct" means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct. .

H. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying 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 in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or 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.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other

knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

G. 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 obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

E. 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 parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of

alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

A. Consistent with its applicable policies and practices, the school district must discuss this policy with students, school personnel and volunteers and provide appropriate training for all school district personnel to prevent, identify, and respond to prohibited conduct.. The school district must establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

B. The school district shall require ongoing professional development, consistent with Minnesota Statutes, section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;

2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;

3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;

4. The incidence and nature of cyberbullying; and

5. Internet safety and cyberbullying.

C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;

2. Partner with parents and other community members to develop and implement prevention and intervention programs;

3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;

4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;

5. Teach students to advocate for themselves and others;

6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and

7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or 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, and resourcefulness.

G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. Article II, paragraph D, regarding malicious and sadistic conduct must be conspicuously posted throughout each school building.

C. This policy shall be conspicuously posted in the administrative offices of the school and school district in summary form.

D. This policy must be distributed to each school district or school employee and independent contractor, if the contractor regularly interacts with students, at the time of employment with the district or the school.

E. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

F. This policy shall be available to all parents and other school community members in an electronic format in the languages appearing on the school district's or a school's website, consistent with the district policies and practices.

G. The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter Schools)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

RICHFIELD PUBLIC SCHOOLS

LEAVES OF ABSENCE

I. PURPOSE

The purpose of this policy is to guide decisions related to requests from employees who desire a leave of absence from work.

II. GENERAL STATEMENT OF POLICY

A. The board of education recognizes the right of employees to request leaves of absence without pay as provided in the appropriate employee master agreement or policy.

B. Because the absence of an employee impacts the educational program, staff and students, the needs and desires of the employee must be weighed against the needs of the district and the replacement employee.

C. In acting on employee leave requests, the board of education will observe provisions of the appropriate employee master agreements or policy, and applicable state or federal statutes. Consideration will be given to both the reasons for the employees' request and the needs of the district. Where needs are in conflict, however, concerns relating to the overall educational program will take precedence.

III. FACTORS TO BE CONSIDERED

Multiple factors will be considered in acting on leave of absence requests, including but not limited to the following:

A. The stated reason(s) of the employee in requesting a leave;

B. Relevant provisions of the appropriate employee master agreement, policy, or statute;

C. Length of service to the district of the employee applying for the leave;

D. Record of previous leaves taken by the employee;

E. Availability of qualified staff to replace the employee and the potential for turnover among replacement employees during the period of the leave of absence;

F. Number of other employees in the same category currently on leaves of absence;

G. Timing of the leave in order to minimize disruption to the operation of district programs;

H. Potential benefits to the district of granting the leave;

IV. GUIDELINES TO BE USED IN GRANTING LEAVES OF ABSENCE

A. Normally, the length of an approved leave of absence shall not exceed one (1) year. In extenuating circumstances, an extension of one (1) additional year may be granted for a maximum of two consecutive years of leave.

B. An unpaid leave of absence for child care shall generally be limited to a maximum period of 18 months coinciding with the birth or adoption of the employee's own child.

C. When an unpaid leave of absence is requested in conjunction with another leave of absence, such as a child care leave of absence, the total time of absence from work for all leaves shall not exceed two (2) consecutive years, or longer if necessary to have the ending point of the leave coincide with a break in the school calendar.

D. The maximum duration of an extended leave of absence for teachers pursuant to M.S. §122A.46, Subd. 2. must be determined by mutual agreement of the Board and the teacher at the time the leave is granted and shall be at least three, but no more than five, years. An extended leave may be granted to teachers who have been employed by the district for at least five years and who have at least ten years of allowable service in Minnesota.

V. LEAVES OF ABSENCE FOR CLASSIFIED PERSONNEL

A. Military Leave

Any classified employee who is a member of an armed forces reserve organization and who is called up for training or active duty shall be paid the difference between the pay received for such military duty and the rate regularly paid by the district, for a period of up to fifteen days in any calendar year. Moreover, the employee shall not lose seniority status, vacation, sick leave, or any benefits while engaged in such period of training or active service. This payment will be limited to fifteen days per year and will be paid upon presentation of a certificate of satisfactory performance of said duties. Longer leaves of absence without pay and reinstatement rights for an employee called to active service in time

of war or other emergency declared by proper authority, shall be governed by state law.

B. Emergency Leave

An employee may request a leave of absence, without pay, in cases of prolonged illness or other emergencies, such as household accidents, long-distance travel for family events, or weather-related travel delays. An employee granted an emergency leave of absence shall suffer no loss of seniority or job rights and shall return at the same salary status as prevailed when the leave was granted.

C. Jury Duty

An employee absent from their duties because of jury duty shall be paid the difference between their normal salary and that remuneration received for such jury duty. The continuation of normal salary is subject to the reimbursement to the district of the amount paid by the court for services rendered.

VI. DISSEMINATION OF POLICY

A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.

B. This policy will be reviewed at least annually for compliance with state and federal law.

Legal References:
Minn. Stat. §122A.46 Extended leaves of absence.
Minn. Stat. §§ 181.940-181.944 (Parenting Leave)
Minn. Stat. 192.26, Subd. 1: State and Municipal officers and employees not to lose pay while on military duty.
Minn. Stat. 192.261 (Leaves of Absence)
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
38 U.S.C. § 101 (Definitions)
29 C.F.R. Part 825 (Family and Medical Leave Act)

RATIFIED BY THE BOARD OF EDUCATION: March 15, 1999

REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: June 11, 2012; August 16, 2021; September 5, 2023

REVISED BY THE BOARD OF EDUCATION: January 7, 2002; January 4, 2021; September 6, 2022

RICHFIELD PUBLIC SCHOOLS

MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

II. GENERAL STATEMENT OF POLICY

A. It is the policy of the school district to fully comply with Minn. Stat. Ch. 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.

B. It shall be a violation of this policy for any school personnel to fail to immediately report instances of child neglect, or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:

1. is not likely to occur and could not have been prevented by exercise of due care; and

2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of the event.

B. "Child" means one under age 18. and, for purposes of Minn. Stat. Ch. 260C (Juvenile Safety and Placement) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).

C "Immediately" means as soon as possible but in no event longer than 24 hours.

D. "Mandated Reporter" means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.

E. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

F. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:

1. failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child's physical or mental health when reasonably able to do so;

2. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety or the basic needs or safety of another child in their care;

4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide his or her child with sympathomimetic medications;

5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, or medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;

6. medical neglect as defined by Minn. Stat. § 260C.007, subd. 6, clause (5);

7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or

8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment care of disease or remedial care of the child in lieu of medical care.

G. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

H. "Physical Abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn. Stat. § 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following:

1. throwing, kicking, burning, biting, or cutting a child;
2. striking a child with a closed fist;
3. shaking a child under age three;
4. striking or other actions which result in any nonaccidental injury to a child under 18 months of age;
5. unreasonable interference with a child's breathing;

6. threatening a child with a weapon, as defined in Minn. Stat. § 609.02, subd. 6;
7. striking a child under age one on the face or head;
8. striking a child who is at least age one but under age four on the face or head, which results in an injury;
9. purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances;
10. unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or
11. in a school facility or school zone, an act by a person responsible for the child's care, that is a violation under Minn. Stat. § 121A.58.

I. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.

J. "School Personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement or childcare services.

K. "Sexual Abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, ~~s~~ Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, ~~s~~ Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b (a) or (b) (Registration of Predatory Offenders).

L. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

IV. REPORTING PROCEDURES

A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, , tribal social services agency, or tribal police department. The reporter will include their name and address in the report.

B. An oral report shall be made immediately by telephone or otherwise. The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment, and the name and address of the reporter.

C. Regardless of whether a report is made, 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 has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.

E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall

immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.

F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.

G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.

H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

I. The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV.A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE. Administrative Guidelines 409.1 provides additional information regarding reporting suspected maltreatment in schools by school employees.

V. INVESTIGATION

A. The responsibility for assessing or investigating reports of suspected maltreatment rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or a school official. The investigating agency, <u>not</u> the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information

regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded. If the investigator is a Police Officer, Board Policy 977 and Guidelines 977.1 will be followed.

B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.

C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

D. Where the alleged offender is believed to be a school official or employee, the school district shall additionally conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.

E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the

child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded. If the investigator is a Police Officer, Board Policy 977 and Guidelines 977.1 will be followed.

B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A, shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

VIII. DISSEMINATION OF POLICY AND TRAINING

A. This policy shall appear in school personnel handbooks where appropriate.

B. The School District will develop a method of discussing this policy with school personnel. District will also review the mandated reporting process along with this policy annually with new staff and at least every five years. Additionally, a review would occur upon significant statutory changes leading to a change in practice.

C. This policy shall be reviewed at least annually by superintendent or designee for compliance with state law.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act),
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd.6, clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. § 260D (Child involuntary Foster Care for Treatment)

Minn. Stat. § 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 609.02, Subd.6 (Definitions–Dangerous Weapon)
Minn. Stat. § 609.341, Subd. 10 (Definitions–Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions–Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References:
Board Policy 410 (Mandated Reporting of Maltreatment of Vulnerable Adults)
Board Policy 977 and Guidelines 977.1 (Cooperation with Law Enforcement Agencies)

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RICHFIELD PUBLIC SCHOOLS

MANDATED REPORTING OF CHILD MALTREATMENT IN SCHOOLS

I. PURPOSE

The purpose of these administrative guidelines is to provide additional guidance regarding the reporting of child maltreatment in schools by school employees.

II. RESPONSIBILITY AND AUTHORITY OF MINNESOTA DEPARTMENT OF EDUCATION

Minn.Stat. §626.556 Subd. 3b, as revised in 1999, designated the Minnesota Department of Education (MDE) as the agency responsible for assessing or investigating allegations of child maltreatment in schools as defined by Minn. Stat. §120A.05 Subd. 9, 11, and 13 and Minn. Stat. §124D.10 M.S.

MDE and law enforcement are responsible for assessing and investigating reports of suspected maltreatment of school children in schools. In conducting its assessments and investigations, MDE has the same broad powers and duties as local social service agencies when conducting child maltreatment investigations. This includes access to relevant information necessary to conduct the assessment or investigation, as authorized by Minn. Stat. §626.556, Subd. 10b.

MDE has a right to access educational data and personnel data when needed for maltreatment investigations, pursuant to Minn. Stat. §13.32, Subd.3(n), and 13.43, Subd. 14.

III. REPORTING SUSPECTED CHILD MALTREATMENT IN SCHOOLS

Professionals or professionals' delegates engaged in education are legally mandated to report known or suspected maltreatment of minors, including instances of maltreatment that occur at school. If the known or suspected maltreatment occurred at school, it may be reported to one or more of the following: (1) local law enforcement (Hennepin County Sheriff's office or Richfield Department of Public Safety), (2) Hennepin County Social Services, and/or (3) MDE. A form for reporting to MDE is appended. Employees are also expected to inform a school administrator of known or suspected maltreatment that occurs at school, to allow the district to take appropriate action. However, a report to the school administrator does not satisfy the statutory requirement to report to local law enforcement, social services or MDE. School Administrators, Social Workers, Counselors, or other Professionals may partner in reporting in suspected maltreatment, however, the employee taking the initial report is legally considered to be the mandated reporter.

Additional information about mandated reporting of child maltreatment can be found on the MDE website (education.state.mn.us) under Accountability Programs

IV. TRAINING SCHOOL STAFF

1. As part of their orientation to Richfield Public Schools, all new staff are informed by their supervisor of their legal responsibility to report all suspected abuse or neglect of children or vulnerable adults.

2. RPS Administration will provide ongoing support and training to staff in the awareness of mandated reporting requirements and the implementation of this policy annually with new staff and at least every five years. Additionally, a review would occur upon significant statutory changes leading to a change in practice.

3. RPS Administration will develop and implement additional procedures and training to support administrators, social workers and additional professionals in the implementation of mandated reporting guidelines and the policy.

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RICHFIELD PUBLIC SCHOOLS

MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.

II. GENERAL STATEMENT OF POLICY

A. It is the policy of the school district to fully comply with Minn. Stat. §626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.

B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

III. DEFINITIONS

A. "Mandated Reporters" means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.

B. "Vulnerable Adult" means any person 18 years of age or older who:
1. is a resident or inpatient of a facility, ;
2. receives services required to be licensed under Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2);;
3. receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or
4. regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

C. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.

D. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.

Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult.

Neglect does not include actions specifically excluded by Minn. Stat. §626.5572, Subd. 17.

E. "Abuse" means:

1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of:
    a. assault in the first through fifth degrees as defined in sections 609.221 to 609.224;
    b. the use of drugs to injure or facilitate crime as defined in section 609.235;
    c. the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and
    d. criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451.

    A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.

2. Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following:
    a. hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult;
    b. use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening;
    c. use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult

from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and

d. use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825.

3. Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

Abuse does not include actions specifically excluded by Minn. Stat. §626.5572, Subd. 2.

F. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult.

Financial exploitation also includes:

1. the willful use, withholding or disposal of funds or property of a vulnerable adult;
2. the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult;
3. the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and
4. the use of force, coercion or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.

G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement or other caretaking services of vulnerable adults.

I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

IV. REPORTING PROCEDURES

A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports. .

B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.

C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data* as defined under Minn. Stat. §13.02 to the extent necessary to comply with the above reporting requirements.

D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against the vulnerable adult who is named in a report is prohibited.

F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

V. INVESTIGATION

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

VI. DISSEMINATION OF POLICY AND TRAINING

A. This policy shall appear in school personnel handbooks where appropriate.

B. The school district will develop a method of discussing this policy with school personnel. District will also review mandated reporting process along with this policy annually with new staff and at least every five years for staff working with adults. Additionally, a review would occur upon significant statutory changes leading to a change in practice. This policy shall be reviewed at least annually by superintendent or designee for compliance with state law.

Legal References:
Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)
Minn. Stat. §§ 609.221-609.224 (Assault)
Minn. Stat. §609.234 (Crimes Against the Person)
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)
Minn. Stat. §626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Stat. §626.5572 (Definitions)
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

Cross References:
Board Policy 103 (Harassment Prohibition)
Board Policy 409 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

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RICHFIELD PUBLIC SCHOOLS

STUDENT BEHAVIOR

I. PURPOSE

A. Richfield Public Schools recognizes that appropriate school behavior is critical to academic success and a safe and vibrant learning community. Teaching and learning appropriate school behavior is the task of all staff, students, and parents/guardians. Working together to establish and maintain high standards of behavior and a school culture that respects and accepts differences is a shared responsibility.

B. Effective discipline:

1. Is meant to be educational. Behavior expectations should be proactively taught to students and continuously reinforced.
2. Considers the age and development of the student in framing the instruction in appropriate behavior and the consequences for misbehavior.
3. Includes building relationships, repair of harm and restoring relationships, teaching skills and accountability, and restorative practices to re-engage students in their learning community.
4. Maximizes the amount of student and staff time and attention spent on teaching and learning.
5. Seeks to minimize the amount of student instruction time lost as a result of removal from classes due to misbehavior.

C. Richfield Public Schools is responsible to ensure a safe and orderly learning and working environment for all students and staff. The District asks parents/guardians and families to partner in teaching and supporting appropriate school behavior to maximize the academic success of their students.

II. GENERAL STATEMENT OF POLICY

A. Responses to student behavior will be reflective of Richfield Public Schools' stated beliefs, including the following:

1. Quality education requires cooperation and partnership among students, home, school, and community.
2. A safe, supportive, and engaging environment promotes learning.
3. Expectations and effort influence performance.
4. Learning about and respecting individual differences fosters unity and strengthens community.

5. Each person can learn and deserves to learn, and learning is everyone's responsibility.
6. Core values such as caring, honesty, respect and responsibility must be developed.
7. There is strength in cooperation, collaboration and healthy competition.
8. Adults are capable of controlling their own behavior and can model expectations for students through self-regulation.

III. RESPONSIBILITIES

A. The superintendent, in collaboration with the school board and district administration, is responsible for:

1. providing directives to enforce this policy;
2. establishing high standards of behavior for students;
3. analyzing behavior data overall as well as disaggregated by student group (race, gender, disability, etc.) to identify disproportionalities and respond appropriately;
4. identifying adequate means for the documentation of behavior responses and the analysis of behavior data;
5. engaging appropriate community resources and identifying appropriate training for staff, student, parents and community partners;
6. leading the District to maintain a culture that respects and accepts differences.

B. The principal or administrative designee is responsible for:

1. leading the collaborative development of the school's behavior and restorative practices plan;
2. ensuring that annual notices are given to students, parents/guardians and staff;
3. communicating the school behavior expectations to students and parent/guardians at the beginning of the school year;
4. communicating with teachers after responding to a student being removed from the classroom;
5. communicating with parent/guardians when responding to student behavior concerns when the student is removed from class;
6. ensuring that teachers are appropriately implementing the school behavior plan and following individualized behavior plans for specific students;
7. developing and sustaining partnerships with identified community resources;
8. leading the review of school behavior data to identify training needs with a view toward improving student outcomes;
9. reporting behavior data at least annually to their school community;
10. reviewing behavior data with the superintendent or other District leadership no less than annually;
11. leading the school to maintain a culture that respects and accepts differences.

C. Teachers are responsible for:

1. leading the development of the classroom behavior and restorative practices standards and procedures aligned to the District and building expectations;
2. ensuring that all students are taught the expected school behavior in their classroom and throughout the school;
3. participating in identifying students using data-driven methods that would benefit from additional support from school and community resources;
4. Participating in implementation of the school behavior plan and restorative practices;
5. participating in data review, necessary training, and analysis of behavior data to improve student outcomes;
6. communicating with students when behavior interferes with learning;
7. communicating with parent/guardians when there is a pattern of student behavior;
8. working together with other staff and students to maintain a school culture that respects and accepts differences.

D. Non-classroom school staff members are responsible for:

1. implementing with consistency the District behavior standards and school behavior standards;
2. supporting and celebrating positive student behaviors and addressing negative behaviors when observed;
3. participating in training and analysis of behavior data to improve student outcomes as directed by the principal or site administrator;
4. working together with other staff and students to maintain a school culture that respects and accepts differences.

E. Parents/guardians are responsible for:

1. partnering with their student's schools to know and implement with consistency the District behavior standards and school and classroom rules to improve their student's outcomes;
2. helping their student learn the behavior standards of their schools and classrooms;
3. working collaboratively with school staff and their student to respond to and resolve behavior issues.

F. Students are responsible for:

1. learning the behavior expectations of the District, their school and their classrooms;
2. taking personal responsibility and accountability for their behavior as they are able;

3. working to improve the relationships they have with their peers, their teachers and with other school staff;
4. working together with their peers, their teachers and with other school staff to maintain a school culture that respects and accepts differences.

IV. DEVELOPMENT AND COMMUNICATION OF BEHAVIOR STANDARDS

The District is committed to teaching all students and to ensuring that students' learning is not disrupted by the behavior of others. The District is committed to taking actions to provide a safe learning environment for all students, and a safe working environment for all staff.

A. The superintendent shall report behavior data to the schoolboard no less than annually.

B. Building principals shall review behavior data with the superintendent no less than annually.

C. Every school shall establish and teach behavior expectations and responses to student inappropriate behavior that are consistent with this policy and accompanying administrative guidelines, and directives from the superintendent. All school staff shall receive training on the school's plan.

D. Every classroom shall establish behavior standards and norms within the District's policy, the superintendent's directives and the school's behavior plan with participation from the students in the classroom. All students shall be taught the behavior standards established.

E. Every school employee shall demonstrate high standards of behavior that model appropriate school behavior, including communicating with staff and students in a respectful manner, and shall monitor and respond to student behavior.

F. Every school shall examine discipline data to ensure that responses to student behavior do not show evidence of bias or discriminatory behavior. Schools shall also use behavior data to identify and provide additional training to staff and students; and to provide effective interventions for students to improve student outcomes.

G. Student age, developmental stage and individual needs based on culture, language or disability, or other relevant factors, shall be considered in determining the appropriate response to behavior.

H. Behavior standards for students with an Individualized Education Program ("IEP"), Individual Accommodation Plan ("IAP/504 Plan") shall be supported by the terms of

the accommodations of their written program or plan to the extent they differ from the district policy, regulations and school plan.

I. The District will make this policy and accompanying administrative guidelines available on the District's website and they also shall be available upon request in each principal's office. The school board encourages use of a variety of media to increase awareness.

J. Students and parents/guardians shall receive notice of classroom rules established by their classrooms.

K. The District will report to the Minnesota Department of Education all measures of disciplinary data that are required by statute.

V. DISCIPLINE COMPLAINT PROCEDURE

Students, parents/guardians and District staff members may file a complaint and seek corrective action with this policy is not being implemented appropriately or is being discriminately applied.

A. The District must provide parents/guardians with instructions for filing a complaint.

B. All parties involved must be allowed to submit additional information related to the complaint.

C. An investigation into the complaint must begin within three (3) days of receiving the complaint. The principal or designee of the school where the discipline occurred will manage the investigation and keep a record of the relevant information.

D. The principal or designee will issue a written determination to the complainant that addresses each allegation and contains findings and conclusions.

E. If the investigation finds that this policy was not implemented appropriately, 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 in the future will be put into place.

F. Reprisals or retaliation against any person who asserts, alleges, or reports a complaint is prohibited. The District will apply appropriate consequences for any person who engages in reprisal or retaliation.

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

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §121A.40 *et seq.* (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. §121A.58 *et seq.* (Discipline, All Students)
Minn. Stat. §§ 121A.60 (Definitions)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)
Minn. Stat. Ch. 125A (Special Education and Special Programs)
Minn. Stat. § 152.22, Subd. 6 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

RATIFIED BY THE BOARD OF EDUCATION: July 15, 1963

REVISED BY THE BOARD OF EDUCATION: September 18, 1978; November 15, 1982; June 18, 1984; June 6, 1994; November 20, 1995; February 7, 2000; February 20, 2001; April 21, 2003; March 15, 2004; June 17, 2008; July 15, 2019; May 6, 2024

REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: August 17, 2020; August 16, 2021; September 6, 2022

ADMINISTRATIVE GUIDELINE 541.1
STUDENT BEHAVIOR

I. PURPOSE

This administrative guideline applies to student behavior in school, on school property, in and around school vehicles, and at school-sponsored events both within and outside Richfield Public Schools, and both during and outside of the school day. The goal of Richfield Public Schools is to provide students a safe school environment to promote academic success and a vibrant learning community. Fair and appropriate implementation of the student behavior policy is important to this goal, and every interaction between staff and students matters. Richfield Public Schools also recognizes that removal from instruction can work against the academic achievement of students, and should be avoided whenever possible. The purpose of this administrative guideline is to establish the system of classification of student behaviors and administrative responses to those behaviors.

II. DEFINITIONS

A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are 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 I services or reading interventions, and alternative education services.

B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a student's parent to withdraw a student from the District to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

III. GENERAL STATEMENT OF REGULATION

A. All responses to student inappropriate behavior should include elements of teaching or re-teaching appropriate school behavior and restoration of relationships affected by the student behavior.

B. Alternatives to removal from instruction will be used unless the behavior of the student places the student or others in danger, or the disruption to the educational environment can only be remedied by a referral out of the classroom, or the referral out of the classroom is required by law. Alternatives to removal will be utilized within the classroom and may include a variety of methods and classroom management strategies.

C. Opportunities for students to repair relationships affected or harmed by their behavior shall be offered as part of the response to behaviors. Where the student has been

removed from the classroom for any amount of time, opportunities to repair relationship should be provided.

D. Responses to student behavior should be free from bias and discrimination.

V. LEVELS AND RESPONSES

Inappropriate conduct varies. It may disrupt a learning environment, cause injury to oneself or others, damage personal or public property, violate school regulations or civil laws, or have several impacts simultaneously. Similarly, a single infraction can range from very minor to very serious. Accordingly, individual circumstances must be considered in every case and responses to conduct must be fair, equitable, and proportionate.

A. Levels of student behavior are established as indicated in the RPS Behavior Levels and Responses chart which accompanies this administrative guideline, and are organized in five levels as follows. The levels of behavior are not linear but progressive in response to behavior.

1. Level 1 behavior incidents are minor in effect and are addressed at the classroom level. The staff response is to first self-regulate and then prompt, re-teach or practice the expected behavior so students learn and demonstrate kind, responsible and safe behaviors. Staff members are expected to use a variety of teaching and management strategies.
2. Level 2 behavior incidents are also minor in effect and are usually addressed at the classroom level. The staff response is to first self-regulate and then prompt, re-teach or practice the expected behavior so students learn and demonstrate kind, responsible and safe behaviors. Level 2 behavior incidents include:
    a. repeated or significant incident(s) of Level 1;
    b. unexpected behavior towards another student, staff, volunteers, etc;
    c. behavior that is generally managed with a brief strategy by an adult present in that setting, and may include additional brief contact with support staff such as a dean, social worker, student engagement specialist, campus supervisor or other trusted adult.
3. Level 3 behavior incidents are more serious in effect and are usually addressed outside the classroom by the student support team. These actions aim to correct behavior by stressing the seriousness of the behavior while providing access to educational programming.
4. Level 4 behavior incidents have a more serious impact and are addressed outside the classroom by school administration and possibly, additional district-level support. These strategies or responses focus on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior.
5. Level 5 behavior incidents are the most serious in effect and require the principal to notify the superintendent or designee. Furthermore, in consulting with the superintendent or designee, these behaviors may result in the potential for police

notification and potential expellable offenses. The focus is on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior.

B. Exclusion from Recess

Excluding or excessively delaying a student from participating in a scheduled recess period is not an allowable consequence for student behavior unless:

1. The student causes or is likely to cause serious physical harm to other students or staff; or
2. The student's parent/guardian specifically consents to the use of exclusion from recess as a consequence; or
3. For a student 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.

A student may not be excluded from recess based on incomplete school work.

School staff must make a reasonable attempt to notify a parent/guardian within 24 hours of withholding recess.

The District must compile information on each instance of withholding recess, including the student's age, grade, gender, race or ethnicity, and special education status. This information will be available to the public upon request.

Excluding or excessively delaying a student from participating in scheduled mealtimes is prohibited.

VI. RESTRICTIVE PROCEDURES

A. The District must report data to the Minnesota Department of Education on its use of any restrictive procedures 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 or seclusion. This includes restrictive procedures used by an unauthorized or untrained staff person.

B. Beginning in the 2024-2025 school year, the District must also report data to the Minnesota Department of Education on its use of any restrictive procedures on a student without 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 or seclusion. This includes restrictive procedures used by an unauthorized or untrained staff person.

VII. PROCEDURES FOR DETECTING AND ADDRESSING CHEMICAL ABUSE

A. Any District staff member who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities, shall notify a school administrator as soon as practicable.

B. Each school will have a method for students to anonymously report when they have knowledge that a student is using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities.

C. The Student Teacher Assistance Team (STAT) is responsible for addressing reports of students whose academic performance is being negatively affected by repeated incidents of using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities. Within 45 days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse. As appropriate, the team may recommend drug prevention activities such as counseling, mentoring, referral services, and other student assistance practices and programs.

D. Any searches for alcohol or controlled substances will adhere to Policy 543: Search of Student Lockers, Desks, Personal Possessions, Student's Person, Motor Vehicles, and All Other Locations.

VIII. PROCEDURES FOR OUT OF SCHOOL REMOVALS

A. Administrative Conference

If a student is assigned an out of school removal from instruction for conduct which materially disrupts the rights of others to an education, but where the student does not present an immediate and substantial danger to self, other students, staff or school property, an informal administrative conference must be held with the student unless the student has already left the school grounds.

If a student is assigned an out of school removal from instruction for conduct which reasonably can be believed to cause an immediate and substantial danger to the student, other persons or school property, the student may be removed from the premises without an initial informal administrative conference; however, the student shall be afforded an opportunity to at the earliest possible time to participate in the informal administrative conference.

An informal administrative conference may be held by phone or at an off-campus site if the student presents an immediate or substantial danger to the school.

B. Notification

The principal or designee shall make reasonable efforts to promptly notify the parents of students assigned an out of school removal from instruction.

The principal or designee shall ensure that a written notice containing the grounds for the out of school removal, the known facts, known testimony, a readmission plan and a copy of the *Pupil Fair Dismissal Act* is personally served upon the student at or before the time of the out of school removal from instruction is to take effect at the informal administrative conference. If the informal administrative conference is delayed because removal from instruction was for conduct which reasonably could be believed to cause an immediate and substantial danger to the student, other persons or school property, the written notice shall be given to student at the informal administrative conference when it is held.

The written notice shall also be served upon the parent/guardian, either in person or by certified mail within forty-eight (48) hours of the out of school removal from instruction.

The principal or designee shall notify the Executive Director of Special Programs of any suspensions lasting three days or more for review.

C. Continued Responsibility for Education

School administration must allow the student the opportunity to complete all school work assigned during an out of school removal from instruction and to receive full credit for satisfactorily completing the assignments. The school principal or building leader is encouraged to designate a staff member as a liaison to work with the student's teachers to allow the student to receive timely course materials and other information and to complete daily and weekly assignments and receive teachers' feedback.

Educational services provided during an out of school removal from instruction must be adequate to allow the student to make progress toward meeting graduation standards and help prepare the student for readmission.

The school's continued responsibility for education of the student also applies to students who have been expelled or who have a pupil withdrawal agreement until the student has been enrolled in a new district. Students in this circumstance are still eligible to receive school-based mental health services, and parents/guardians will be informed about accessing community mental health services.

D. Readmission to Instruction

Prior to or after an out of school removal from instruction, the principal or designee shall require the student's attendance at an informal administrative conference prior to the return to classes. Such conferences shall be noticed to the parents/guardians of the student, who are encouraged to attend the conference.

For any out of school removal from instruction, the principal or designee shall prepare a written readmission plan. The proposed plan may include procedures for the student's return to school and classes. The proposed plan also may include provision for an alternative program, which may include, but is not limited to:

1. make-up school work;
2. assigned homework;
3. changes in assigned courses or classroom;
4. changes in student's schedules;
5. provision of tutorial service;
6. provision of student support services,
7. provision of information concerning mental health or other community supports;
8. reassignment to a different educational setting.

If a reassignment to a different educational setting is proposed, the principal shall follow District procedures for reassignment, and the due process rights of the student shall be observed.

The informal administrative readmission conference may be held by phone or at an off-campus site if necessary to meet the needs of the student.

E. Consecutive Removals

Out of school removals from instruction may not be imposed consecutively upon the same student for the same course of conduct, or incident of behavior, except where the student poses an immediate and substantial risk of danger to the student or to persons or property around the student. Whether or not an immediate and substantial risk of danger exists shall be determined by the principal or designee. Notice of the extension shall be given following the same procedure as the initial notice of the removal from instruction.

An out of school removal from instruction may not be extended solely due to the inability or refusal of a parent/guardian to participate in a readmission conference.

Up to two (2) five (5) day suspensions (total of ten school days) may be imposed if the principal determines that the student continues to present an immediate and substantial risk of danger.

A third five (5) day suspension may be imposed only if the District is proposing expulsion or exclusion and the superintendent has been notified.

Whenever a removal from instruction exceeds five (5) days, an alternative instruction program such as those identified in Paragraph V.C shall be provided to the student.

IX. PARTICIPATION IN COMPETITIVE ACTIVITIES

In order to participate in activities governed by the Minnesota State High School League (MSHSL), students must adhere to MSHSL rules and requirements. Student violations of the MSHSL Student Code of Responsibilities may result in ineligibility to participate in MSHSL activities for a period of time as determined by the school principal.

Students who are suspended from school cannot participate in MSHSL activities during the period of suspension and may be ineligible to participate for an additional period of time following the suspension as determined by the school principal.

The MSHSL has established specific penalties for students who engage in sexual, racial or religious harassment or hazing.

Legal References:
Minn. Stat. §121A.40 *et seq.* (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.611 (Recess and Other Breaks)

Cross References:
Policy 103: Harassment Prohibition
Policy 108: Hazing Prohibition
Policy 110: Chemical Use/Abuse
Policy 113: Bullying Prohibition
Policy 116: Equity
Policy 543: Search of Student Lockers, Desks, Personal Possessions, Student's Person, Motor Vehicles, and All Other Locations
MSHSL Official Handbook

Dated: 1975
Revised: 1979; 1982; 1984; 1987; 1991; 1994; 11/95; 2/00; 4/03; 3/15/04, 3/6/06; 6/17/08; 7/15/19; 5/6/2024
Reviewed: 9/03; 8/17/20; 8/16/21; 9/6/22

RICHFIELD PUBLIC SCHOOLS

SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota Academic Standards and federal law requires a consistent level of accountability for the school district. Accordingly, the school district has established a system to adhere to the Minnesota Academic Standards to ensure that each individual will learn, grow and excel and to uphold the level of academic content required to qualify courses for state course credit requirements for graduation. The school district will maintain a system to review and improve instruction, curriculum, and assessment which includes substantial input by students, parents or guardians, and local community members. The school district is accountable to the public and the state through annual reporting. The school board shall receive public input and comment and shall review this policy at least annually.

III. DEFINITIONS

A. "Credit" means a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the school district.

B. "Graduation Standards" means the credit requirements and locally adopted content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.

C. "~~World's best workforce~~Comprehensive achievement and civic readiness" means striving to: meet school readiness goals; ~~have all third grade students achieve grade-level literacy;~~ close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; ~~and~~ have all students graduate from high school; and prepare students to be lifelong learners.

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

1. The school board has established school district-wide goals which provide broad direction for the school district. The goals of Richfield Public Schools will be clearly articulated in the Strategic Plan (Policy

101: Strategic Planning). Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and federal law. The broad goals shall be reviewed annually by the school board.

2. Advisory Committees will be established by the Board to ensure active community participation in all phases of development, implementation, and assessment of school district goals. Advisory Committees will also provide review and oversight of the specific tactics employed in support of strategic goals. The school district-wide improvement goals should address recommendations identified through the Advisory Committee process. School district goals may also be developed through an education effectiveness program, ~~an evaluation of student progress committee,~~ or through some other locally determined process.

3. The school district's goal setting process will include consideration of individual school site goals as well as goals of departments within school sites. However, all operational units within the school district should have strategic goals that clearly and intentionally align with district-wide goals.

4. The superintendent or designee shall communicate progress measurements and participation to the school board throughout this process.

B. Implementation of Standards through Instruction and Curriculum

1. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5. This process is described in full in Policy 610 Selection and Reevaluation of Instructional Resources and Guideline 610.1 along with Policy 612 Curriculum Development and Guideline 612.1 and Policy 601 Academic Standards and Instructional Curriculum.

2. The superintendent or designee shall communicate progress measurements and participation to the school board throughout this process.

C. Implementation of Graduation Requirements

The Advisory Committees shall also advise the superintendent on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of the Advisory Committees shall be

published to the community. . Graduation Requirements are described in full in Policy 521 Graduation Requirements and accompanying guidelines 521.1 and 521.2.

D. Evaluation of Student Achievement

1. The superintendent shall annually review and determine if student achievement levels at each school site meet federal expectations. If the superintendent determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the superintendent or designee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. This process shall include parental input and collaboration with Advisory Committees. The superintendent or designee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.

2. The educational assessment system component utilized by the superintendent to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The superintendent will utilize models developed by the Commissioner for measuring individual student progress. The superintendent must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

3. The superintendent or designee shall communicate progress measurements and participation to the school board throughout this process.

E. Scope and Authority of Advisory Committees

1. Advisory Committees will meet multiple times yearly to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

2. Advisory Committees will continue to provide active community participation and ongoing input and feedback in a variety of areas including:

   a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Academic Standards;

b. Identifying annual instruction and curriculum improvement goals for recommendation to the superintendent;

c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;

d. Advising the superintendent about development of the annual budget.

3. Advisory Committees shall meet the following criteria:

a. Advisory Committees shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.

b. Advisory Committees shall make recommendations to the superintendent on school district-wide standards, assessments, and program evaluation.

c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.

d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by Advisory Committees in the instruction and curriculum review process.

4. Advisory Committees shall, when possible, be comprised of at least two-thirds community representatives and shall reflect the diversity of the community. To the extent possible, Advisory Committees shall reflect the diversity of the school district and its school sites and include teachers, parents, support staff, students, and other community residents. Advisory committees shall also deliberately be comprised to represent diverse perspectives and viewpoints. Possible advisory composition could include:

a. Leadership (school board member, district representative, building administrator)

b. Students

c. Staff (Representation from different bargaining groups)

d. Parents (Representation from different school buildings)

e. Community Members (without school age children)

f. Local Business Representatives (representing diverse areas of expertise)

g. Others as appropriate

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

6. Advisory Committees shall meet according to a published calendar of scheduled gatherings. Schedules shall ideally be published on the district website in the yearly calendar and communicated directly to all families via electronic or written communication methods. Notes and documentation shall be maintained by advisory committees and routinely published on the district website.

7. Advisory Committees may include but not be limited to the following list. The descriptions of the advisory committees are included for illustrative purposes and are not intended to be permanent directives.

   a. Athletics & Activities: This committee reviews and works collaboratively toward providing students, families and the Richfield community with great opportunities for learning and participation beyond the classroom. The committee works with the District, booster clubs, coaches and others to cooperate and coordinate together.

   b. Community Education: This committee advises the staff and board on matters of planning, growth, development and evaluation of Community Education. The committee addresses programs and services for early learning, youth, teens, adults and families.

   c. Curriculum: The purpose of this committee is to advise and support the District in their implementation of the curriculum. The committee shares instructional practices, assessment results and district plans to engage in feedback and conversation.

   d. Finance: The purpose of this committee is to provide advice and counsel to the superintendent in areas of budget and finance related planning. The reoccurring task each year is to help prepare and review the next year’s fiscal plan, which is the basis for budget development and staffing.

   e. Fundraising: This committee creates guidelines and processes for any group associated with Richfield Public Schools that does any fundraising or asking for donations, such as booster groups, PTOs, clubs, student groups, etc.

f. Health, Wellness & Safety: This committee identifies and reviews efforts regarding policies and programs as well as facility and maintenance improvements to ensure a safe workplace and heathy place to learn.

g. Indian Education: This committee serves in an advisory role for the American Indian Education program and helps plan and organize family events for the community.

h. Licensure: The purpose of this committee is to facilitate the continuing education and relicensure process of teachers in the district.

i. Special Education: This committee's purpose is to keep the connection between families and the special education department. Meetings include updates on current special education topics and how the information relates to services for students.

j. Strategic Planning: This committee provides the opportunity for students, families, and residents to provide input for the strategic plan of the District.

k. Safe & Supportive Schools: The work of this committee is focused around providing a welcoming, healthy, supportive, safe and caring environment. This group works together to develop clear communication, policies and practices around student attendance and behavior expectations.

l. Student Work Experience: This committee's mission is to advise the Richfield Public School's work-based learning program, empowering students to create plans for their futures and develop skills to excel as members of society.

m. Technology: This team provides input on technology infrastructure, K-12 digital and media literacy standards, digital learning model, and more.

8. Of the committees listed above, the following are currently required by statute:

a. Community Education (Minn. Stat. § 124D.19 and Minn. Stat. § 124D.13)

b. Curriculum (Minn. Stat. § 120B.11)

c. Health, Wellness, & Safety (42 U.S.C. § 1758(b) [Healthy, Hunger-Free Kids Act of 2010] and Minn. Stat. § 182.676)

d. Indian Education (Minn. Stat. § 124D.78)

e. Special Education (Minn. Stat. § 125A.24)

E. Reporting

1. Consistent with Minn. Stat. § 120B.36, Subd. 1, the superintendent or designee shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to ~~the world's best workforce~~comprehensive achievement and civic readiness. The superintendent must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district will also annually report progress on its Strategic Plan goals through vision cards presented at public school board meetings.

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

Legal References:

Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.35 (Student Achievement Levels)
Minn. Stat. § 120B.36 (School Accountability; Appeals Process)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making Agreement)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Stat. § 124D.13
Minn. Stat. § 124D.19
Minn. Stat. § 124D.78
Minn. Stat. § 125A.24
Minn. Stat. § 182.676
Minn. Rules Parts 3501.06~~40 3501.0655~~0 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.~~0955~~ 0960 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)
42 U.S.C. § 1758(b) (Healthy, Hunger-Free Kids Act of 2010)

Cross References:
Policy 101: Strategic Plan
Policy 521 & Guidelines 521.1 and 521.2: Graduation Requirements
Policy 610 & Guideline 610.1: Selection and Reevaluation of Instructional Resources
Policy 612 & Guideline 612.1: Curriculum Development
Policy 601: Academic Standards and Instructional Curriculum
Policy 620 & Guideline 620.1: Credit for Learning

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REVISED: 9/16/2024

616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Comprehensive achievement and civic readiness" means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school; and prepare students to be lifelong learners.

[NOTE: The 2024 Minnesota legislature revised Minnesota Statutes, section 120B.11, including replacement of the term "world's best workforce" with "comprehensive achievement and civic readiness."]

B. "Credit" means a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the school district.

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

1. The school board has established school district-wide goals that provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota K-12 Academic Standards and federal law. The broad goals shall be reviewed annually and approved by

the school board. The school board shall adopt annual goals based on the recommendations of the school district's Advisory Committee.

2. The District Advisory Committee created under Policy 603 (Curriculum Development) is established by the school board to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.

3. The school district-wide improvement goals should address recommendations identified through the District Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may also be developed through an education effectiveness program or through some other locally determined process.

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

[Insert Local Cycle in this space]

C. Implementation of Graduation Requirements

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

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the District Advisory Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The District Advisory Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.

3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of current achievement that show growth relative to an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Comprehensive Continuous Improvement of Student Achievement

1. By [*date*] of each year, the District Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

2. The District Advisory Committee, working in cooperation with other committees of the school district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:

   a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota K-12 Academic Standards;

   b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;

   c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals; and,

   d. Advising the school board about development of the annual budget.

3. The District Advisory Committee shall meet the following criteria:

   a. The District Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.

   b. The District Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.

   c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.

   d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the District Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.

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

5. The District Advisory Committee shall meet the following timeline each year:

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

   Month(s): Agree on the process to be used. Become familiar with the

instruction and curriculum of the cycle content area.

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

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

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

[NOTE: The school board may choose to delete this paragraph regarding an Evaluation of Student Progress Committee upon consultation with school administration.]

E. Reporting

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

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

3. The school district must annually report the district's class size ratios by each grade to the Commissioner in the form and manner specified by the Commissioner.

4. The school district must report whether programs funded with compensatory revenue are consistent with best practices demonstrated to improve student achievement.

Legal References: Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)

Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)
Minn. Stat. § 120B.35 (Student Academic Achievement and Growth)
Minn. Stat. § 120B.36 (School Accountability)
Minn. Stat. § 122A.40 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making; Individualized Learning Agreement; Other Agreements)
Minn. Stat. § 123B.147 (Principals)
Minn. Stat. § 126C.12 (Learning and Development Revenue Amount and Use)
Minn. Rules Parts 3501.0660 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:
MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 619 (Staff Development for Standards)
MSBA/MASA Model Policy 620 (Credit for Learning)

RICHFIELD PUBLIC SCHOOLS

PUBLIC DATA AND DATA SUBJECT REQUESTS ~~POLICY~~

I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (MGDPA), and Minn. Rules Parts 1205.01001205.2000 in responding to requests for public data.

III. DEFINITIONS

A. Confidential Data on Individuals

Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.

B. Data on Individuals

All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

C. Data Practices Compliance Officer

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

D. ~~A.~~ Government Data

All data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

E. Individual

"Individual" means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or

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guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

~~"Government data" means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.~~

F. ~~B.~~ Inspection

"Inspection" means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.

G. Not Public Data

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

H. Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

I. Private Data on Individuals

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

J. Protected Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

K. ~~C.~~ Public Data

~~"Public data" means a~~All government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

L. Public Data Not on Individuals

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

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M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

N. ~~D.~~ Responsible Authority

~~"Responsible authority" means t~~The individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

O. ~~E.~~ 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 an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

IV. REQUESTS FOR PUBLIC DATA

A. All requests for public data must be made in writing directed to the responsible authority.

1. A request for public data must include the following information:

a. Date the request is made;

b. A clear description of the data requested;

c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

d. Method to contact the requestor (such as phone number, address, or email address).

2. Unless specifically authorized by statute, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.~~A requestor is not required to explain the reason for the data request.~~

3. The identity of the requestor is public, if provided, but cannot be required by the government entity.

4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

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B. ___The responsible authority will respond to a data request at reasonable times and places as follows:

1. ___The responsible authority will notify the requestor in writing as follows:

a. ___The requested data does not exist; or

b. ___The requested data does exist but either all or a portion of the data is not accessible to the requestor; or

(1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.

(2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

c. ___The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.

2. ___The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.

3. ___The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.

4. ___The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.

5. ___The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

V. REQUEST FOR SUMMARY DATA

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A. ___A request for the preparation of summary data shall be made in writing directed to the responsible authority.

1. ___A request for the preparation of summary data must include the following information:

a. ___Date the request is made;

b. ___A clear description of the data requested;

c. ___Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

d. ___Method to contact requestor (phone number, address, or email address).

B. ___The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:

1. ___The estimated costs of preparing the summary data, if any; and

2. ___The summary data requested; or

3. ___A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or

4. ___A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.

C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

VI. DATA BY AN INDIVIDUAL DATA SUBJECT

A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.

B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.

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C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.

D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.

E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.

G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

H. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.

J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the commissioner of administration's order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA

A. All requests for individual subject data must be made in writing directed to the responsible authority.

B. A request for individual subject data must include the following information:

1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;

2. Date the request is made;

3. A clear description of the data requested;

4. Proof that the individual is the data subject or the data subject's parent or guardian;

5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

6. Method to contact the requestor (such as phone number, address, or email address).

C. The identity of the requestor of private data is private.

D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

VIII. COSTS

A. Public Data

1. The school district may charge for copies provided as follows:

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a. ___100 or fewer pages of black and white, letter or legal sized paper copies may be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.

b. ___More than 100 pages or copies on other materials will be charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.

(1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).

(2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.

2. ___All charges must be paid for in cash in advance of receiving the copies.

B. ___Summary Data

1. ___Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.

2. ___The school district may assess costs associated with the preparation of summary data as follows:

a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based recordkeeping system, including computers and microfilm systems; b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

Data Practices Compliance Official:
Craig Holje, Chief Human Resources and Administrative Officer~~,~~
District Office~~, 7001 Harriet Ave S,~~: 401 70th St. W., Richfield, MN 55423
612-798-6031, Fax: 612-798-6057~~,~~
craig.holje@rpsmn.org

Legal References:
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act
Minn. Rules Part 1205.0300 (Access to Public Data)
Minn. Rules Part 1205.0400 (Access to Private Data)

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Cross References:
Policy 412: Public and Private Personnel Data
Policy 581: Protection and Privacy of Pupil Records

RATIFIED BY THE BOARD OF EDUCATION: 10/5/20
REVISED BY THE BOARD OF EDUCATION: 9/16/2024

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722 PUBLIC DATA AND DATA SUBJECT REQUESTS

[Note: School districts are required by statute to establish procedures consistent with the Minnesota Government Data Practices Act for public data requests and data subject requests.]

I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13 (MGDPA), and Minnesota Rules parts 1205.0100-1205.2000 in responding to requests for public data.

III. DEFINITIONS

A. Confidential Data on Individuals

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B. Data on Individuals

All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

C. Data Practices Compliance Officer

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

D. Government Data

All data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

E. Individual

"Individual" means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

F. Inspection

"Inspection" means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.

G. Not Public Data

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

H. Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

I. Private Data on Individuals

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

J. Protected Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

K. Public Data

All government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

L. Public Data Not on Individuals

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

N. Responsible Authority

The individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

O. Summary Data

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 an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

IV. REQUESTS FOR PUBLIC DATA

A. All requests for public data must be made in writing directed to the responsible authority.

1. A request for public data must include the following information:

a. Date the request is made;

b. A clear description of the data requested;

c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

d. Method to contact the requestor (such as phone number, address, or email address).

2. Unless specifically authorized by statute, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.

3. The identity of the requestor is public, if provided, but cannot be required by the government entity.

4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

B. The responsible authority will respond to a data request at reasonable times and places as follows:

1. The responsible authority will notify the requestor in writing as follows:

a. The requested data does not exist; or

b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or

(1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.

(2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.

2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.

3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.

4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.

5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

V. REQUEST FOR SUMMARY DATA

A. A request for the preparation of summary data shall be made in writing directed to the responsible authority.

1. A request for the preparation of summary data must include the following information:

a. Date the request is made;

b. A clear description of the data requested;

c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

d. Method to contact requestor (phone number, address, or email address).

B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:

1. The estimated costs of preparing the summary data, if any; and

2. The summary data requested; or

3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or

4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.

C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

VI. DATA BY AN INDIVIDUAL DATA SUBJECT

A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.

B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.

C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.

D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.

E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.

G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

H. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.

J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the commissioner of administration's order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA

A. All requests for individual subject data must be made in writing directed to the responsible authority.

B. A request for individual subject data must include the following information:

1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;

2. Date the request is made;

3. A clear description of the data requested;

4. Proof that the individual is the data subject or the data subject's parent or guardian;

5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

6. Method to contact the requestor (such as phone number, address, or email address).

C. The identity of the requestor of private data is private.

D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

VIII. COSTS

A. Public Data

1. The school district will charge for copies provided as follows:

a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.

b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.

(1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).

(2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.

2. All charges must be paid for [in cash or by check] in advance of receiving the copies.

[Note: the district should identify the payment methods that it will accept.]

B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.

2. The school district may assess costs associated with the preparation of summary data as follows:

   a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;

   b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

C. Data Belonging to an Individual Subject

1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

   The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

   The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

2. The school district may not charge a fee to search for or to retrieve educational records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

IX. Annual Review and Posting

A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.

B. Copies of the policies shall be easily available to the public by distributing free copies to the public or by posting the policies in a conspicuous place within the school district that is easily accessible to the public or by posting them on the school district's website.

Data Practices Contacts

Responsible Authority:
[Name]
[Location]
[Phone number; email address]

Data Practices Compliance Official:

[Name]
[Location]
[Phone number; email address]

Data Practices Designee(s):
[Name]
[Location]
[Phone number; email address]

Legal References:
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.01 (Government Data)
Minn. Stat. § 13.02 (Definitions)
Minn. Stat. § 13.025 (Government Entity Obligation)
Minn. Stat. § 13.03 (Access to Government Data)
Minn. Stat. § 13.04 (Rights of Subjects to Data)
Minn. Stat. § 13.05 (Duties of Responsible Authority)
Minn. Stat. § 13.32 (Educational Data)
Minn. Rules Part 1205.0300 (Access to Public Data)
Minn. Rules Part 1205.0400 (Access to Private Data)

Cross References:
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

RICHFIELD PUBLIC SCHOOLS

CRISIS MANAGEMENT POLICY

I. INTRODUCTION

This policy is pursuant to Minn. Statute § 121A.035, which requires school boards to approve a Crisis Management Policy.

II. PURPOSE

Policy 802 and the Emergency Procedures are intended to serve as a guide for Richfield Public Schools district and building administrators, school employees, students and community, and are designed to address a wide range of potential crisis situations.

III. THE PLAN

This policy is to be used when developing a building-specific Emergency Plan to coordinate protective actions prior to, during, and after any emergency or potential crisis situation. The superintendent shall be responsible for developing and annually updating Emergency Procedures to accommodate the District's needs. The superintendent works in conjunction with district and building administrators to update site specific procedures, connect with and update committee resources, and to train staff.

IV. ELEMENTS OF A SCHOOL'S CRISIS MANAGEMENT PLAN

The superintendent shall develop district-wide and building-specific Emergency Procedures that shall include A) Crisis Management Checklist, B) Emergency Procedures, and C) Postvention Manual.

The school's plan shall be created in consultation with experts in the field and other appropriate individuals and groups likely to be involved in assisting with a school emergency.

A. District Crisis Protocols

The Emergency Procedures shall include:

- Evacuation Procedures
- Sheltering/Lockdown Procedures
- Other Crisis Response

These elements will include both district wide and building specific procedures.

1. Communication Procedures

   Information about emergencies must be communicated to the Superintendent's Office immediately. All media inquiries will be referred to the Director of Communications. Richfield Public Schools, in coordination with assisting agencies, assumes responsibility for issuing public statements during an emergency.

   School Closure Procedures – The superintendent shall make decisions about closing a school or any District building. Such decisions will be made as early in the day as possible using news sources, websites, and an automated messaging system.

2. Evacuation Procedures

   Evacuation procedures are used when conditions are safer outside the building than inside the building. Evacuation routes should be specified according to the type of emergency.

   These emergency procedures include:
   - Fire
   - Flooding
   - Hazardous Materials
   - Student Release/Reunification

3. Sheltering/Lockdown Procedures

   Sheltering-in-place is used when evacuation would put people at risk. Sheltering-in-place provides refuge for students, staff and the public inside the school building during emergencies.

   Lockdown procedures are used to protect building occupants from potential dangers in the building or external threats that may enter the building.

   These emergency procedures include:
   - From Outside to Inside (Reverse Evacuation)
   - Blizzard/Winter Storms
   - Bomb Threat
   - Demonstration/Protest
   - Hostage
   - Intruder
   - Shelter-in-Place
   - Shooting
   - Tornado/Severe Thunderstorm
   - Weapons

B. Other Crisis Response

Crisis-specific procedures shall consider the potential crisis situations that may occur during the school day or at school-sponsored events and functions.

These are district-wide procedures designed so that school administrators can tailor response procedures when creating building-specific Emergency Procedures.

The emergency procedures include:

- Abduction
- Assault
- Bus Accident
- Communicable Disease/Pandemic
- Fight/Disturbance
- Medical Emergency
- Suicide Threat/Attempt
- Suspicious Package/Mail or Chemical/Biological Threat
- Terrorism
- Threat

C. Postvention Response

The Postvention Manual outlines steps to debrief, provide support and reduce additional risk in the situation of a crisis response, including a death of a student or staff member

D. Facility Diagrams and Site Plans

The Facilities Department shall provide school buildings with a facility diagram and site plan including:

- exits, AED, and fire extinguisher locations
- location of primary and secondary evacuation routes
- designated safe areas inside and outside the building
- relocation sites
- lockdown and evacuation procedures

The facility diagrams and site plans shall be available in the office of the building administrator and in other appropriate areas and shall be kept on file at the facilities office.

E. Emergency Telephone Numbers

School buildings shall have an Emergency Log with a current list of emergency telephone numbers and the names and addresses of local and county personnel who are likely to be involved in resolving a crisis

situation. The list will include numbers for agencies such as: police, fire, ambulance, hospital, Poison Control Center, local, county and state emergency management agencies, local public works departments, local utility companies, public health nurse, mental health/suicide hotlines, and the county welfare agency.

F. Building Response Teams

Each school building shall have a Building Response Team. The school administrator or designee shall serve as the leader of the Building Response Team and the primary contact for emergency response officials.

1. The leader shall select and train the building Building Response Team to respond to all emergencies.

2. The leader shall assume the resource role when emergency response personnel are available to take command and control of the situation.

3. The leader shall maintain a drill log for compliance with state statute.

4. The superintendent shall maintain a current copy of the RPS Emergency Log of the Building Response Teams and members.

G. District Employees

Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they should be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the Crisis Management Policy and their school's Emergency Plan.

Legal References:
Minn. Stat. §121A.06 (Reports of dangerous weapon in school zones)
Minn. Stat. §121A.035 (Crisis management policy)
Minn. Stat. §299F.011 (Uniform fire code; adoption)
Minn. Stat. §299F.30 (Fire drill in school; doors and exits)
Minn. Stat. §299F.391 (Healthcare, education, or lodging facility)

RATIFIED BY THE BOARD OF EDUCATION: February 3, 2003

REVISED BY THE BOARD OF EDUCATION: September 5, 2006, October 3, 2016; September 5, 2023

REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: August 4, 2008, November 16, 2020; August 16, 2021; September 6, 2022

RICHFIELD PUBLIC SCHOOLS

HAZING PROHIBITION

I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of Richfield Public Schools and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

A. No student, teacher, administrator, volunteer, contractor or other employee of the District shall plan, direct, encourage, aid or engage in hazing.

B. No teacher, administrator, volunteer, contractor or other employee of the District shall permit, condone or tolerate hazing.

C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.

D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.

E. A person who engages in an act of hazing, reprisal, retaliation, or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the District's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

F. This policy applies to hazing that occurs during and after school hours, on or off District premises or property, at school functions or activities, or on school transportation.

G. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

H. The District will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the District who is found to have violated this policy.

III. DEFINITIONS

A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with an official or unofficial student organization, or for any other purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality.

2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

3. Any activity involving the consumption of alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the students or discourages the student from remaining in school.

5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of District policies or regulations.

B. “Immediately” means as soon as possible but in no event longer than 24 hours.

C. "On school premises or District property, or at school functions or activities, or on school transportation" means all District buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for District purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. 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 hazing at these locations and events, the District does not represent that it will provide supervision or assume liability at these locations and events.

D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.

E. "Student" means a student enrolled in a public school or a charter school.

F. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

A. Any person who believes they have been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to a member of the District management team. A person may report hazing anonymously. However, the District may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The District encourages the reporting party to provide written reports but oral reports shall be considered complaints as well.

The building administrator or designee is the person responsible for investigating reports of hazing at the building level. Any District staff member who receives a report of hazing prohibited by this policy shall inform the building administrator immediately. Any person may report hazing directly to the superintendent. If the complaint involves the building administrator, the complaint shall be made or

filed directly with the superintendent by the reporting party or complainant.

The building administrator shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

C. A teacher, administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building administrator immediately. District staff members who fail to inform the building administrator of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.

D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building administrator, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.

F. The 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 District's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. SCHOOL DISTRICT ACTION

A. Within three (3) days of the receipt of a complaint or report of hazing, the District shall undertake or authorize an investigation by District officials or a third party designated by the District.

B. The building administrator or other appropriate District officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or

others pending completion of an investigation of alleged hazing prohibited by this policy.

C. The ~~alleged perpetrator~~person accused of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

D. Upon completion of an investigation that determines hazing has occurred, the District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. District action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable District policies and regulations.

E. The District is not authorized to disclose to a victim private educational or personnel data regarding ~~an alleged perpetrator~~ a person accused of hazing who is a student or employee of the District. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of ~~alleged perpetrators~~students accused of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.

F. In order to prevent or to respond to hazing 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) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

VI. RETALIATION OR REPRISAL

The District will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the District who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or who testifies, assists, or participates in a proceeding or hearing relating to such hazing.

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

VII. DISSEMINATION OF POLICY

Notification of the policy shall appear in the student handbook or other District publications.

Legal References:
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 121A.40 to 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)

Cross References:
Board Policy 103: Harassment Prohibition and Administrative Guideline 103.2
Board Policy 541: Student Behavior and Administrative Guideline 541.1

RATIFIED BY THE BOARD OF EDUCATION: October 6, 1997
REVISED BY THE BOARD OF EDUCATION: January 6, 2003; October 16, 2023; September 16, 2024
REVIEWED AND REAFFIRMED BY THE BOARD OF EDUCATION: May 18, 2009; March 6, 2017

NEW BUSINESS – FOR ACTION **Agenda Item VI.A.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

SUBJECT: PROPOSED LEVY CERTIFICATION 2024 PAYABLE 2025

(Recommended by the superintendent)

That the board of education certify the "Maximum" for the levy allowed in each category and authorize the school board clerk to sign the preliminary levy certification. In addition, it is recommended that the board of education establish the Truth in Taxation Presentation to be scheduled for December 2, 2024 at the regular scheduled meeting which begins at 7:00 pm in the boardroom of the District Office at 401 West 70th Street, Richfield, Minnesota.

Background Information

The school district, as a "taxing authority", must certify its preliminary or "proposed levy" payable in 2025, to the county auditor and the Minnesota Department of Education (MDE) on or before September 30 of each year. The recommendation is to certify the "Maximum" levy at this time which gives the district the flexibility to make any changes affecting the levy which may occur between now and when we certify the final levy in December. The District is required to schedule a "Truth in Taxation Presentation" at a regularly scheduled board meeting between November 24, 2024 and before the final levy is adopted (prior to December 30, 2024). At this meeting the board must discuss the Payable 2025 Levy and FY 2025 budget and allow the public to speak.

Attached:
Levy Certification

DEPARTMENT OF EDUCATION

Levy Certification

Taxes Payable 2025
0280-01-000-000 Richfield Public School District
craigholje
Maximum

Validate/Certify Levy

Validate/Certify Levy

Levy certification data has been successfully submitted electronically to MDE. Print certification report using navigation bar at the left. Send signed form to home county auditor, with a copy to MDE, by due date. Please submit your Certification of Truth-in-Taxation Compliance form to the Department of Revenue (https://www.revenue.state.mn.us/truth-taxation).

Submit Levy

Your levy data was submitted.

District Levy Summary

Subtotals By Levy Category

Title	Limit	Proposed	Certified
GENERAL - RMV VOTER	9,886,043.62	9,886,043.62	0.00
GENERAL - RMV OTHER	3,535,788.09	3,535,788.09	0.00
GENERAL - NTC VOTER	4,982,131.85	4,982,131.85	0.00
GENERAL - NTC OTHER	4,965,860.74	4,965,860.74	0.00
COMMUNITY SERVICE - NTC OTHER	465,962.72	465,962.72	0.00
GENERAL DEBT - NTC VOTER	4,962,964.87	4,962,964.87	0.00
GENERAL DEBT - NTC OTHER	3,027,967.50	3,027,967.50	0.00
OPEB DEBT - NTC VOTER	0.00	0.00	0.00
OPEB DEBT - NTC OTHER	2,056,025.47	2,056,025.47	0.00

Subtotals By Fund

Title	Limit	Proposed	Certified
GENERAL FUND	23,369,824.30	23,369,824.30	0.00
COMMUNITY SERVICES FUND	465,962.72	465,962.72	0.00
GENERAL DEBT SERVICE FUND	7,990,932.37	7,990,932.37	0.00
OPEB/PENSION DEBT SERVICE FUND	2,056,025.47	2,056,025.47	0.00

Subtotals By Tax Base

Title	Limit	Proposed	Certified
REFERENDUM MARKET VALUE	13,421,831.71	13,421,831.71	0.00
NET TAX CAPACITY	20,460,913.15	20,460,913.15	0.00

Subtotals By Truth In Taxation Category

Title	Limit	Proposed	Certified
VOTER APPROVED	19,831,140.34	19,831,140.34	0.00
OTHER	14,051,604.52	14,051,604.52	0.00

Total Levy

Title	Limit	Proposed	Certified
TOTAL LEVY	33,882,744.86	33,882,744.86	0.00

Minnesota Department of Education
Levy Limitation and Certification Report
2024 Payable 2025

District Number-Type: 0280-01
District Name: Richfield Public School District
Home County: Hennepin County

Date Printed: 9/11/24
Limits Updated: 9/11/24
Proposed Submitted: 9/11/24

	LIMIT	PROPOSED
SUBTOTALS BY LEVY CATEGORY		
GENERAL - RMV VOTER		
GENERAL - RMV OTHER		
GENERAL - NTC VOTER		
GENERAL - NTC OTHER		
COMMUNITY SERVICE - NTC OTHER		
GENERAL DEBT - NTC VOTER		
GENERAL DEBT - NTC OTHER		
OPEB DEBT - NTC VOTER		
OPEB DEBT - NTC OTHER		
SUBTOTALS BY FUND		
GENERAL FUND		
COMMUNITY SERVICES FUND		
GENERAL DEBT SERVICE FUND		
OPEB/PENSION DEBT SERVICE FUND		
SUBTOTALS BY TAX BASE		
REFERENDUM MARKET VALUE		
NET TAX CAPACITY		
SUBTOTALS BY TRUTH IN TAXATION CATEGORY		
VOTER APPROVED		
OTHER		
TOTAL LEVY		
TOTAL LEVY		

The School Board has voted to certify the MAXIMUM levy authority.

After October 1st, the county auditor should consult the Minnesota Department of Education (MDE) website for the district's current levy limitation and use this amount for the Truth in Taxation notices.

If there is a change to the district's levy limitation after October 1st, the county will be notified by MDE via email. Before finalizing tax computations for the Truth in Taxation notices, counties should double check the MDE website to be sure no changes have been made to the district's levy limitation that the county is not already aware of through this email process.

The school district must submit the completed original of this form to the home county auditor by September 30, 2024. A duplicate form must be submitted to Minnesota Department of Education, School Finance Division, 400 NE Stinson Blvd., Minneapolis, MN 55413, by October 7, 2024.

The certified levy listed above is the levy voted by the school board for taxes payable in 2025.

Signature of School Board Clerk _____

Date of Certification _____

NEW BUSINESS - FOR ACTION **Agenda Item VI.B.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Property, Liability, Fleet, Professional and Faithful Performance and Cyber Liability Insurance

(Recommended by the superintendent)

That the board of education authorize the administration to retain the current carriers for the Property, Liability, Fleet, Professional, Faithful Performance and Cyber Insurance coverage as indicated below.

Coverage	**Carrier**	**Amount**
Property/Boiler & Machinery	Chubb Insurance – Federal Ins. Company	$354,770
Inland Marine	Hanover Insurance Company	$2,331
General Liability/EBL	Hanover Insurance Company	$36,460
Auto Liability	Hanover Insurance Company	$125,307
Auto Physical Damage	Hanover Insurance Company	$47,850
Umbrella Liability	Hanover Insurance Company	$36,685
Crime/Bond	Travelers Casualty and Surety Company	$3,175
Educators Legal Liability / D&O / EPLI - Primary	Superior Specialty Insurance Company	$27,062
Educators Legal Liability / D&O / EPLI Excess	Indian Harbor Insurance Company	$12,131
Professional Liability	Evanston Insurance Company	$12,300
Cyber Liability	Travelers Casualty and Surety Company	$21,210
	Total	**$679,281**

Background Information

(Prepared by Craig Holje)

The administration has worked with Steve Gillette and Debbie Thurner from Dolliff Insurance, the District insurance consultant, to renew our property, liability, fleet, professional and faithful performance insurance coverage for 2024-2025. The 2024-2025 insurance premium renewal for this series of plans is expected to be $679,281, which is a $84,537 increase or 14.2% more than the 2023-2024 premium.

Chubb's property coverage now includes a 1% value of property wind/hail deductible and the flood deductible increased to $50,000 per premise except for Sheridan Hills and Centennial with have a $100,000 per premise deductible.

The District has increased property values associated with inflation as well as updated our equipment details and other student and employee information. The largest premium increase percentages were in the automobile, educators legal liability, property and general liability areas, much attributed to increases across the industry.

Additional details including a summary of coverage and recommendations with analysis is attached.

An Insurance Program Prepared For

Richfield Public Schools, ISD #280
District Office – Door 26
401 70th Street West
Richfield, MN 55423

Presented To:

Craig Holje
Chief Human Resources and Administrative Officer

Policy Period:

October 1, 2024 – October 1, 2025

DOLLIFF INSURANCE
since 1929
10900 Wayzata Blvd., Suite 250
Minnetonka, MN 55305
Phone: 952-593-7400
Fax: 952-593-7444
Toll Free: 800-338-3531
www.dolliff.com

DOLLIFF TEAM

Agent: Steve Gillette
DD# (952)593-7421
E-Mail: sgillette@dolliff.com

Account Executive: Debbie Thurner
DD# (952)593-7417
E-Mail: dthurner@dolliff.com

Finance: Rochelle Cossette
DD# (952)593-7411
E-Mail: rcossette@dolliff.com

INSURANCE PROGRAM RENEWAL OUTLINE

October 1, 2024

1) Renewal Memorandum
2) Insurance Market Index
3) Premium Comparison
4) Premium/Loss History with Hanover
5) Multi Year Premium History
6) Property Quote
7) Inland Marine, General Liability, Automobile and Umbrella Quote
8) School Psychologists Errors & Omissions Quote
9) Educators Legal Liability/D&O/EPLI Quote
10) Travelers Faithful Performance Bond
11) Property Statement of Values – requires signature
12) Mobile Equipment Schedule - updated
13) Fleet Schedule - updated
14) Notices & Financial Evaluations

SECTION 1

MEMORANDUM

Date: September 10, 2024

To: Craig Holje
Chief H.R. and Administrative Officer

From: Steve Gillette
Agent of Record

RE: October 1, 2024 Insurance Renewal

Attached please find the 2024-2025 insurance program, a premium comparison versus 2023-2024, a detailed outline of the coverages provided and the changes we made.

Exposure Changes:

- The vehicle fleet was updated. Buses are newer and more expensive
- Liability exposures were updated
- Equipment schedule was updated
- Building and contents values were increased by 4%. This maintains the integrity of our property appraisals by adjusting for inflation

Coverage Changes:

- The property rate, per $100 of values, is now $.10199. This is up from the 23/24 rate of $.09411
- Chubb's property includes a 1% wind/hail deductible subject to a minimum of $100,000 per premise
- Chubb's property includes a flood deductible of $50,000 per premise for all locations except Sheridan Hills Elementary and Centennial Elementary in which a $100,000 per premise deductible applies.
- The property limit structure has been changed to reflect a separate blanket building limit and a separate blanket contents limit. This will be beneficial in the event of a wind/hail claim.

Notes:

- Electronic Data Processing Equipment continues to be included in the blanket contents limit
- Extra Expense coverage remains at $10,000,000 and applies on a blanket basis
- The general liability and auto liability limits remain at $1,000,000
- The umbrella limit remains at $5,000,000
- **Option** to increase the comprehensive and collision deductibles from $1,000 to $2,000 on the auto would result in a return premium of $6,634

Prepared by:

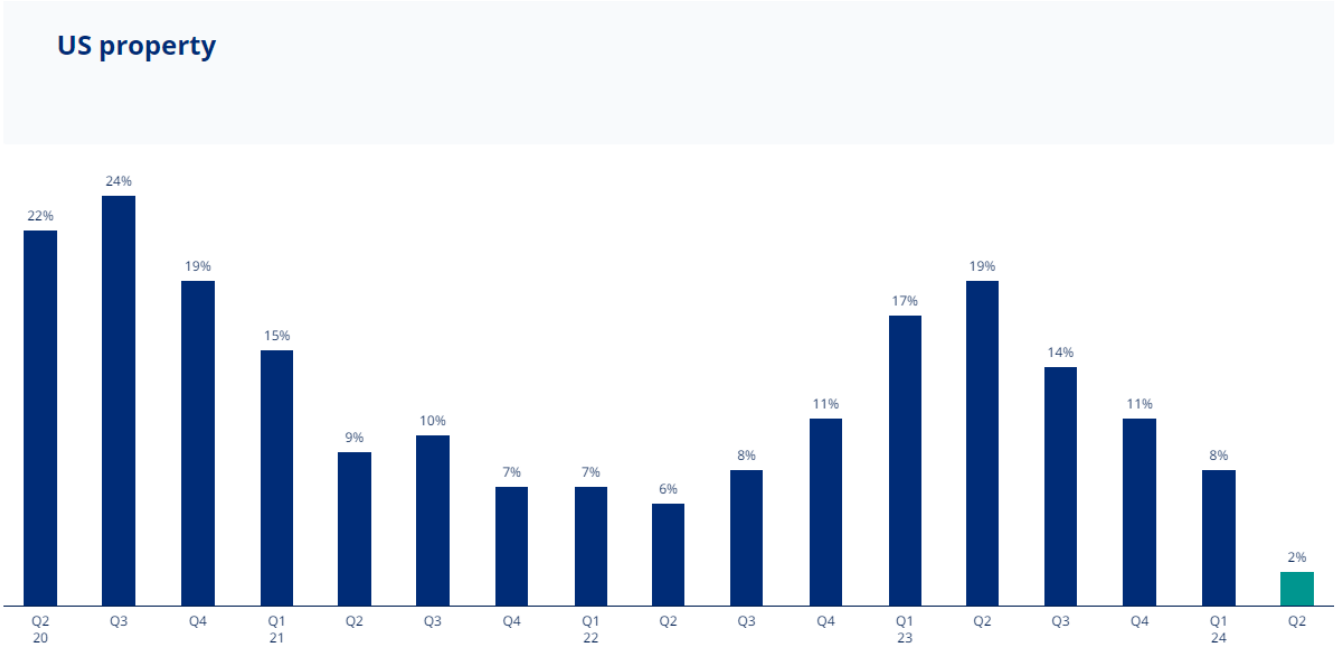
Steve Gillette
Dolliff Insurance

SECTION 2

INSURANCE MARKET INDEX - PROPERTY

US PRICING: PROPERTY INSURANCE RATE INCREASES CONTINTUE TO SLOW - Property insurance pricing increased by 2% in Q2 2024, compared to 8% in the first quarter; it was the twenty seventh consecutive quarter in which pricing rose.

- Organizations continued to explore assuming more risk, including increasing retentions, assuming capacity within their insurance programs, or adopting alternative risk transfer measures such as captives, parametric, or structured solutions.
- While the US property insurance market showed signs of improvement, a significant event could slow the current downward rate trend.
- Improvements in rate and limit offerings were products of insurers' strong underwriting and financial results, as well as stability in the reinsurance market, which led to increased available capacity.
- Additional limits were available in most industries and layers within shared and layered program structures.



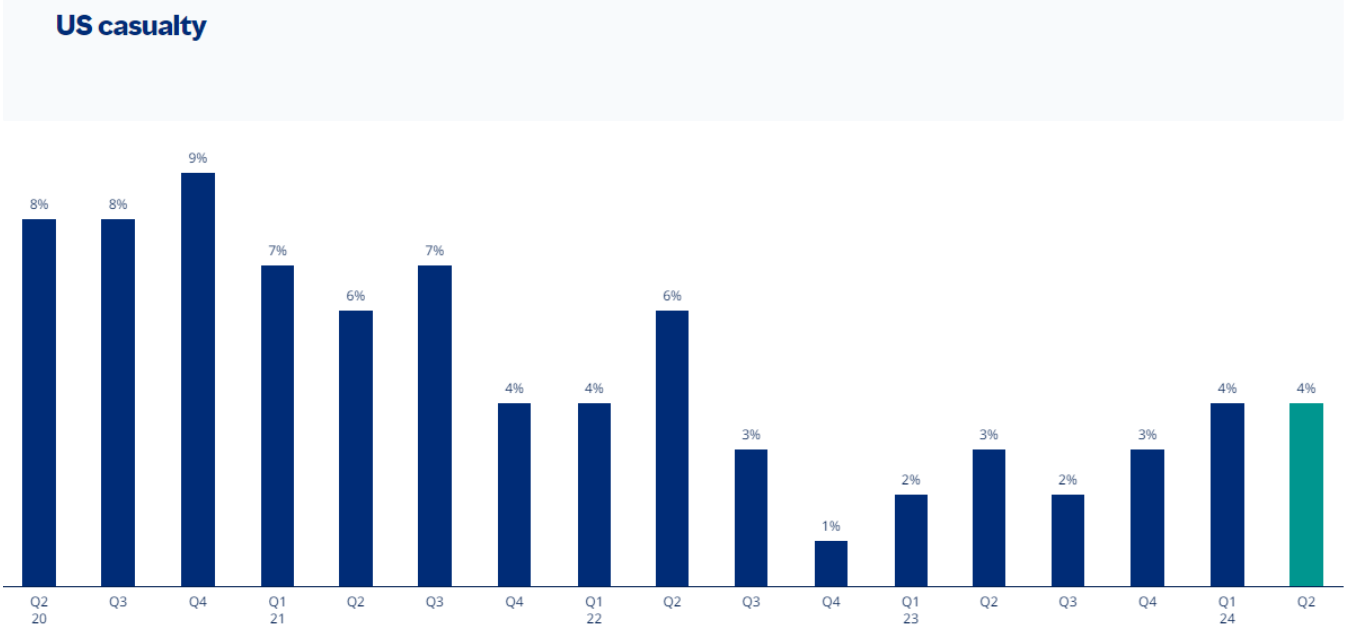
Source: Marsh Specialty and Global Placement

SECTION 2

INSURANCE MARKET INDEX - LIABILITY

US PRICING: CASUALTY RATES RISE AS JURY VERDICTS AND REPAIR COSTS IMPACT AUTO LIABILITY – Casualty insurance rates increased 4%; excluding workers' compensation, the increase was 7%.

- Auto liability continued to be affected by large jury verdicts and increased physical damage costs, which affect repair expenses.
- General liability rates remained consistent, with some small increases. Areas of insurer concern included per- and polyfluoroalkyl substances (PFAS), biometrics, and mass shootings.
- Industry classes posing challenges included habitational real estate, hospitality, higher education, and public entities.
- Umbrella/excess liability risk-adjusted rates increased 10%, compared to 11% in the first quarter.



Source: Marsh Specialty and Global Placement

SECTION 3

PREMIUM COMPARISON

Coverage	**2023/24**	**2024/25**
Property/Boiler & Machinery	$315,126	$354,770
Inland Marine	$2,547	$2,331
General Liability/EBL	$32,505	$36,460
Auto Liability	$102,784	$125,307
Auto Physical Damage	$38,042	$47,850
Umbrella Liability	$32,993	$36,685
Crime/Bond	$3,175	$3,175
Educators Legal Liab/D&O/EPLI - Primary	$23,278	$27,062
Educators Legal Liab/D&O/EPLI - Excess	$10,545	$12,131
Professional Liability	$12,012	$12,300
Cyber Liability	$21,745	$21,210
TOTAL	**$594,744**	**$679,281**

EXPOSURE/PREMIUM COMPARISON

		2023/24		2024/25	% Change
Property/Boiler & Machinery					
Total Insurable Property Values	$	324,839,807	$	337,833,399	4.00%
Total Extra Expense Limit	$	10,000,000	$	10,000,000	0.00%
Premium	$	**315,126**	$	**354,770**	12.58%
Inland Marine					
Total Inland Marine/Equipment Values	$	475,339	$	532,381	12.00%
Premium	$	**2,547**	**$**	**2,331**	-8.48%
General Liability/EBL					
Teachers		346		324	-6.36%
Students: PreK-8th Grade		2,879		2,885	.21%
Students: 9th Grade - 18+		1,300		1,300	0.00%
Stadium Receipts	$	26,200	$	32,885	25.23%
Premium	$	**32,505**	$	**36,460**	12.17%
Automobile					
Number of Power Units		43		44	2.33%
Number of Trailers		5		7	40.00%
Premium	$	**140,826**	$	**173,157**	22.96%
Umbrella Liability					
Limit	$	5,000,000	$	5,000,000	0.00%
Premium	$	**32,993**	$	**36,685**	11.19%
Educators Legal Liab/D&O/EPLI					
Total Number of Employees		686		762	11.08%
Total Revenues	$	75,228,042	$	81,779,989	8.71%
Expenditures	$	76,063,785	$	81,861,862	7.62%
Premium	$	**33,823**	$	**39,193**	15.88%
Professional Liability					
Limit	$	1,000,000	$	1,000,000	0.00%
Premium	$	**12,012**	$	**12,300**	2.40%
Crime/Bond					
Employee Dishonesty Limit	$	500,000	$	500,000	0.00%
Premium	$	**3,175**	$	**3,175**	0.00%
Cyber Liability					
Limit	$	1,000,000	$	1,000,000	0.00%
Premium	$	**21,745**	$	**21,210**	-2.46%
TOTAL	**$**	**594,752**	**$**	**679,281**	**14.21%**

SECTION 4

PREMIUM/LOSS HISTORY – HANOVER POLICIES

Policy Type	Policy Term	Premium	Losses	Loss Ratio
General Liab/Inland Marine	10-1-2023/24	$35,052	$30,000	85.59%
	10-1-2022/23	$34,146	$0	0.00%
		$69,198	**$30,000**	**43.35%**
Package	10-1-2021/22	$271,226	$36,681	13.52%
	10-1-2020/21	$222,410	$0	0.00%
	10-1-2019/20	$193,956	$339,827	175.21%
		$687,592	**$376,508**	**54.76%**
Auto	10-1-2023/24	$140,826	$9,639	6.84%
	10-1-2022/23	$108,274	$48,333	44.64%
	10-1-2021/22	$94,716	$83,601	88.26%
	10-1-2020/21	$87,361	$70,393	80.58%
	10-1-2019/20	$79,897	$142,973	178.95%
		$511,074	**$354,939**	**69.45%**
Umbrella	10-1-2023/24	$32,993	$0	0.00%
	10-1-2022/23	$30,479	$0	0.00%
	10-1-2021/22	$29,057	$0	0.00%
	10-1-2020/21	$24,577	$0	0.00%
	10-1-2019/20	$20,976	$0	0.00%
		$105,089	**$0**	**0.00%**
TOTAL		**$1,337,901**	**$731,447**	**54.67%**

Losses valued as of 9-4-2024

SECTION 5

MULTI YEAR PREMIUM HISTORY

Coverage Part	2020/21	2021/22	2022/23	2023/24	2024/25
Property/Boiler & Mach	$188,004	$237,941	$255,545	$315,126	$354,770
Inland Marine	$2,003	$2,365	$2,544	$2,547	$2,331
General Liability/EBL	$32,403	$30,920	$31,602	$32,505	$36,460
Fleet Liability	$70,075	$68,671	$84,042	$102,784	$125,307
Fleet Physical Damage	$17,286	$26,045	$24,232	$38,042	$47,850
Umbrella Liability	$24,577	$29,057	$30,479	$32,993	$36,685
Faithful Performance Bond	$3,036	$3,036	$3,175	$3,175	$3,175
D&O/EPLI	$21,931	$24,369	$27,470	$33,823	$39,193
Professional Liability	$11,431	$11,554	$11,781	$12,012	$12,300
Cyber Liability	$12,500	$18,659	$21,548	$21,745	$21,210
Sub-Total	***$383,246***	***$452,617***	***$492,418***	***$594,752***	***$679,281***
Work Comp	$374,614	$420,394	$404,341	$459,639	$477,287
TOTAL	**$757,860**	**$873,011**	**$896,759**	**$1,054,391**	**$1,156,568**

Notes:

- The General Liability exposures have been updated
- The fleet has newer more expensive vehicles
- 5 Year auto loss ratio with Hanover is 69.45%
- Equipment schedule was updated
- Property values have increased

NEW BUSINESS – FOR ACTION **Agenda Item VI.C.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Resolution to Limit the Enrollment of Nonresident Pupils

(Recommended by the superintendent)

That the board of education approve the resolution to put the following limits per class into place beginning on September 17, 2024 for the duration of the 2024-2025 school year unless rescinded by the board:

Grade K Nonresident Pupil Limit: 28
Grade 1 Nonresident Pupil Limit: 31
Grade 2 Nonresident Pupil Limit: 30
Grade 3 Nonresident Pupil Limit: 30
Grade 4 Nonresident Pupil Limit: 29
Grade 5 Nonresident Pupil Limit: 26
Grade 6 Nonresident Pupil Limit: 24
Grade 7 Nonresident Pupil Limit: 30
Grade 8 Nonresident Pupil Limit: 28
Grade 9 Nonresident Pupil Limit: 27
Grade 10 Nonresident Pupil Limit: 34
Grade 11 Nonresident Pupil Limit: 32
Grade 12 Nonresident Pupil Limit: 35

Enrollment of students who **are** residents of the Richfield school district area cannot be limited at any time. Nonresident students who have already been enrolled in RPS prior to September 17, 2024 will be able to continue their enrollment in RPS through graduation. This resolution does not affect Prekindergarten enrollment, which follows a different process.

Background Information:

As of 9/10/24, RPS had the following numbers of nonresident pupils enrolled in the affected grade levels:

Current Grade K Nonresident Pupil Total: 47
Current Grade 1 Nonresident Pupil Total: 40

Current Grade 2 Nonresident Pupil Total: 48
Current Grade 3 Nonresident Pupil Total: 53
Current Grade 4 Nonresident Pupil Total: 49
Current Grade 5 Nonresident Pupil Total: 46
Current Grade 6 Nonresident Pupil Total: 35
Current Grade 7 Nonresident Pupil Total: 44
Current Grade 8 Nonresident Pupil Total: 45
Current Grade 9 Nonresident Pupil Total: 48
Current Grade 10 Nonresident Pupil Total: 65
Current Grade 11 Nonresident Pupil Total: 61
Current Grade 12 Nonresident Pupil Total: 69

Minnesota Statutes 124D.03, subdivision 2 gives school boards the authority to limit the number of nonresident pupils in its schools or programs as long as it is not less than 1% of the overall enrollment at each grade level. The RPS administration has recommended to the board that limiting the enrollment of nonresident pupils is necessary at this time because of capacity constraints. The pupil limits listed in the resolution have been set at 10% of the current total enrollment at each grade level.

As of 9/13/24, overall District enrollment is currently 79 students above projection at the elementary level and 68 students above projection at the secondary level for a total of 147 students above projection. While average class sizes are currently within acceptable ranges, maintaining target class sizes at certain grade levels would become a challenge if enrollment significantly increases throughout the school year. Current District K-12 enrollment is 40 students more than last school year's October 1, 2023 count of K-12 students.

During the 2023-2024 school year, 39 nonresident students in Grades K-12 enrolled into RPS between 9/18/23 and 4/26/24. Of these students, 11 left the District prior to the end of the school year. 59% of these 39 students continue to be enrolled in RPS this current school year. 5 of these students have since moved to Richfield.

Attachment:
Resolution to Limit the Enrollment of Nonresident Pupils
Enrollment Count – September 13, 2024

EXTRACT OF MINUTES OF MEETING
OF THE SCHOOL BOARD
OF INDEPENDENT SCHOOL DISTRICT NO. 280
(RICHFIELD PUBLIC SCHOOLS)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 280 (Richfield Public Schools), State of Minnesota, was duly held in said school district on the 16th day of September, 2024, at 7 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION TO LIMIT THE ENROLLMENT OF NONRESIDENT PUPILS

WHEREAS, Minnesota Statutes 124D.03, subdivision 2 (Limited enrollment of nonresident pupils), gives school boards the authority to limit, by resolution, the number of nonresident pupils in its schools or programs and the limit must not be less than the lesser of: 1) one percent of the total enrollment at each grade level in the district; or 2) the number of district residents at that grade level enrolled in a nonresident district; and

WHEREAS, Minnesota Statutes 124D.03, subdivision 6 (Basis for decisions) requires the school board to adopt, by resolution, specific standards for rejection of an enrollment application of a nonresident pupil and this standard may include the capacity of a program (excluding special education services), class, or school building; and

WHEREAS, the School Board of Independent School District No. 280 has determined a limit of nonresident pupil enrollments is necessary because of capacity constraints in the programs, classes, or buildings of Independent School District No. 280;

THEREFORE, BE IT HEREBY RESOLVED, by the School Board of Independent School District No. 280 that the following limits per class be put in place beginning September 17, 2024 for the duration of the 2024-2025 school year unless rescinded by the school board; and school district administration will provide the required reporting to the Minnesota Commissioner of Education as required by statute.

Grade K Nonresident Pupil Limit: 28
Grade 1 Nonresident Pupil Limit: 31
Grade 2 Nonresident Pupil Limit: 30
Grade 3 Nonresident Pupil Limit: 30
Grade 4 Nonresident Pupil Limit: 29
Grade 5 Nonresident Pupil Limit: 26

Grade 6 Nonresident Pupil Limit: 24
Grade 7 Nonresident Pupil Limit: 30
Grade 8 Nonresident Pupil Limit: 28
Grade 9 Nonresident Pupil Limit: 27
Grade 10 Nonresident Pupil Limit: 34
Grade 11 Nonresident Pupil Limit: 32
Grade 12 Nonresident Pupil Limit: 35

The motion for the adoption of the foregoing resolution was duly seconded by Member

_____ and, upon vote being taken thereon,

the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)SS
COUNTY OF HENNEPIN)

I, the undersigned, being the duly qualified and acting Clerk of Independent School District No. 280 (Richfield Public Schools), State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the school board of said school district duly called and held on the date therein indicated, so far as such minutes relate to the vote of said school district, and that the resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such clerk this _____ day of September, 2024.

_____
Clerk

RICHFIELD PUBLIC SCHOOLS
ENROLLMENT COUNT - September 13th, 2024

GRADE	Central & SEC	RDLS	CENT	SHER	STEM	RMS	RHS	RCEP	2024 13-Sep ACTUAL	2024 1-Oct PROJ	RDLS	CENT	SHER	STEM	RCEP RMS RHS	change		2023 1-Oct ACT	2024 13-Sep ACT	Variance
ECSE*	112								**112**	**109**						3	**ECSE**	119	112	-7
SEC	24								**24**	**25**						-1	**SEC**	20	24	4
Voluntary PreK (VPK)	51	36	16	18	35				**156**	**161**						-5	**VPK**	148	156	8
K		79	46	62	93				**280**	**269**	**-5**	**4**	**1**	**11**			**K**	321	280	-41
1		96	48	76	90				**310**	**314**	**-2**	**-1**	**5**	**-6**			**1**	278	310	32
2		75	50	65	105				**295**	**273**	**-2**	**7**	**1**	**16**		29	**2**	281	295	14
3		93	52	56	99				**300**	**281**	**-4**	**7**	**5**	**11**			**3**	283	300	17
4		78	42	75	97				**292**	**271**	**8**	**2**	**2**	**9**			**4**	262	292	30
5		69	52	56	82				**259**	**249**	**5**	**1**	**1**	**3**		50	**5**	260	259	-1
6						239			**239**	**245**					**-6**		**6**	287	239	-48
7						299			**299**	**284**					**15**		**7**	283	299	16
8						276			**276**	**274**					**2**	11	**8**	227	276	49
9							270	0	**270**	**253**					**17**		**9**	326	270	-56
10							335	0	**335**	**324**					**11**		**10**	304	335	31
11							300	21	**321**	**313**					**8**		**11**	319	321	2
12							294	56	**350**	**329**					**21**	57	**12**	355	350	-5
Voluntary PreK (VPK)	51	36	16	18	35				156											
Actual w/o VPK	136	490	290	390	566	814	1199	77	3962									4073	4118	45
Projection w/o VPK	134	490	270	375	522	803	1158	61	3813	3974	Includes VPK									
Difference w/o VPK	2	0	20	15	44	11	41	16												
Actual PreK-12	**187**	**526**	**306**	**408**	**601**	**814**	**1199**	**77**	4118											

	CURR.	DIFF		CURR.	DIFF		CURR.	DIFF
Prekindergarten	268	-2	Elem K-5	1736	79	Trans+	24	-1
Kindergarten	280	11	M.S 6-8	814	11	Kinder	280	11
Grades 1-2	605	18	S.H 9-12	1276	57	Grds 1-6	1695	62
Grades 3-5	851	50	K-12 Total	3826	147	Grds 7-12	1851	74

PreK-12 Projection 10/1/24	3974
PreK-12 Actual 9/13/24	4118
Projection Variance	144
Last Year Enrollment 10/1/2023	4073
Change From Last Year	45

The enrollment counts include an average of the PSEO students attending colleges other than Normandale.

*19 of the ECSE Students are attending VPK in other buildings. They do not count towards our VPK allocation.

Online Full Time: 1-1st grader, 1-2nd grader, 1-4th grader, 1-6th grader, 4-7th graders, 1-8th grader, 1-10th grader, 1-12th grader. They are included in the above count.

NEW BUSINESS – FOR REVIEW **Agenda Item VI.D.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Activities Transportation

(Recommended by the superintendent)

A first read of Policy 744: Activities Transportation & Administrative Guideline 744.1. This policy outlines the process for transporting students, parent/guardians and staff members to activities.

Attachments:
Policy 744: Activities Transportation
Administrative Guideline 744.1
MSBA Model Policy 710: Extracurricular Transportation

RICHFIELD PUBLIC SCHOOLS
ACTIVITIES TRANSPORTATION

I. PURPOSE

The purpose of this policy is to make clear to students, parents and staff the school district's policy regarding activities transportation.

II. GENERAL STATEMENT OF POLICY

The school district may charge a fee for transporting students to and from activities in accordance with Minnesota Statute §123B.36 that authorizes charging a fee for service.

The determination as to whether to provide transportation for students, spectators or participants to and from activities shall be made by the school district administration. This determination shall include, but is not limited to, charter licensing requirements, the persons to be transported, the type or method to be utilized, distance to the event, available vehicles, amount of scheduling and coordination, and any other transportation arrangements.

A. Transportation for students participating in Minnesota State High School League (MSHSL) sanctioned activities shall be provided by the district as outlined in the Administrative Guidelines.

B. The transportation cost for non-MSHSL sanctioned activities and events shall be paid for by the students participating.

C. The cost of transportation provided to parents and user groups to an event or activity shall be borne by those participating.

Legal References: Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.49 (Extra Curricular Transportation)
Minn. Stat. § 123B.86 (Equal Treatment)
Minn. Stat. § 123B.88 (Transportation)
Minn. Stat. § 123B.92 (Transportation Aid & Entitlement)

Cross References: Board Policy 653 (Field Trips)
Board Policy 541 (Student Behavior)
Board Policy 742 (Transportation)
Board Policy 741 (Walk Distance)

ADOPTED BY THE BOARD OF EDUCATION: April 15, 2002

REVISED BY THE BOARD OF EDUCATION: March 19, 2007

REVISED BY THE BOARD OF EDUCATION: May 20, 2019

RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

ACTIVITIES TRANSPORTATION

I. INTRODUCTION

These administrative guidelines are to facilitate activities transportation services; this includes but is not limited to athletics, school sponsored clubs, and theater, pursuant to Board Policy 744.

II. ARRANGEMENT OF TRANSPORTATION

School district employees may undertake independent arrangement, scheduling or coordination of transportation for activities only when specifically directed or approved by the activities director. School district employees will notify the activities director of all transportation arrangements made.

III. EMPLOYEE TRANSPORTATION OF STUDENTS

Transportation shall be furnished through a commercial carrier or school-owned vehicle. All vehicles used to transport students shall be properly registered and insured. In the event a private vehicle is approved for use, a certificate of insurance must be on file in the school district office.

In the event of an emergency or other unforeseeable circumstances, employees are authorized to make appropriate transportation arrangements for students as necessary. Employees may transport students in non-emergency circumstances when approved by the transportation department. The employee shall report the relevant facts and circumstances to the administration.

Employees may transport students on approved trips in rental vehicles. All employees driving students need to complete the school's van training prior to transporting students.

IV. STUDENT DISCIPLINE

Rules of conduct and student discipline shall apply to all student transportation.

In the event a student desires to return home from an event with a parent or other adult, a letter of permission, signed by the student's parent or guardian, must be presented to the activities office prior to the event. The letter of permission is appended to this document. In the case of a family or medical emergency at an away event, parents may transport their student or make arrangements to have their student transported. Circumstances of the emergency and the transportation arrangements will be reported to the activities director as soon as possible.

V. ACTIVITIES TRANSPORTATION

A. The transportation cost to participate in activities or attend an event shall be the personal responsibility of the student.

B. Transportation to scheduled practices shall be the personal responsibility of the student.

C. Transportation shall be provided to competitions within a 70 mile radius of Richfield High School.

D. Transportation to scrimmages and competitions outside of a 70 mile radius of Richfield High School requires prior approval by the activities director.

E. Buses shall be scheduled whenever possible in such a manner to reduce the number of buses used. Groups shall share transportation when having common destinations and may be expected to wait for the completion of each other's events before the return trip.

F. A coach style bus is recommended for travel outside the districts 70 mile radius transportation limit.

G. Coaches and activity advisors are encouraged to use a school van when transporting small groups.

H. The transportation department is encouraged to contract for transportation service to accommodate trips beyond the district's capacity.

VI. FEE FOR SERVICE

The transportation department will charge the user group the established cost per mile for the use of a van or school bus plus the labor cost when a licensed school bus driver is required.

Dated: April 15, 2002
Reviewed: March 19, 2007
Revised: May 20, 2019

Adopted: _____ *MSBA/MASA Model Policy 710*
Orig. 1995
Revised: _____ *Rev. 2022~~12~~*

710 EXTRACURRICULAR TRANSPORTATION

I. PURPOSE

The purpose of this policy is to make clear to students, parents, and staff the school district's policy regarding extracurricular transportation.

II. GENERAL STATEMENT OF POLICY

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the school district administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

III. ARRANGEMENT OF EXTRACURRICULAR TRANSPORTATION

School district employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by the school district administration. All transportation arrangements made by a school district employee must be approved by a building administrator. If the school district makes no arrangements for extracurricular transportation, students who wish to participate are responsible for arranging for or providing their own transportation.

IV. NO EMPLOYEE TRANSPORTATION OF STUDENTS WITH PERSONAL VEHICLES

An employee must not use a personal vehicle to transport one or more students except as provided herein. However, employees may make appropriate transportation arrangements for students as necessary in an emergency or other unforeseeable circumstance.

In a nonemergency situation, an employee must get prior, written approval from the administration before transporting a student in a personal vehicle. If a school vehicle is available, the employee will use the school vehicle. The administration has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to the administration as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

[Note: This policy provides that employees may use a personal vehicle to transport students in an emergency or other unforeseeable circumstance. An "emergency or other unforeseeable circumstance" does not include situations where regular transportation is available or scheduled.

For example, if a scheduled extracurricular event occurs outside of the school district and the school district transports a team or group of students to and from the event, an employee would be prohibited by law from using a personal vehicle to transport some students to the event. In contrast, if a student attending this same event became ill or injured and required immediate transportation home or to a health care facility, the exigent need to transport one student would not constitute regular or scheduled transportation. An employee would have authority to transport the student in a personal vehicle under these circumstances, if using a vehicle that is properly registered and insured. The expectation of the school district is that the employee would immediately contact administration about these circumstances to ensure oversight of the employee's use of this exception.

Nonregular and nonscheduled transportation also would include situations where some notice may be provided of the need for transportation to a nonscheduled event for which transportation generally is not provided by the school district. For example, a group of students may participate in a scheduled debate competition for which regular school district transportation is provided. Two students advance to a regional competition the following day. Transportation would not have been scheduled to the regional competition as the students' advancement was not predicted. These circumstances may justify an employee's use of a personal vehicle to transport the two students to the regional competition, if the vehicle is properly registered and insured. Because the employee has sufficient time to contact an administrator, advance written permission by an administrator would be expected for the purpose of overseeing that the reasons for an employee using a personal vehicle comply with the requirements of the law.]

V. FEES

In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.

Legal References:
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 169.011, Subd. 71(a) (Definitions ~~of a School Bus~~)
Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards ~~— Exemption~~)

Cross References:
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
~~MSBA Service Manual, Chapter 2, Transportation~~

NEW BUSINESS – FOR REVIEW **Agenda Item VI.E.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Gifts to Employees

(Recommended by the superintendent)

A first read of Policy 408: Gifts to Employees & Administrative Guideline 408.1. This policy sets expectations for any gifts given to staff members or school board members in order to avoid the appearance of conflict of interest situations.

Currently the policy and guideline state that employees may not accept gifts of greater than nominal value, which is $35 from an individual or $100 from a group. If the gift is coming from a person or organization doing business with the District, it cannot be accepted if it has greater than a $5 value.

Attachments:
Policy 408: Gifts to Employees
Administrative Guideline 408.1
MSBA Model Policy 421: Gifts to Employees and School Board Members

RICHFIELD PUBLIC SCHOOLS

GIFTS TO EMPLOYEES

I. PURPOSE

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school district employees and school board members.

II. GENERAL STATEMENT OF POLICY

A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.

B. A violation of this policy occurs when any employee solicits, accepts, or receives either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.

C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of $5 or less with an inscription recognizing an individual for an accomplishment. The superintendent has discretion to determine what value is “insignificant.”

D. Teachers may accept from publishers free samples of textbooks and related teaching materials.

E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school district.

F. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person.

III. DEFINITIONS

A. “Gift” means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given without something of equal or greater value being received in return.

B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make.

IV. PROCEDURES

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

V. VIOLATIONS

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

Legal References: Minn. Stat. 10A.07 (Conflicts of Interest)
Minn. Stat. 10A.071 (Prohibition of Gifts)
Minn. Stat. 15.43 (Acceptance of Advantage by State Employee Penalty)
Minn. Stat. 471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References: Board Policy 202 - School Board Member Code of Ethics

ADOPTED BY THE BOARD OF EDUCATION: November 15, 1999
REVIEWED AND AFFIRMED BY THE BOARD OF EDUCATION: December 20, 2004, June 11, 2012
REVISED BY THE BOARD OF EDUCATION: June 10, 2019

RICHFIELD PUBLIC SCHOOLS

ADMINISTRATIVE GUIDELINES

GIFTS TO EMPLOYEES

I. PURPOSE

The purpose of these administrative guidelines is to assist in the implementation of Board Policy 408, Gifts to Employees.

II. GUIDELINES REGARDING GIFTS

A. Board Policy 408 specifies that acceptance of a gift is permitted if it is of nominal value. For purposes of this policy, a gift received from an individual or family with an approximate value of $35.00 or less is considered nominal value. A gift received from a group (e.g. from a sports team to a coach) with an approximate value of $100.00 or less is considered nominal value.

B. Employees shall confer with the building administrator for guidance related to the interpretation and application of this policy.

C. Questions that cannot be addressed by the building administrator shall be referred to the superintendent.

III. ALTERNATIVES TO PERSONAL GIFTS

As indicated in Section II.A. of Policy 408, persons wishing to show appreciation are encouraged to do so in alternative ways. Other ways of showing appreciation include, but are not limited to, the following:

A. Verbal expression of appreciation to the individual directly and/or to the individual's supervisor.

B. Letter or note of appreciation to the individual, the individual's supervisor, and/or to the Board of Education.

C. Small tokens of gratitude as memorabilia.

D. Donation to the Richfield Public Schools Foundation and/or to the Spartan Foundation in an employee's name.

If the individual being recognized is associated with a specific school program or activity, the donation could be designated to support that program or activity.

IV. COMMUNICATIONS

Building and district level administrators are expected to inform staff and parents about Policy 408 and Administrative Guidelines 408.1, e.g. through a variety of media such as the school district website and building publications.

Dated: November 15, 1999
Reviewed:
Revised: December 20, 2004, June 11, 2012, June 10, 2019

Adopted: _____ *MSBA/MASA Model Policy 421*
Orig. 1995
Revised: _____ *Rev. 2019*

421 GIFTS TO EMPLOYEES AND SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school district employees and school board members.

II. GENERAL STATEMENT OF POLICY

A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.

B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.

C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of $5 or less with an inscription recognizing an individual for an accomplishment. The superintendent has discretion to determine what value is "insignificant."

D. Teachers may accept from publishers free samples of textbooks and related teaching materials.

E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply

to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school district.

F. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person.

III. DEFINITIONS

A. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.

B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make.

C. "Financial interest" means any ownership or control in an asset which has the potential to produce a monetary return.

IV. PROCEDURES

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

V. VIOLATIONS

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

Legal References: Minn. Stat. § 10A.07 (Conflicts of Interest)
Minn. Stat. § 10A.071 (Prohibition of Gifts)
Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References: MSBA/MASA Model Policy 209 (Code of Ethics)
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

NEW BUSINESS - FOR ACTION **Agenda Item VI.F.**

Board of Education
Independent School District 280
Richfield, Minnesota

Regular Meeting, September 16, 2024

Subject: Donations

(Recommended by the superintendent)

That the board of education accept the following donations with gratitude.

Richfield STEM Elementary School received a donation of a piano from Corrine McCune of Hallsville, MO.