

ISD #314
Isanti, Pine, Chisago,
& Kanabec Counties
Braham, MN 55006

AGENDA
REGULAR SCHOOL BOARD MEETING
Monday, July 18, 2016
7:00 pm – BAHS Community Room

1. Regular meeting called to order by Chair. Pledge of Allegiance.
Roll call.
2. Adopt Agenda.
3. Consent Agenda:
 - a. Approve the minutes of the June 20, 2016 Regular and Special School Board Meetings.
 - b. Approve the July bills.
 - c. Review and accept the July Treasurer's report.
 - d. Personnel
4. Acknowledgement of Donations or Contributions
5. Open Forum
6. Review Student Council Representative's report. - **No report this month.**
7. Review Elementary Principal's report.
8. Consider additional change to 2016-2017 Elementary Student Handbook
9. Review Activities/Community Ed Director report.
10. Review High School Principal's report.
11. Review District Assessment Coordinator's report. - **No report this month.**
12. Superintendent's Report
13. Acknowledge Braham "HONORS" Recipients.
14. School Board members' reports/updates.
15. Consider Long-term Facilities Maintenance Revenue Plan.
16. Consider Health and Safety Policy #807 as it currently exists.
17. Consider approval of Indoor Air Quality Maintenance Plan (IAQMP).
18. Consider membership renewal in Schools for Equity in Education (SEE) for 2016-17.
19. Consider Central MN Educational Research and Development Council (CMERDC) membership renewal for 2016-2017.
20. Consider MN School Boards Association membership renewal for 2016-2017.
21. Consider approval of FFA trip request submitted by the VoAg Department.
22. Consider acceptance of the 2016 Local Literacy Plan.
23. Consider **THIRD** reading of MSBA and district policies for adoption. - Pg 16
24. Consider **SECOND** reading of MSBA and district policies for discussion, update & revision. - Pg 81
25. Consider **FIRST** reading of MSBA and district policies for discussion, update and revision. - Pg 105
26. Consider elimination of outdated policies. - Pg. 118
27. Consider MSBA recommendations to modify specific policies. Pg. 133
28. Reminder of the August School Board meeting.
29. Adjourn.

ADDENDUM

Regular School Board Meeting
Monday, July 18, 2016
7 p.m. - BAHS - Community Room

- 1. Meeting called to order by Chair. Pledge of Allegiance.

Roll Call.

- 2. Adopt agenda.

- 3. Consent Agenda.

- a. Approve the minutes of the June 20th Regular & Special School Board meetings.

Ind. School District No. 314
Isanti, Pine, Chisago & Kanabec Counties
Braham, MN 55006

Regular School Board Meeting
Monday, June 20, 2016
7:00 pm – BAHS Community Room

The regular school board meeting was called to order by Chair Steven Eklund at 7:00 p.m. The Pledge of Allegiance was given.

Members present: S. Eklund, M. Thompson, T. Cuda, A. Flowers, R. Wyganowski, and Supt. Gagner.
Members absent: A. Londgren and J. Paitl

Motion by T. Cuda, second by A. Flowers to adopt the agenda as presented.

Motion by M. Thompson, second by B. Wyganowski to approve the minutes of the May 16th Regular School Board meeting; approve the June bills \$1,008,735.31; accept the June Treasurer’s report; and, review the enrollment analysis. The board accepted the resignations of JeanAnn Mattson as the Prom Advisor effective May 17, 2016; Karen Prigge HS Special Ed teacher effective the end of the 2015-16 school year; Lois Parson retirement effective August 1, 2016; and Alissa Unertl HS Art teacher effective the end of the 2015-16 school year. The board approved the hiring recommendations of: Julie Grell and Eric Jones as the two ESY Special ed paras for 24 hours each for summer 2016 at their current rate of pay; and, Katie Becker as an ESY special ed para for 42 hours for summer 2016 at her current rate of pay. Lori Auers, Roxanne Kirby, JeanAnn Mattson, Candi Lund, Kory Sybrant and Lori Lemieux as the Bomber Boost teachers on Tuesdays and Wednesdays for 6 weeks from 8 to 11 a.m. They will be paid at the curriculum writing rate. Approved Shawna Surdey’s request to exercise her bumping rights for fall 2016. Beth Stone as the Nat’l Honor Society advisor beginning fall 2016. She will be paid as per the “C” Schedule. William Pierce as the HS special ed teacher. His start date will be Aug. 29, 2016. He will be paid at BA 4, Step 5 of the BEA contract. Tim Burton as a cleaner/sweeper. He will be paid at Step 2 of the cleaner/sweeper portion of the custodial contract. His first day will be July 1, 2016. Bradford Yrjo as the HS Physical Ed teacher. His start date is Aug. 29, 2016. He will be paid at BA Step 3 of the BEA contract. Carried

Motion by B. Wyganowski, second by A. Flowers to acknowledge the June 2016 donations for the purposes requested: for the baseball shed \$3,935 from B.A.C.K.; for sphero balls for MakerSpace \$1,199.99 from BEPO; for Boys Basketball \$1,000 from Gordon and Alice Stone; for HS \$515.33 from Target; for Activity posters \$252.91 given anonymously; for Theater Dept \$10 given anonymously; for Elementary \$310.99 from Target; for Supermileage \$500 from MN Corn Growers Assoc, \$500 value in helmets and trailer rental

from Biodapt and, \$1,000 from Sports Dimensions. Carried.

Under Open Forum - There were no comments.

There were no reports from Students Council or DAC this month.

The written reports from Jeff Eklund, Elementary Principal; Matt Lattimore, HS Principal and Shawn Kuhnke, AD/CE were reviewed. Special congratulations to Allison Anderson for advancing to the golf state tournaments and to Grant Wilsey, John Larson, Ryan Riesing, Solomon Overton and Eric Eskuri for advancing to track & field state tournament.

Motion by M. Thompson, second by B. Wyganowski to approve the elementary student handbook changes as presented except for the changes to page 12 - Communicable Diseases which will be presented at the July Regular Board meeting. Carried.

Motion by B. Wyganowski, second by M. Thompson to approve the combined Fine Arts/Athletic Handbook for 2016-17. Carried

Motion by A. Flowers, second by T. Cuda to approve the high school student handbook changes for 2016-17. Carried.

Supt. Gagner reviewed his written report. He stated that a contract is being worked out with Teen Focus to provide chemical health professional services 1.5 days per week through the Isanti County Children's Collaborative. Supt. Gagner and Mora Supt. C. Schultz will be meeting with RRSEC on the contracts for their licensed administrators and the directors. The property/casualty, liability, vehicle and worker's comp rates for insurance will decrease slightly for the 2016-17 school year.

Supt. Gagner congratulated the following staff, students and community members for their accomplishments as "Braham HONORS" recipients. They are: Jane Goodson, Chuck Fredrick Ursula Scheele, Matt Lattimore, Shawn Kuhnke, Julie Johnson, Teresa Person, Lance Johnson, Sarah Anderson, Miranda Auger, Mary Berry, Tammy Bierl, Mary Kay Bodeen, Joan Burke, Wayne Chase, Lorna Christenson, Miranda Christenson, Ellen Cunningham, Mary Dillner, Pamela Eklund, Therese Fealy, Geneva Fix, Kimberly Funes, Shirley Geib, Katherine Genereau, Penny Hagfors, Lisa Hill, Randy Janssen, Karen Knowles, Jasmine Landherr, Amy Lawson, Jeanette Lener, Stephanie Lenz-Olson, Angela Londgren, Bonnie Lundin, Micah Malamisuro, Joni Mankie, Alyssa Mattson, Kari Murrell, Kristine Nielsen, Kathleen Olson, Peggy Paulson, Carol Peterson, Janae Peterson, Kim Pierson, Bernie Pohl, Valerie Prax, Joseph Rajkowski, Laura Roche, Kay Rodrigue, Mary Sarault, Andrew Shaw, Mary Soderstrom, Jennifer Stull, Mike Thompson, Nancy VanderHeyden, Robert Vaughan, Kevin Wojahn, Alexis Fix, Chelsey Swanson, Shelby Miles, Montana Wagner, Jazz Band, Cody Bourke-Anderson, Marquee Mattson, Sam Foote, Jorgen Mankie, John Ellingson, Matt Yerke, Britne Engelking, Sue Pearson, Cassie Tomczak, Lori Lemieux, Jeremy Brown, Sam Foote, Gary Pautsch, Nick Waukazo, Katelyn Robelia, Christian Patterson, Nick Nelson, Michael McAdams, Nate Johnson, Maria Hamlin, Bryce Bodell, Alex Berneking, Chase Anderson, Luke Becker, Allison Anderson, Emma Downing, Jenna Bostrom, Amelia Laman, Lauren Kreyer, Tessa Burmaster, Hunter Richmond, Alex Kurvers, Kyle Johnson, Matt Yerke, Alec Downing, Kevin Laman, Tiffany Fogel, Eric Eskuri, John Larson, Ryan Riesing, Solomon Overton, Grant Wilsey, Jennifer Lundin, Tony Cuda, Staci and Shawn Kuhnke, Jeff Eklund, April White, Jan Strohkirsch, Julie Johnson, Lori Auers, Tammi Johnson, Kristi Lee, Dave and Katie Blomdahl, Becky Hesselroth, Karen Leniz, Audra and John Carter, Ashley McMurray, Bryan Johnson, Dustin Hoeper and Jeff Campbell.

Board members reported on individual meetings and activities attended. Members attended policy review, buildings and grounds, and budget advisory committee meetings, Braham Appreciation days, elementary

track and field, interior and exterior construction meetings, staff appreciation breakfast, and graduation.

Motion by A. Flowers, second by M. Thompson to adopt the Resolution Discontinuing and Reducing Education Program and Position as presented. The resolution carried unanimously. A copy of said resolution shall be part of the official minutes.

Motion by M. Thompson, second by T. Cuda to adopt the resolution relating to the termination and nonrenewal of the teaching contract of Candice Lund, a probationary teacher. The resolution carried unanimously. A copy of said resolution shall be part of the official minutes.

Motion by B. Wyganowski, second by A. Flowers to approve the 2016-18 Braham Administration Association contract for 2016-2018. Chair Eklund abstained from the vote. The vote carried unanimously by the board members present. Carried

Motion by B. Wyganowski, second by A. Flowers to approve the employment of School Board member Mike Thompson as an on-call substitute teacher and test monitor for 2016-17 with income not to exceed \$8,000 as per M.S. 123B.195. Vice Chair Thompson abstained from the vote. Carried unanimously.

Motion by M. Thompson, second by T. Cuda to approve the contract with Xplode Sports Training for strength training and weightlifting from June 6th to July 29th, 2016. Carried

Motion by A. Flowers, second by T. Cuda to approve the Isanti County Election Equipment plan. A copy of the signed certification form will become part of the official minutes and the original will be mailed to Isanti County. Carried

Motion by B. Wyganowski, second by T. Cuda to approve the Final FY17 Budget. Carried.

Motion by M. Thompson, second by T. Cuda to approve the renewal of membership to Central Mn Resource Training and Solutions for 2016-17. Carried

Motion by B. Wyganowski, second by A. Flowers to adopt the following policies: #503 - Student Attendance; #613 - Graduation Requirements; #617 - Preparatory and High School Standards; #618 - Assessment of Standard Achievement; #619 - Staff Development of Standards; #707 - Transportation of Public School Students; #708 - Transportation of Nonpublic Students; #701 - Establishment/Adoption of School District Budget; #701.1 - Modification of School District Budget; and #714 - Establishment, Implementation and Revision of School District budget and fund balances. Carried

The following policies are being submitted for their **SECOND** reading: #101 - School District Legal Status; #101.1 - Name of the School District; #103 - Complaints - Students, Employees, Parents, Other Persons; #203 - Operation of the School Board - Governing Rules; #203.1 - School Board Procedures; Rules of Order; #203.2 - Order of the Regular School Board Meeting; #207 - Public Hearings; #209 - School Board Member Code of Ethics; #211 - Criminal or Civil Action against School District, School Board Member, employee or student; #212 - Board Member Development; #213 - School Board Committees; #403 - Discipline, Suspension & Dismissal of School District Employees; #408 - Subpoena of a School District Employee; #409 - Employee Publications, Instructional Materials, Inventions, and Creations; #422 - Policies incorporated by Reference; #423 - Employee-Student Relationships; #504 - Student Dress & Appearance; #505 - Distribution of Non-school sponsored materials on School Premises by Students & Employees; #512 - School-sponsored Student Publications and Activities; #517 - Student Recruiting; #523 - Policies incorporated by Reference; #525 - Violence Prevention (Applicable to Students and Staff); #527 - Student Use and Parking of Motor vehicles; Patrols Inspections, and Searches; #604 - Instructional Curriculum; #605 - Alternative Programs; #609 - Religion; #615 - Testing Accommodations, modifications, and

Exemptions for IEP's, Section 504 Plans, and LEP Students; #623 - Mandatory Summer School Instruction; #704 - Development & Maintenance of an Inventory of Fixed Assets & a Fixed Asset Accounting System; #711 - Video Recording on School Buses; #713 - Student Activity Accounting; #720 - Vending Machines; #904 - Distribution of Materials on School District Property by Non-School Persons; #905 - Advertising; #906 - Community Notification of Predatory Offenders. **NO ACTION IS REQUIRED AT THIS TIME.**

The following policies were submitted for their FIRST reading: #201 - Legal Status of the School Board; #208 - Development, Adoption & Implementation of Policies; #209 - Code of Ethics; #301 - School District Administration; #302 - Superintendent; #303 Superintendent Selection; #304 - Superintendent Contract, Duties, and Evaluation; #305 - Policy Implementation; #306 - Administrator Code of Ethics; #511 Student Fundraising; #513 - Student Promotion, Retention, and Program Design; #518 - DNR-DNI Orders; #519 Interviews of Students by Outside Agencies; #602 - Organization of School Calendar & School Day; #606 - Textbooks & Instructional Materials; #901 - Community Education; #903 - Visitors to School District Buildings & Sites. **NO ACTION REQUIRED AT THIS TIME.**

Reminder to all present of the Regular School Board meeting set for Monday, July 18th, 2016 at 7 p.m. in B100 - Community Room at the high school.

Motion by A. Flowers, second by B. Wyganowski to adjourn the meeting. Chair Eklund adjourned the meeting at 7:38 p.m.

Allison Londgren, Clerk

Attest: _____
Steven Eklund, Chair

**Ind. School Dist. No. 314
Isanti, Pine, Chisago &
Kanabec Counties
Braham, MN 55006**

**Special School Board Meeting
Monday, June 20, 2016
Immediately following Regular School Board Mtg
BAHS Community Room**

The Special School Board Meeting was called to order by Chair Steven Eklund at 7:50 PM. The Pledge of Allegiance was given.

Members present: S. Eklund, M. Thompson, R. Wyganowski, T. Cuda, and A. Flowers.
Members absent: J. Paitl and A. Londgren.

Motion by T. Cuda, second by A. Flowers, to adopt the agenda as printed.

Chair Eklund closed the meeting for the purpose of conducting the semi-annual superintendent's job performance review pursuant to MN Statute 13D.05, Subd. 3. The meeting was closed at 7:51 PM.

The board proceeded to review and discuss the superintendent's job performance during the 2015-2016 school years. Following the review, the board listed strengths of the superintendent and areas where the superintendent can improve upon.

The following strengths were listed:

1. Communication
2. Visibility and Community Involvement
3. Work Ethic

The following were listed as areas to improve upon:

1. Knowledge of school finance
2. Developing school educational programs

At 8:53 PM, Chair Eklund re-opened the meeting.

Motion by T. Cuda, second by A. Flowers, to adjourn the meeting at 8:53 PM.

Attest: _____
Mike Thompson, Vice Chair

Attest: _____
Steve Eklund, Chair

- b. Approve the July bills.
- c. Review and accept the July Treasurer’s report.
- d. Personnel

RESIGNATIONS

Matt Lattimore, HS Principal has submitted his letter of resignation as the HS Principal. Mr. Lattimore has been here since fall of 2014.

Eric Tye, HS Special Ed teacher has submitted his letter of resignation effective the end of the 15-16 school year. He has been with the district since September 2007.

RECOMMENDATIONS

Alex Sundly, 5-8 Special Education teacher has been recommended by Principal Eklund for the 5-8 Special Education teacher. His start date is Aug. 29, 2016. He will be paid at BA Step 1.

Ryan Kedrowski, HS Art teacher has been recommended by Principal Eklund for the HS Art teacher position. His start date is Aug. 29, 2016. He will be paid at BA Step 1.

4. Acknowledgement of donations or contributions.

Minnesota Statute 123B.02 permits school boards to “...receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof.”

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No.314 that the School Board accepts with appreciation the following contributions and permits their use as designated by the donors.

Donor	Item and/or Amount	Purpose
Isanti County	\$118.00	6th gr field trip transportation
MN Historical Society	\$448.00	6th gr field trip transportation
Staples Motley ISD #2170	\$75.00	Supermileage

5. Open Forum.

6. Review Student Council Representative’s report. - **No report this month.**

7. Review Elementary Principal's report.

Braham Area Elementary

July 2016 Board Report

1. Summer Bomber Boost

- Teachers are doing a great job.
- Thank to Lori Lemieux for taking the lead on this

2. School of Excellence Leadership Team

- Has been meeting throughout the summer
- Goal is to have a draft to present to staff during fall workshops

3. Staffing

- Elementary staffing is complete
- Possibility of adding 1 more Title I para.

4. Bomber PRIDE lessons

- Elementary Lesson topics are set.
- Lessons are being created
- Thanks to Jonelle Klemz, Roxanne Kirby, and Lori Lemieux for their help with this

5. Reading Corps

- We have a new KG literacy tutor hired
 - We have a new K-3 tutor hired
-

8. Consider additional changes to 2016-2017 Elementary Student Handbook

Pg. 12

Communicable Disease

~~A child entering school the first year comes in contact with an increasing number of children. Keep your child home if he/she has a cough, headache, sore throat, earache, swollen glands, rashes or sores, nausea, vomiting, diarrhea or general signs of illness. **If your child has vomited within the past 12 hours they should not be sent to school.** Parents are asked to report any cases of contagious diseases to the school as soon as possible.~~

Flu Symptom Screening Tool for Parents and Caregivers Use this questionnaire each day your child is sick with flu-like symptoms and follow the instructions for when to keep the child home and what to tell the child's school.

Does Your Child Have:

- **Fever of 100° F or higher?**

- (Take the child's temperature before giving him/her fever-reducing medicine, like Tylenol.)

AND

- **Sore throat?**
- **Cough?**

Should I Keep My Child Home?

If your child has a fever AND one of the other symptoms, keep your child home for at least 24 hours after his or her fever is gone without fever-reducing medicine. For many children this will be 5 to 7 days. Your child should feel well enough to participate in school before returning. If you have questions about your child's health or symptoms, call your child's doctor or clinic.

If your child has been diagnosed by a doctor or clinic with a different disease, such as strep, follow your doctor or clinic's recommendation and school policy for when to return to school.

What Should I Tell My Child's School?

If your child has a fever AND one of the other symptoms, tell the school that your child is home with influenza-like illness.

If your child has been diagnosed by a doctor or clinic with a different disease, such as strep, tell your child's school.

Flu Symptom Screening Tool for Parents and Caregivers found on MDH website.
www.health.state.mn.us/divs/idepc/diseases/flu/school/parentscreens.pdf

<i>Chicken Pox</i>	Exclude from school until pox are healed (about 7 days)
<i>Measles</i>	Exclude from school until 5 days after appearance of rash
<i>German Measles</i>	Exclude from school for 3 days after rash appears
<i>Mumps</i>	Isolate until fever and swelling have disappeared and temperature is normal
<i>Impetigo</i>	Very contagious. Exclude from school until lesions are healed. Exclude from school 24 hours after treatment begins
<i>Ringworm</i>	Get specific treatment. Exclude from school until lesions are healed.
<i>Scarlet Fever and Searsdale</i>	Advise medical care. Isolate 1 day after antibiotic therapy or until rash is clear.
<i>Strep Throat</i>	Exclude from school until on antibiotics for 24 hours. Exclude from school 24 hours after treatment begins
<i>Whooping Cough</i>	Confine to home for three weeks after first symptoms. Exclude for 5 days after treatment has started.
<i>Pinkeye (Conjunctivitis)</i>	Exclusion if there is thick white or yellow drainage and eye pain. no exclusion if eye is clear and watery with no pain.
<i>Lice</i>	May be in school after proper shampoo treatment. Parent/guardian will be notified by health office staff when lice is found. Students in grades P-2 will need to leave school. Students in grades 3-6 do not need to leave school. All students may return to school after they have been properly treated.
<i>Scabies</i> <i>H1N1</i>	May be in school after written permission from the doctor. Exclude from school 24 hours after treatment begins Refer to district web site for instructions.

Watch all the children in the home when there is contagion and exclude from school when first symptoms of illness appear.
Please contact our district school nurse when you have questions regarding your child's communicable disease.

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-
9. Review Activities/Community Ed Director report.

**Activities Director
Community Education Director
Technology Teacher
School Board Report
July 18, 2016**

1. Activities Night is scheduled for Tuesday, August 9, 2016 at 7:00 pm in the High School West Gym. This event has been strongly encouraged by the Minnesota State High School League and is a great way for parents and participants to meet their coaches or directors and gather more activity specific information. It also provides a great opportunity for participants to finish all the needed paperwork prior to the start of the season, including: updated physicals, MSHSL Eligibility Forms, Insurance Waivers and participation fees.
2. Several Camps and Lessons taking place over this summer to further develop our students on their athletic and musical talents. Camps currently running or have been completed include: Volleyball, Softball, Football, Boys Basketball, Girls Basketball and Wrestling.
3. Our 2016-2017 schedules are ready to view. They can be found by going to the following website:
www.greatriverconference.org.

Respectfully Submitted,
Shawn Kuhnke

10. Review High School Principal's report.

**School Board Report
July 2016
Matthew Lattimore, Principal**

Spring Conferences

We had a total of 234 students attend conferences this spring. As you know the spring conferences will be no longer at the high school next year as we will be implementing the study lounge for students and will staffed with our own teachers. This will provide someplace for students to work after school and give them access to teachers for the needed assistance.

Bryan Johnson-Conn-Selmer Conference

Was recognized by Conn-Selmer Inc. for attending a 4 day workshop that only 350 music educators were selected to attend! This was a four day workshop that provided access to the finest master teachers in the profession and the opportunity to collaborate and share trade secrets with music directors from around the globe. Bryan's willingness to contribute personal time from his summer vacation to increase his knowledge-base and actively seek out ways to improve the music program should be commended!

Thank You!!!

As I leave Braham Area High School to pursue another position, I want to take this opportunity to say thank you. Working for Braham Area Public Schools the past 2 years has been a wonderful experience that has afforded me many valuable opportunities to learn and grow, and I am very grateful to have been a part of this organization. I appreciate the opportunity you gave me to work with the students, staff, parents and community members of this fine district. The people have been awesome!!! Although it was only 2 years, I have built relationships that will last a lifetime. I wish Braham Area Schools the best of luck in the future!

Sincerely,
Matthew Lattimore

11. Review District Assessment Coordinator's report. - **No report this month.**

12. Superintendent's report.

1. Grandy Lions update (July 5):
 - The Lions voted to approve several grant requests including \$2,000 (over two years) to support an attendance incentive program in the Braham School District.
2. Facilities Project: *Check out the school website and FaceBook page for the latest photo's etc.*
 - Changes:
 - a change order for \$1,900 to install 20' of fencing on each side of the new crossing to the baseball complex was approved as a safety related measure.
 - Upcoming Construction Meetings:
 - Peterson July 20 9:00 a.m.
 - Ebert July 25 2:00 p.m.
 - Exterior Project update (95%):
 - Seeding crew is on site
 - Scoreboards being installed
 - Work on fencing, bases, discuss cage continues
 - Bleachers and press box installation complete
 - Final layer (track) currently being installed / striping will follow 7 days later
 - Softball storage shed delivered
 - Interior Project update (70%):
 - Work continues to progress in the new woods, metals, multipurpose, and building and grounds rooms
 - C100 work (lights and sound) is in progress
 - Painting/roof repair (east gym) in progress
 - Bleachers to be installed (east gym) starting July 22
 - Installation of translucent panels is 99% complete - just need to add downspouts.
 - Elmhurst Avenue is under construction (City) - enter from south end near elementary
3. Ongoing items:
 - a. The Staff Development committee will expand by at least two members in 2016-2017. This allows for community members and other non-licensed staff to contribute. The committee is still actively seeking a community member.

- b. Work continues in all departments on fulfilling goals outlined in the district’s World’s Best Workforce plan. We are still waiting on the MMR reports from the state (scheduled for release August 30) before we can pull together the WBWF committee.
- c. With the resignation of Principal Lattimore, I have posted a full time (215 days) high school principal/activities director position and a full time (186 days) dean of students/technology teacher position. I expect to recommend candidates by August 1.
- d. Negotiations with the RRSEC administrators continues. We are very close to an agreement for the 2015-2016 and 2016-2017 school years.
- e. The district signed a three year agreement with Tremco Incorporated to ‘button up’ and guarantee the last two sections of original roofing on the 5-12 building. This will allow the district to save funds for roof replacement in 2019.

13. Acknowledge Braham “HONORS” Recipients.

6-17-2016	Britne Engelking, Sue Pearson, Cassie Tomczak, Kelly Rud, Trista Kirchberg, Karen Prigge	Braham Area School District #314 would like to recognize you for volunteering your time to assist in the hiring process for the special education and physical education teaching positions. Bringing in great talent is critical to the success of our district and we sincerely appreciate your efforts in making this happen. Thanks!
6/20/16	Kaylie Paitl, Emily Lindquist, Ariaah Beckman	Braham Area School District #314 would like to recognize you for your accomplishment in being chosen as one of the Braham Ambassadors. Each of you will do a great job representing not just the community, but also Braham Schools. We hope you will have a terrific and exciting year as you promote Braham!
7-8-16	Scott Severson, Cody Waletzko, Luke Nadeau	Braham Area School District #314 would like to recognize the workers from Lakes Electric who have been working so hard to get the lighting in C100 completed before school starts. They have accomplished much already.... most at the top of the Genie lift. Thank you for all your hard work!

14. School Board members’ reports/updates.

15. Consider Long-term Facilities Maintenance Revenue.

Laws 2015, 1st Special Session, Chapter 3, Article, 6 sections 1-4 and 14 (2015 Education Act), establish a Long-term Facilities Maintenance Revenue Program for school districts, intermediate districts, other cooperatives and charter schools. The program replaces the current Health and Safety Revenue, Deferred Maintenance Revenue and Alternative Facilities Bonding and Levy programs, beginning in FY 2017. Revenue increases for school districts who were not originally eligible to participate in the Alternative Facilities Bonding and Levy program are phased-in over three years, from FY 2017 to FY 2019. Plans must be received by July 31, 2016 by MDE. The plan, revenue spreadsheet, and Statement of Assurance will be sent in the board packet for review.

16. Consider Health and Safety Policy #807 as it currently exists.

The subdivision of Minn. Stat. §123B.57 that relate to a school district's ability to apply for health and safety revenue have been repealed effective fiscal year 2017. The provisions of this policy substantially reflect statutory requirements. This policy needs to be reviewed annually along with the Long-term Facilities Maintenance Revenue application above.

Braham Area Public Schools

Ind. School Dist. #314

Braham, MN 55006

Adopted: **March 21, 2016**

807 HEALTH AND SAFETY POLICY

I. PURPOSE

The purpose of this policy is to assist the school district in promoting health and safety, reducing injuries, and complying with federal, state, and local health and safety laws and regulations.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to implement a health and safety program that includes plans and procedures to protect employees, students, volunteers, and members of the general public who enter school district buildings and grounds. The objective of the health and safety program will be to provide a safe and healthy learning environment; to increase safety awareness; to help prevent accidents, illnesses, and injuries; to reduce liability; to assign duties and responsibilities to school district staff to implement and maintain the health and safety program; to establish written procedures for the identification and management of hazards or potential hazards; to train school district staff on safe work practices; and to comply with all health and safety, environmental, and occupational health laws, rules, and regulations.
- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district may form a health and safety advisory committee to be appointed by the superintendent. The health and safety advisory committee will be composed of employees and other individuals with specific knowledge of related issues. The advisory committee will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation. The superintendent may request that the safety committee established under Minn. Stat. § 182.676 carry out all or part of the duties of the advisory committee or the advisory committee may consider recommendations from a separate safety committee established under Minn. Stat § 182.676.

III. PROCEDURES

- A. Based upon recommendations from the health and safety advisory committee and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or

potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by the school board on an annual basis and shall be an addendum to this policy. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.

- B. To the extent that federal, state, and local laws, rules, and regulations do not exist for identification and management of hazards or potential hazards, the health and safety advisory committee shall evaluate other available resources and generally accepted best practice recommendations. Best practices are techniques or actions which, through experience or research, have consistently proven to lead to specific positive outcomes.
- C. The school district shall monitor and make good faith efforts to comply with any new or amended laws, rules, or regulations to control potential hazards.

IV. PROGRAM AND PLANS

- A. For the purpose of implementing this policy, the administration will, within the budgetary limitations adopted by the school board, implement a health and safety program that includes specific plan requirements in various areas as identified by the health and safety advisory committee. Areas that may be considered include, but are not limited to, the following:
 - 1. Asbestos
 - 2. Fire and Life Safety
 - 3. Employee Right to Know
 - 4. Emergency Action Planning
 - 5. Combustible and Hazardous Materials Storage
 - 6. Indoor Air Quality
 - 7. Mechanical Ventilation
 - 8. Mold Cleanup and Abatement
 - 9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
 - 10. Infectious Waste/Bloodborne Pathogens
 - 11. Community Right to Know
 - 12. Compressed Gas Safety
 - 13. Confined Space Standard
 - 14. Electrical Safety
 - 15. First Aid/CPR/AED
 - 16. Food Safety Inspection
 - 17. Forklift Safety
 - 18. Hazardous Waste
 - 19. Hearing Conservation
 - 20. Hoist/Lift/Elevator Safety
 - 21. Integrated Pest Management
 - 22. Laboratory Safety Standard/Chemical Hygiene Plan
 - 23. Lead
 - 24. Control of Hazardous Energy Sources (Lockout/Tagout)
 - 25. Machine Guarding
 - 26. Safety Committee
 - 27. Personal Protection Equipment (PPE)
 - 28. Playground Safety
 - 29. Radon
 - 30. Respiratory Protection

31. Underground and Aboveground Storage Tanks
32. Welding/Cutting/Brazing
33. Fall Protection
34. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
35. Other areas determined to be appropriate by the health and safety advisory committee.

If a risk is not present in the school district, the preparation of a plan or procedure for that risk will not be necessary.

- B. The administration shall establish procedures to ensure, to the extent practicable, that all employees are properly trained and instructed in job procedures, crisis response duties, and emergency response actions where exposure or possible exposure to hazards and potential hazards may occur.
- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices.
- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the incident and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.

V. BUDGET

The superintendent shall be responsible to provide for periodic school board review and approval of the various plan requirements of the health and safety program, including current plan requirements and related written plans and procedures and recommendations for additional plan requirements proposed to be adopted. The superintendent, or such other school official as designated by the superintendent, each year shall prepare preliminary revenue and expenditure budgets for the school district's health and safety program. The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for this program and make such adjustments within the expenditure budget to carry out the current program and to implement new recommendations within the revenues projected and appropriated for this purpose. No funds may be expended for the health and safety program in any school year prior to the adoption of the budget document authorizing that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year. The health and safety program shall be implemented, conducted, and administered within the fiscal restraints of the budget so adopted.

VI. ENFORCEMENT

Enforcement of this policy is necessary for the goals of the school district's health and safety program to be achieved. Within applicable budget limitations, school district employees will be trained and receive periodic reviews of safety

practices and procedures, focusing on areas that directly affect the employee's job duties. Employees shall participate in practice drills. Willful violations of safe work practices may result in disciplinary action in accordance with applicable school district policies.

- Legal References:** Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)
Minn. Stat. § 123B.57 (Capital Expenditure; Health and Safety)
Minn. Stat. § 182.676 (Safety Committees)
Minn. Rules Part 5208.0010 (Applicability)
Minn. Rules Part 5208.0070 (Alternative Forms of Committee)

- Cross References:**
MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

17. Consider approval of Indoor Air Quality Maintenance Plan (IAQMP).

Consider approval of the IAQMP as updated by MacNeil Environmental. A copy of the current plan will be sent via email for board review and approval.

18. Consider membership renewal in Schools for Equity in Education (SEE) for 2016-17.

The school district has been a member of SEE for a number of years. This organization has been very instrumental in obtaining legislation providing equity funding for school districts in the state. This funding has been, and continues to be, very critical for the district. The cost of membership for 2016-2017 is \$2,125.86. The following resolution will serve this purpose:

WHEREAS Braham, District #314, seeks professional assistance for the purpose of obtaining legislative information affecting schools and for legislative representative regarding legislative matters of interest to Braham,

BE IT THEREFORE resolved that the Braham District #314 joins the Schools for Equity in Education (SEE) effective July 1, 2016 for the 2016-2017 membership year and authorize payment for the membership in the amount of \$2,125.86

19. Consider Central MN Educational Research and Development Council (CMERDC) membership renewal for 2016-2017.

CMERDC provides a regional service for school districts in a number of areas including primarily purchasing and repair; as well as technical support for our financial personnel. The membership fee for 2016-2017 is \$1,134.00.

20. Consider MN School Boards Association membership renewal for 2016-2017.

Minnesota statutes provide that individual school boards, by a two-thirds vote, may join MSBA. This membership provides benefits to member schools in the way of negotiations policy and election support, legal advice and seminars for members and general school management. The premium for the 2016-2017 school year is \$4,132.00 and is based on our average daily membership of students served in 2015-16..

21. Consider approval of FFA trip request submitted by the VoAg Department.

Vocational Instructor Luke Becker and FFA Vice President Michael McAdams have submitted a trip request for at least 5 FFA members to go to the FFA National Convention in Indianapolis, Indiana from October 18 through October 22, 2016. A copy of their letter will be sent in the board packet.

22. Consider acceptance of the 2016 Local Literacy Plan.

The Literacy Plan components include Goals and Objectives, an Assessment Plan; Parent Notification and Involvement; Intervention and Staff Development for 2016. The complete plan will be sent in the board packet.

23. Consider **THIRD** reading of MSBA and district Policies for update and revision.

The following policies are being submitted for their **THIRD** reading and discussion: #101 - School District Legal Status; #101.1 - Name of the School District; #103 - Complaints - Students, Employees, Parents, Other Persons; #203 - Operation of the School Board - Governing Rules; #203.1 - School Board Procedures; Rules of Order; #203.2 - Order of the Regular School Board Meeting; #207 - Public Hearings; #209 - School Board Member Code of Ethics; #211 - Criminal or Civil Action against School District, School Board Member, employee or student; #212 - Board Member Development; #213 - School Board Committees; #403 - Discipline, Suspension & Dismissal of School District Employees; #408 - Subpoena of a School District Employee; #409 - Employee Publications, Instructional Materials, Inventions, and Creations; #422 - Policies incorporated by Reference; #423 - Employee-Student Relationships; #504 - Student Dress & Appearance; #505 - Distribution of Non-school sponsored materials on School Premises by Students & Employees; #512 - School-sponsored Student Publications and Activities; #517 - Student Recruiting; #523 - Policies incorporated by Reference; #525 - Violence Prevention (Applicable to Students and Staff); #527 - Student Use and Parking of Motor vehicles; Patrols Inspections, and Searches; #604 - Instructional Curriculum; #605 - Alternative Programs; #609 - Religion; #615 - Testing Accommodations, modifications, and Exemptions for IEP's, Section 504 Plans, and LEP Students; #623 - Mandatory Summer School Instruction; #704 - Development & Maintenance of an Inventory of Fixed Assets & a Fixed Asset Accounting System; #711 - Video Recording on School Buses; #713 - Student Activity Accounting; #720 - Vending Machines; #904 - Distribution of Materials on School District Property by Non-School Persons; #905 -

Advertising; #906 - Community Notification of Predatory Offenders. **NO ACTION IS REQUIRED AT THIS TIME.**

Braham Area Public Schools

Ind. School Dist. #314

Braham, MN 55006

Adopted: February 21, 1995

#101 LEGAL STATUS OF THE SCHOOL DISTRICT

I. PURPOSE

A primary principle of this nation is that the public welfare demands an educated and informed citizenry. The power to provide for public education is a state function vested in the state legislature and delegated to local school districts. The purpose of this policy is to clarify the legal status of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.
- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.

III. RELATIONSHIP TO OTHER ENTITIES

- A. The school district is a separate legal entity.
- B. The school district is coordinate with and not subordinate to the county(ies) in which it is situated.
- C. The school district is not subservient to municipalities within its territory.

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT

- A. Funds
 - 1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools and authority to manage and expend such funds, subject to applicable law.

2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
3. School district officials occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

1. The school district shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of schools, payment of indebtedness, and all proper expenses.
2. The school district may issue bonds in accordance with the provisions of Minn. Stat. Ch. 475, or other applicable law.
3. The school district has authority to accept gifts and donations for school purposes, subject to applicable law.

C. Property

1. The school district may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district officials hold school property as trustees for the use and benefit of students, taxpayers, and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.
2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minn. Stat. § 465.71 or other applicable law.
3. The school district has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.
4. The school district has authority to enter into employment contracts. As a public employer, the school district, through its designated representatives, shall meet and negotiate with public employees in an appropriate bargaining unit and enter into written collective bargaining

agreements with such employees, subject to applicable law.

E. Textbooks, Educational Materials, and Studies

1. The school district, through its school board and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. The school district shall establish and apply the school curriculum.

F. Actions and Suits

The school district has authority to sue and to be sued.

Legal References: Minn. Const. art. 13, § 1

Minn. Stat. Ch. 123B (School Districts, Powers and Duties)

Minn. Stat. Ch. 179A (Public Employment Labor Relations)

Minn. Stat. § 465.035 (Conveyance or Lease of Land)

Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties of Political Subdivisions)

Minnesota Association of Public Schools v. Hanson, 287 Minn. 415, 178 N.W.2d 846 (1970)

Independent School District No. 581 v. Mattheis, 275 Minn. 383, 147 N.W.2d 374 (1966)

Village of Blaine v. Independent School District No. 12, 272 Minn. 343, 138 N.W.2d 32 (1965)

Huffman v. School Board, 230 Minn. 289, 41 N.W.2d 455 (1950)

State v. Lakeside Land Co., 71 Minn. 283, 73 N.W.970 (1898)

Cross References: MSBA/MASA Model Policy 201 (Legal Status of School Board)

MSBA/MASA Model Policy 603 (Curriculum Development)

MSBA/MASA Model Policy 604 (Instructional Curriculum)

MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)

MSBA/MASA Model Policy 705 (Investments)

MSBA/MASA Model Policy 706 (Acceptance of Gifts)

MSBA/MASA Model Policy 801 (Equal Access to School Facilities)

MSBA Service Manual, Chapter 3, Employee Negotiations

MSBA Service Manual, Chapter 13, School Law Bulletin "F" (Contract and Bidding Procedures)

Adopted: MSBA/MASA Model Policy 101.1

Orig. 1998

Revised: Rev. 1999

101.1 NAME OF THE SCHOOL DISTRICT

I. PURPOSE

The purpose of this policy is to clarify the name of the school district.

II. GENERAL STATEMENT OF POLICY

Pursuant to statute, the official name of the school district is Independent School District 314.

However, the school district is often referred to by other informal names. In order to avoid confusion and to encourage consistency in school district letterheads, signage, publications and other materials, the school board intends to establish a uniform name for the school district.

III. UNIFORM NAME

- A. The name of the school district shall be Ind. School District 314
- B. The name specified above may be used to refer to the school district and may be shown on school district letterheads, signage, publications and other materials.
- C. In official communications and on school district ballots, the school district shall be referred to as Ind. School District 314, but inadvertent failure to use the correct name shall not invalidate any legal proceeding or matter or affect the validity of any document.

Legal References: Minn. Stat. § 123A.55 (Classes, Number)
Cross References:

Adopted: *MSBA/MASA Model Policy 103*
 Orig. 1995
 Revised: *Rev. 2005*

#103 COMPLAINTS – STUDENTS, EMPLOYEES, PARENTS, OTHER PERSONS

I. PURPOSE

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

II. GENERAL STATEMENT OF POLICY

- A. Students, parents, employees or other persons, may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent or school board. However, persons are encouraged to file a complaint at the building level when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow-up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for the investigation or follow-up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond in writing to the complaining party concerning the outcome of

the investigation or follow-up, including any appropriate action or corrective measure that was taken. The superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) or other law.

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

Cross References: MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
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 514 (Bullying Prohibition)
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: MSBA/MASA Model Policy 203
Orig. 1995
Revised: Rev. 2009

203 OPERATION OF THE SCHOOL BOARD – GOVERNING RULES

I. PURPOSE

The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

II. GENERAL STATEMENT OF POLICY

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

III. RULES OF ORDER

Rules of order for school board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
- C. *Robert’s Rules of Order, Revised* (latest edition) where not inconsistent with A. and B., above.

[Note: The editions of Robert’s Rules of Order differ, so specifying the edition used is important.]

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (School Board Matters)
Minn. Stat. § 123B.14 (Officers)

Cross References:

Adopted:
Orig. 1997
Revised:

MSBA/MASA Model Policy 203.1
Rev. 1999

203.1 SCHOOL BOARD PROCEDURES; RULES OF ORDER

I. PURPOSE

The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

II. GENERAL STATEMENT OF POLICY

To ensure that school board meetings are conducted in an orderly fashion, the school board will follow rules of order which will allow the school board:

- A. To establish guidelines by which the business of the school board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the school board and decisions of the school board can be made in an orderly and reasonable manner;
- C. To insure that members of the school board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To insure that meetings and actions of the school board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

III. RULES OF ORDER

- A. School board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion shall be recorded in the minutes.
- D. The chair shall decide the order in which school board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.
- E. The chair shall rule on all questions relating to motions and points of order brought before the school board.

- F. A ruling by the chair is subject to appeal to the full school board pursuant to Robert's Rules of Order.
- G. The school board shall have authority to recognize any member of the audience regarding a request to be heard at the school board meeting. Members of the public who wish to be heard shall follow school board procedures.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school board.

[Note: The school board may choose to include in the policy a method of calling the roll.]

- K. The chair has the same right and responsibility as each school board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the school board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

[Note: In addition, school boards may have other rules or local customs they wish to incorporate to reflect their normal processes and procedures.]

Legal References: Minn. Stat. § 13D.01, Subd. 4 (Open Meeting Law)
 Minn. Stat. § 122A.40 (Employment Contracts, Termination)
 Minn. Stat. § 123B.09, Subds. 6 and 7 (School Board Powers)
 Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)
 Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)
 Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)
 Minn. Stat. § 471.88 (Exceptions)

Cross References: MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)
 MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
 MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
 MSBA/MASA Model Policy 207 (Public Hearings)

Adopted: *MSBA/MASA Model Policy 207*
Orig. 1995
 Revised: *Rev. 2009*

207 PUBLIC HEARINGS

I. PURPOSE

The school board recognizes the importance of obtaining public input on matters properly before the school board. The purpose of this policy is to establish procedures to efficiently receive public input.

II. GENERAL STATEMENT OF POLICY

In order for the school board to efficiently receive public input on matters properly before the school board, the procedures set forth in this policy are established by the school board.

III. PROCEDURES

A. Public Hearings

Public hearings are required by law to be held concerning certain issues, including but not limited to, school closings (Minn. Stat. § 123B.51), education district establishment (Minn. Stat. § 123A.15), and agreements for secondary education (Minn. Stat. § 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the discretion of the school board.

B. Notice of Public Hearings

Public notice of a public hearing required by law shall be given as provided by the enabling legislation. Public notice of other hearings shall be given in the manner required for a regular meeting if held in conjunction with a regular meeting, in the manner required for a special meeting if held in conjunction with a special meeting, or as otherwise determined by the school board.

C. Public Participation

The school board retains the right to require that those in attendance at a public hearing indicate their desire to address the school board and complete and file with the clerk of the school board an appropriate request card prior to the commencement of the hearing if the school board utilizes this procedure. In that case, any request to address the school board after the commencement of the hearing will be granted only at the discretion of the school board.

1. Format of Request: If required by the school board, a written request of an individual or a group to address the school board shall contain the name and address of the person or group seeking to address the school board. It shall also contain the name of the group represented, if any, and a brief statement of the subject to be covered or the issue to be addressed.
2. Time Limitation: The school board retains the discretion to limit the time for each presentation as needs dictate.
3. Groups: The school board retains the discretion to require that any group of persons who desire to address the school board designate one representative or spokesperson. In the event that the school board requires the designation of a representative or spokesperson, no other person in the group will be recognized to address the school board, except as otherwise determined by the school board.
4. Privilege to Speak: A school board member should direct any remarks or questions through the

chair. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.

5. Personal Attacks: Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
6. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

Legal References: Minn. Stat. § 123A.15 (Education District Establishment)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123B.51 (School Closings)

Cross References: MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)

Adopted: MSBA/MASA Model Policy 209
Orig. 1995
Revised: Rev. 2009

209 CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to assist the individual school board member in understanding his or her role as part of a school board and in recognizing the contribution that each member must make to develop an effective and responsible school board.

II. GENERAL STATEMENT OF POLICY

Each school board member shall follow the code of ethics stated in this policy.

A. AS A MEMBER OF THE SCHOOL BOARD, I WILL:

1. Attend school board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other school board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.

7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.
8. Inform myself about the proper duties and functions of a school board member.

B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the school board as a whole, is to see that the schools are properly run – not to run them myself.
5. Work through the superintendent – not over or around the superintendent.
6. Delegate the implementation of school board decisions to the superintendent.

C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE SCHOOL BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the school district and community.
2. Attempt to obtain adequate financial support for the school district's programs.
3. Insist that business transactions of the school district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my school

district.

E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF, I WILL:

1. Hold the superintendent responsible for the administration of the school district.
2. Give the superintendent authority commensurate with his or her responsibilities.
3. Assure that the school district will be administered by the best professional Personnel available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open meeting of the school board.
5. Avoid conflicts of interest and refrain from using my school board position for personal gain.
6. Take no private action that will compromise the school board or administration.

7. Guard the confidentiality of information that is protected under applicable law.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)
Cross References: MSBA Service Manual, Chapter 1, School Board Member Code of Ethics

Adopted: *MSBA/MASA Model Policy 212*
Orig. 1995
Revised: *Rev. 2005*

212 SCHOOL BOARD MEMBER DEVELOPMENT

I. PURPOSE

In recognition of the need for continuing inservice training and development for its members, the purpose of this policy is to encourage the members of the school board to participate in professional development activities designed for them so that they may perform their responsibilities.

II. GENERAL STATEMENT OF POLICY

- A. New school board members will be provided the opportunity and encouragement to attend the orientation and training sessions sponsored by the Minnesota School Boards Association (MSBA). School board members shall receive training in school finance and management developed in consultation with MSBA.
- B. All school board members are encouraged to participate in school board and related workshops and activities sponsored by local, state, and national school boards associations, as well as in the activities of other educational groups.
- C. School board members are expected to report back to the school board with materials of interest gathered at the various meetings and workshops.
- D. The school board will reimburse the necessary expenses of all school board members who attend meetings and conventions pertaining to school activities and the objectives of the school board, within the approved policy and budget allocations of the school district relating to the reimbursement of expenses involving the attendance at workshops and conventions.

Legal References: Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)
Cross References: MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)
MSBA/MASA Model Policy 412 (Expense Reimbursement)

Adopted: *MSBA/MASA Model Policy 213*
Orig. 1996
Revised: *Rev. 2007*

213 SCHOOL BOARD COMMITTEES

[Note: Many school boards utilize either standing or ad hoc committees, or both. On the other hand, some

school boards avoid the use of committees for the most part because of the danger of fragmentation of the governance process. The objective of this policy is to provide a framework for those school boards which elect to utilize committees or subcommittees. Further, this policy is designed to apply only to committees or subcommittees made up of elected school board members. Other considerations will apply to committees established by the school board involving members of the public, employees, students, parents, etc.]

I. PURPOSE

The purpose of this policy is to provide for the structure and the operation of committees or subcommittees of the school board.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board to designate school board committees or subcommittees when it is determined that a committee process facilitates the mission of the school board.
- B. The school board has determined that certain permanent standing committees, as described in this policy, to facilitate the operation of the school board and the school district.
- C. A school board committee or subcommittee will be formed by school board resolution which shall outline the duties and purpose of the committee or subcommittee.
- D. A committee or subcommittee is advisory in nature and has only such authority as specified by the school board.
- E. The school board will receive reports or recommendations from a committee or subcommittee for consideration. The school board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.
- F. The school board also may establish such ad hoc committees for specific purposes as it deems appropriate.
- G. The school board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.
- H. A committee of the school board shall not appoint a subcommittee of that committee without approval of the school board.

III. APPOINTMENT OF COMMITTEES

- A. The school board hereby appoints the following standing committees:
 - 1. ~~Audit~~—Budget Advisory
 - 2. Building and Grounds.
 - 3. Central MN Serv Co-op/ Resource Training Solutions
 - 4. Community Education Advisory Council
 - 5. Donald F. Olson Scholarship
 - 6. ECMECC
 - 7. World's Best WorkForce
 - 8. Isanti County Human Rights Commission
 - 9. Isanti Co. Interagency Collaborative
 - 10. Legislative (Schools for Equity in Education SEE)

- 11. Meet & Confer
- 12. MN State HS League
- 13. ~~2.~~ Policy.
- 14. RRSEC Joint Powers Agreement
- 15. Technology
- 16. ~~4.~~ Negotiations Committee(s) for various employee groups.

[Note: Each school district should determine which, if any, standing committees the school board wishes to establish.]

- B. The school board will establish, by resolution, for each standing or ad hoc committee the number of members, the term and the charge or mission of each such committee.
- C. The school board chair shall appoint the members of each standing or ad hoc committee and designate the chair thereof.

IV. PROCEDURES FOR SCHOOL BOARD COMMITTEES

- A. All meetings of committees or subcommittees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.
- B. A committee or subcommittee shall act only within the guidelines and mission established for that committee or subcommittee by the school board.

The board may consider clarifying these two sections:

- C. Actions of a committee or subcommittee shall be by majority vote and be consistent with the governing rules of the school board.**
- D. The committee or subcommittee shall designate a secretary who will record the minutes of actions of the school board committee.**
- E. The power of a committee or subcommittee of the school board is advisory only and is limited to making recommendations to the school board.
- F. A committee or subcommittee of the school board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the school board.

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)
Cross References: MSBA/MASA Model Policy 201 (Legal Status of the School Board)
 MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)
 MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)

Adopted: *MSBA/MASA Model Policy 403*
Orig. 1995
 Revised: *Rev. 1999*

403 DISCIPLINE, SUSPENSION, AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES

I. PURPOSE

The purpose of this policy is to achieve the effective operation of the school district’s programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

II. GENERAL STATEMENT OF POLICY

The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the school district.

III. DISCIPLINE

A. Violation of School Laws and Rules

The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge depending upon factors such as the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies include:

1. policies of the school district;
2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

B. Substandard Performance

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.

C. Misconduct

Misconduct of an employee will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies and standards of the school district and/or directives and orders of supervisors and any other act of an insubordinate nature;
3. continuing neglect of duties in spite of oral warnings, written warnings and/or other forms of discipline;
4. personal and/or immoral misconduct;
5. use of illegal drugs, alcohol or any other chemical substance on the job or any use off the job which impacts on the employee's performance;
6. deliberate and serious violation of the rights and freedoms of other employees, students, parents or other persons in the school community;
7. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. failure to follow the canons of professional and personal ethics;
9. falsification of credentials and experience;
10. unauthorized destruction of school district property;
11. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
12. neglect of duty;

13. violation of the rights of others as provided by federal and state laws related to human rights.

IV. FORMS OF DISCIPLINE

A. The forms of discipline that may be imposed by the school district include, but are not limited to:

1. oral warning;
2. written warning or reprimand;
3. probation;
4. disciplinary suspension, demotion or leave of absence with pay;
5. disciplinary suspension, demotion or leave of absence without pay; and
6. dismissal/termination or discharge from employment.

B. Other forms of discipline, including any combination of the forms described in Paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the school district’s objective of stopping or correcting the offending conduct and improving the employee’s performance.

V. PROCEDURES FOR ADMINISTERING POLICY

A. In an instance where any form of discipline is imposed, the employee’s supervisor will:

1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the employee specifying the date, time and nature of the oral warning.
2. Provide directives to the employee to correct the conduct or performance.
3. Forward copies of all writings to the administrator in charge of personnel for filing in the employee’s personnel file.
4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
5. Specify the expected level of performance or modification of conduct to be required from the employee.

B. The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements where applicable.

Legal References: Minn. Stat. § 122A.40 (Teachers – Employment; Contracts; Termination)
Minn. Stat. § 122A.41 (Teacher Tenure)
Minn. Stat. § 122A.44 (Contracting with Teachers)
Minn. Stat. § 122A.58 (Coaches)
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)
Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)
Minn. Stat. § 197.46 *et seq.* (Veterans Preference Act)

Cross References: MSBA Service Manual, Chapter 3, Employees

Adopted:
Orig. 1995
Revised:

MSBA/MASA Model Policy 408

Rev. 2007

408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Ch. 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor.**

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA, Minn. Stat. Ch. 13, also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.**

IV. APPLICATION AND PROCEDURES

A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately inform the superintendent that the employee has received a subpoena.

B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.

C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.

D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Rules 1205.0100, Subp. 5 (Minnesota Rules Regarding Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin "P" (School Records – Privacy – Access to Data)

Adopted: *MSBA/MASA Model Policy 409*
Orig. 1995
Revised: *Rev. 2008*

409 EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS

I. PURPOSE

The purpose of this policy is to identify and reserve the proprietary rights of the school district to certain publications, instructional materials, inventions, and creations which employees may develop or create, or assist in developing or creating, while employed by the school district.

II. GENERAL STATEMENT OF POLICY

Unless the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee’s own time and without the use of any school district facilities or equipment, the employee shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, computer programs, materials posted on websites, inventions or creations which the employee develops or creates or assists in developing or creating during the term of employee’s employment and for **2 years** thereafter. In addition, employees shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, materials posted on websites, inventions and/or creations, including domestic and foreign patents and copyrights.

III. NOTICE OF POLICY

The school district shall give employees notice of this policy by such means as are reasonably likely to inform them of this policy.

Legal References: Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)
17 U.S.C. § 101 *et seq.* (Copyrights)

Cross References:

Adopted: *MSBA/MASA Model Policy 422*
Orig. 1995

422 POLICIES INCORPORATED BY REFERENCE

PURPOSE

Certain policies as contained in this policy reference manual are applicable to employees as well as to students. In order to avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to employees:

Model Policy 102	Equal Educational Opportunity
Model Policy 103	Complaints – Students, Employees, Parents, Other Persons
Model Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Model Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Model Policy 305	Policy Implementation
Model Policy 505	Distribution of Non-school Sponsored Materials on School Premises by Students and Employees
Model Policy 507	Corporal Punishment
Model Policy 510	Student Activities
Model Policy 511	Student Fundraising
Model Policy 517	Student Recruiting
Model Policy 518	DNR-DNI Orders
Model Policy 519	Interviews of Students by Outside Agencies
Model Policy 524	Internet Acceptable Use and Safety Policy
Model Policy 525	Violence Prevention
Model Policy 610	Field Trips
Model Policy 710	Extracurricular Transportation
Model Policy 711	Video Recording on School Buses
Model Policy 712	Video Surveillance Other Than on Buses
Model Policy 802	Disposition of Obsolete Equipment and Material

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

Cross References:

Adopted:

MSBA/MASA Model Policy 423

Orig. 1999

Revised:

Rev. 2009

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.

B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.

C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.

D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.

E. Other actions that violate this policy include, but are not limited to, the following:

1. Dating students.
2. Having any interaction/activity of a sexual nature with a student.
3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.
4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.

F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

[Note: Such safeguards may include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or making sure that such meetings with a student take place in rooms with windows and/or others nearby.]

G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.

H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific

complaint procedures are provided within any other policy of the school district.

B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. SCHOOL DISTRICT ACTION

Upon receipt of a report, 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. It also may include reporting to appropriate state or federal authorities, including the Board of Teaching or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School 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.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend and indemnify the employee for damages in school-related litigation.

- Legal References:** Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd 2 (Mandatory Reporting to Minnesota Board of Teaching)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)
Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)
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 421 (Gifts to Employees)
MSBA/MASA Model Policy 507 (Corporal Punishment)

Adopted: *MSBA/MASA Model Policy 504*
Orig. 1995
Revised: *Rev. 2002*

504 STUDENT DRESS AND APPEARANCE

I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student’s parent(s) or

guardian(s).

B. Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
2. Clothing that does not create a health or safety hazard.
3. Clothing appropriate for the activity (i.e., physical education or the classroom).

C. Inappropriate clothing includes, but is not limited to, the following:

1. “Short shorts,” skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
2. Clothing bearing a message that is lewd, vulgar, or obscene.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
5. Any apparel or footwear that would damage school property.

D. Hats are not allowed in the building except with the approval of the building principal (i.e., student undergoing chemotherapy; medical situations).

E. The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.

F. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

A. When, in the judgment of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.

C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

Legal References: U. S. Const., amend. I
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)

Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
 Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
 B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
 D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
 Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
 Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
 McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)
 Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)
 Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)
Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 525 (Violence Prevention)

Adopted: *MSBA/MASA Model Policy 505*
Orig. 1995
 Revised: *Rev. 2002*

505 DISTRIBUTION OF NON-SCHOOL SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

The purpose of this policy is to protect the exercise of students’ and employees’ free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, non-school sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of non-school sponsored material on school property and at school activities.

III. DEFINITIONS

- A. “Distribute” or “Distribution” means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. “Non-school sponsored material” or “unofficial material” includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of non-school sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. “Obscene to minors” means:
 - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;

2. The material depicts or describes, in a manner that is patently offensive to Prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the district for Which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. “School activities” means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, non-school sponsored material.
- B. Requests for distribution of non-school sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
 4. advertises or promotes any product or service not permitted to minors by law;

5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

C. Distribution by students and employees of non-school sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that non-school persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

A. No non-school sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

B. Distribution of non-school sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

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

D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. PROCEDURES

A. Any student or employee wishing to distribute (as defined in this policy) non-school sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
2. Date(s) and time(s) of day intended for distribution.
3. Location where material will be distributed.

4. If material is intended for students, the grade(s) of students to whom the distribution is intended.

B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.

C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.

D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.

E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

VII. DISCIPLINARY ACTION

A. Distribution by any student of non-school sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.

B. Distribution by any employee of non-school sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.

C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy will be published in student handbooks and posted in school buildings.

IX. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

[Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]

Legal References: U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Non-school Persons)

Adopted: *MSBA/MASA Model Policy 512*

Orig. 1995

Revised:

Rev. 2002

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students’ rights to free speech in production of official school publications and activities while at the same time balancing the school district’s role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

[Note: A school district generally will wish to reserve a forum it sponsors for its intended purpose in light of the special characteristics of the school environment. By doing so, the school district will have more authority/editorial control over student expression in such a forum. Sponsorship alone may not be enough, however. If the exercise of control is challenged, courts will examine factors such as whether the school district’s purpose in creating the forum was educational, whether school officials supervised the publication or activity and exercised editorial control over the contents, whether the materials were produced as part of the curriculum, and whether students received grades and academic credit for the publication or activity. If a forum is reserved, regulation of student expression as in Section IV.B. of this policy will be permissible. If a forum is not reserved, but rather is opened for public communication by tradition or designation, then only the limited regulation of speech as described in Section IV.A. of this policy will be permissible.]

A. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.

B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.

C. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.

1. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.
2. Official school publications may be distributed at reasonable times and locations.

III. DEFINITIONS

A. “Distribution” means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal

staff or student mailboxes.

B. “Official school publications” means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.

C. “Obscene to minors” means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;

2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and

3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

D. “Minor” means any person under the age of eighteen (18).

E. “Material and substantial disruption” of a normal school activity means:

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.

2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

F. “School activities” means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

A. Expression in an official school publication or school-sponsored activity is prohibited when the material:

1. is obscene to minors;
2. is libelous or slanderous;
3. advertises or promotes any product or service not permitted for minors by law;
4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
5. expresses or advocates sexual, racial, or religious harassment or violence or prejudice;

6. is distributed or displayed in violation of time, place, and manner regulations.

B. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district's actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:

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

C. Time, Place, and Manner of Distribution

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

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

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

Legal References: U. S. Const., amend. I

Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)

Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)

Morse v. Frederick, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Non-school Sponsored Materials on School Premises by Students and Employees)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Non-school Persons)

Adopted:

MSBA/MASA Model Policy 517

Orig. 1995

Revised:

Rev. 2000

#517 STUDENT RECRUITING

I. PURPOSE

The purpose of this policy is to prevent school district employees from exerting undue influence for purposes of securing or retaining the attendance of a student in a school.

II. GENERAL STATEMENT OF POLICY

A. It is the policy of the school district to encourage employees to make available to all interested people information regarding the school district, its schools, programs, policies, and procedures. The purpose of such activity is to assist in the process of fully informed decision making regarding school enrollment and to enhance the visibility and image of the school district.

B. At the same time, the school district recognizes that the scope of such activity is limited by statutory authority and bylaws of the Minnesota State High School League. Accordingly, it shall be a violation of this policy for employees to exert undue influence for purposes of securing or retaining the attendance of a student in a school or to compete with another school district for the enrollment of students.

C. Employees are further prohibited from encouraging others to engage in such conduct on behalf of the school district.

III. DEFINITION

A. The terms “undue influence” or “competing for enrollment” shall include initiating any oral or written contact with a student from another school district who participates in a school-sponsored sport or activity which solicits the student’s transfer to participate in a sport or activity.

B. The terms shall also include the awarding of tuition, allowance for board and/or room, allowance for transportation, priority in assignments of jobs, cash or gifts in any form, or any other privilege or consideration if not similarly available to all students.

IV. PROCEDURES

A. The school board shall adopt, by resolution, specific standards for acceptance and rejection of applications for open enrollment. Standards may include the capacity of a program, class, school building, or the statutory limits to nonresident enrollment in a particular grade level, or whether the student is currently expelled for (1) possessing a dangerous weapon, as defined under federal law, at a school or school function; (2) possession or using an illegal drug at school or at a school function; (3) selling or soliciting the sale of a controlled substance while at school or a school function; or committing a first, second or third degree assault as described in state law. Standards for acceptance and rejection of open-enrollment applications are subject to the Graduation Incentives Program and may not include previous academic achievement, athletic or other extracurricular ability, disabling conditions, proficiency in the English language, previous disciplinary proceedings, or the student’s district of residence.

B. Employees who violate the provisions of the policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, school district policies, and the bylaws of the Minnesota High School League, as applicable.

Legal References: Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.68 (Graduation Incentives Program)
Minnesota State High School League Bylaws

Cross References: MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)
MSBA Service Manual, Chapter 10, Minnesota State High School League (MSHSL)

Adopted: *MSBA/MASA Model Policy 523*

Orig. 1995

Revised:

Rev. 2012

523 POLICIES INCORPORATED BY REFERENCE

PURPOSE

Certain policies as contained in this policy reference manual are applicable to students as well as to employees. In order to avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to students:

Model Policy 102	Equal Educational Opportunity
Model Policy 103	Complaints – Students, Employees, Parents, Other Persons
Model Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Model Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Model Policy 305	Policy Implementation
Model Policy 413	Harassment and Violence
Model Policy 417	Chemical Use and Abuse
Model Policy 418	Drug-Free Workplace/Drug-Free School
Model Policy 419	Tobacco-Free Environment
Model Policy 420	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions
Model Policy 511	Student Fundraising
Model Policy 524	Internet Acceptable Use and Safety Policy
Model Policy 525	Violence Prevention
Model Policy 610	Field Trips
Model Policy 613	Graduation Requirements
Model Policy 614	School District Testing Plan and Procedure
Model Policy 615	Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students
Model Policy 616	School District System Accountability
Model Policy 707	Transportation of Public School Students
Model Policy 708	Transportation of Nonpublic School Students
Model Policy 709	Student Transportation Safety Policy
Model Policy 710	Extracurricular Transportation
Model Policy 711	Video Recording on School Buses
Model Policy 712	Video Surveillance Other Than on Buses
Model Policy 801	Equal Access to School Facilities

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

Cross References:

Adopted: *MSBA/MASA Model Policy 525*
Orig. 1996
Revised: *Rev. 2005*

525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]

I. PURPOSE

The purpose of this policy is to recognize that violence has increased and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

III. IMPLEMENTATION OF POLICY

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.
- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.

D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.

E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.

F. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.

G. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.

H. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). “Gang” as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A “pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

I. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

IV. PREVENTION STRATEGIES

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

[Note: The school board can adopt any of the prevention strategies that it intends to implement in its schools, including some or all of the following sample strategies.]

A. Adopt a district crisis management policy to address potential violent crisis situations in the district.

- B. Provide training in recognition, prevention, and safe responses to violence and development of a positive school climate.
- ~~C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students, and other youth service providers to advise on policy implementation.~~
- ~~D.~~ **C.** In-service training for personnel in aspects of reporting, visibility, and supervision as deterrents to violence.
- ~~E.~~ **D.** Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- ~~F. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law related education, and character/values education (universal values, e.g., honesty, personal responsibility, self-discipline, cooperation, and respect for others).~~
- ~~G.~~ **E.** Establish clear school rules that prevent and deter violence.
- ~~H. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.~~
- ~~I. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.~~
- ~~J.~~ **F.** Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- ~~K. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy, and identify differences in behavior and values that conflict with their own.~~
- ~~L. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.~~
- ~~M. Develop a student photo or name identification system for quick identification of the student in case of emergency.~~
- ~~N.~~ **G.** Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.
- ~~O.~~ **H.** Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.

~~P. Develop curriculum 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.~~

V. STUDENT SUPPORT

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of school board policies designed to protect their personal safety.
- C. Students will be provided with information as to school district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

VI. PERSONNEL

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)

Minn. Stat. § 120B.22 (Violence Prevention Education)

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 121A.035 (Crisis Management Policy)

Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)

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

Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)

Minn. Stat. § 121A.64 (Notification)

Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)

18 U.S.C. § 921 (Definition of Firearm)

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

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

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

McIntire v. Bethel School, 804 F.Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)

Olesen v. Board of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 504 (Student Dress and Appearance)

MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

Adopted: *MSBA/MASA Model Policy 527*
Orig. 1998
Revised: *Rev. 2002*

527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety, and welfare of students and school personnel.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student’s educational experience, will maintain order and discipline in the schools, and will protect the health, safety, and welfare of students and school personnel. This policy applies to all students in the school district.

III. DEFINITIONS

- A. “Contraband” means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and “look-alikes,” alcoholic beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.
- B. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official’s personal observation, a report from a student, parent, or staff member, a student’s suspicious behavior, a student’s age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. “Reasonable scope” means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.
- D. “School district location” means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

Students generally are not permitted to use motor vehicles during the school day in any school district location. Students may use motor vehicles on the high school campus[es] during the school day only if **pre-approval has been granted or** there is an emergency and permission has been granted to the student by a school official to use a motor vehicle. Students are permitted to use motor vehicles in school district locations outside of the school day only on the high school campus[es].

V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

- A. Students are permitted to park in a school district location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in **parking lots designated for use only by staff or by the general public.**
- B. When there are unauthorized vehicles parked on school district property, school officials may:
1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school district property.

VI. PATROLS, INSPECTIONS, AND SEARCHES

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

A. Patrols and Inspections

School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

B. Search of Interior of Student Motor Vehicle

The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches, and/or Seizures

A violation of this policy occurs when students store or carry contraband in motor vehicles in a school district location or interfere with patrols, inspections, searches, and/or seizures as provided by this policy.

D. Seizure of Contraband

If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

E. Dissemination of Policy

A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate.

VII. DIRECTIVES AND GUIDELINES

The superintendent is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

[Note: Some school districts may choose to allow students to park their cars in school district locations, such as designated student parking lots, by permit only. Such a permit system can be used to assist in the dissemination and enforcement of the motor vehicle policy. For example, school districts instituting a permit system can advise students who apply for a permit that the motor vehicle policy exists and that their motor vehicles are subject to inspection and search by school officials. An acknowledgment form, such as the sample attached to this policy, can then be utilized to document the notice given and the student's receipt of the policy.]

[Note: If a school district institutes a permit system and intends to charge students a fee for parking permits, the procedures in Minn. Stat. § 123B.38 must be followed before the fees are implemented.]

VIII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

Legal References: U. S. Const., amend. IV
Minn. Const., art. I, §10
Minn. Stat. § 123B.02, Subds. 1 and 5 (General Powers of Independent School Districts)
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)

Cross References: MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Adopted: MSBA/MASA Model Policy 604

Orig. 1995

Revised:

Rev. 2013

604 INSTRUCTIONAL CURRICULUM

I. PURPOSE

The purpose of this policy is to provide for the development of course offerings for students.

II. GENERAL STATEMENT OF POLICY

A. Instruction must be provided in at least the following subject areas:

1. Language arts and basic communication skills including reading and writing, literature, and fine arts;
2. Mathematics and science;
3. Social studies, including history, geography, economics, government, and citizenship;
4. Health and physical education;
5. The arts;
6. Career and technical education; and
7. World languages.

[Note: World languages programs should be developed and implemented to acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess and encourage students' proficiency in multiple world languages. Programs also must encompass indigenous American Indian languages and cultures, among other world languages and cultures. School districts may award Minnesota World Language Proficiency Certificates or Minnesota World Language High Achievement Certificates consistent with Minn. Stat. § 120B.022, Subd. 1.]

B. The basic instructional program shall include all courses required for each grade level by the Minnesota Department of Education and all courses required in all elective subject areas. The instructional approach will be nonsexist and multicultural.

C. Elementary and middle schools shall offer at least three, and require at least two, of the following four art areas: dance, music, theater, and visual arts. High schools shall offer at least three, and require at least one, of the following five art areas: media arts, dance, music, theater, and visual arts.

D. The school board, at its discretion, may offer additional courses in the instructional program at any grade level.

E. Each instructional program shall be planned for optimal benefit taking into consideration the financial condition of the school district and other relevant factors. Each program plan should contain goals and objectives, materials, minimum student competency levels, and methods for student evaluation.

F. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to instructional curriculum.

G. The school district will provide one time cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) instruction as part of its grade 7 to 12 curriculum for all students in that grade beginning in the 2014-2015 school year and later.

1. In the school district's discretion, training and instruction may result in CPR certification.

2. CPR and AED instruction must include CPR and AED training that have been developed:
 - a. by the American Heart Association or the American Red Cross and incorporate psychomotor skills to support the instruction; or
 - b. using nationally recognized, evidence-based guidelines for CPR and incorporate psychomotor skills to support the instruction. “Psychomotor skills” means hands-on practice to support cognitive learning; it does not mean cognitive-only instruction and training.
3. The school district may use community members such as emergency medical technicians, paramedics, police officers, firefighters, and representatives of the Minnesota Resuscitation Consortium, the American Heart Association, or the American Red Cross, among others, to provide instruction and training.
4. A school administrator may waive this curriculum requirement for a high school transfer student regardless of whether or not the student previously received instruction under this section, an enrolled student absent on the day the instruction occurred under this section, or an eligible student who has a disability.

[Note: If a school district requests resources, the Minnesota Resuscitation Consortium must provide them to the school district for instruction and training provided to students under this section.]

H. The school district shall assist all students by no later than grade 9 to explore their college and career interests and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. All students’ plans must be designed to:

1. provide a comprehensive academic plan for completing a college and career-ready curriculum premised on meeting state and local academic standards and developing 21st century skills such as team-work, collaboration, and good work habits;
2. emphasize academic rigor and high expectations;
3. help students identify personal learning styles that may affect their postsecondary education and employment choices;
4. help students gain access to postsecondary education and career options;
5. integrate strong academic content into career-focused courses and integrate relevant career-focused courses into strong academic content;
6. help students and families identify and gain access to appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship;
7. help students and families identify collaborative partnerships of kindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and employers that support students’

transition to postsecondary education and employment and provide students with experiential learning opportunities; and

8. be reviewed and revised at least annually by the student, the student’s parent or guardian, and the school district to ensure that the student’s course-taking schedule keeps the student making adequate progress to meet state and local high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial course-work.

The school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select a career, career interest, employment goals, or related job training.

[Note: Minn. Stat. § 120B.125 requires school districts to provide the services set forth in Section II.H. beginning in the 2013-2014 school year.]

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 120B.021 (Required Academic Standards)

Minn. Stat. § 120B.022 (Elective Standards)

Minn. Stat. § 120B.125 (Planning for Students’ Successful Transition to Postsecondary Education and Employment; Involuntary Career Tracking Prohibited)

Minn. Stat. § 120B.236 (Cardiopulmonary Resuscitation and Automatic External Defibrillator Instruction)

Cross References: MSBA/MASA Model Policy 603 (Curriculum Development)

MSBA/MASA Model Policy 605 (Alternative Programs)

Adopted: *MSBA/MASA Model Policy 605*

Orig. 1999

Revised: *Rev. 1999*

605 ALTERNATIVE PROGRAMS

I. PURPOSE

The purpose of this policy is to recognize the need for alternative education programs for some school district students.

II. GENERAL STATEMENT OF POLICY

The school board recognizes the importance of alternative program options for some students. Circumstances may be such that some students are put at risk of being able to continue or to complete their education programs. It is the policy of the school board that options shall be made available for some students to select educational alternatives that will enhance their opportunity to complete their education programs, recognizing that some students may become successful learners if given an opportunity to learn in a different environment and through a different learning style.

III. RESPONSIBILITY

A. It shall be the responsibility of the superintendent to identify alternative program opportunities to be made

available to students who may be at risk, to recommend such alternative programs to the school board for approval, and to familiarize students and parents with the availability of such alternative programs. The superintendent shall, through cooperative efforts with other schools, agencies, and organizations, periodically recommend additional or modified alternative educational programs to the school board.

B. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to alternative programs.

- Legal References:** Minn. Stat. § 120A.22, Subd. 8 (Compulsory Instruction)
Minn. Stat. § 121A.41, Subd. 11 (Definitions – Alternative Educational Services)
Minn. Stat. § 121A.45, Subd. 1 (Grounds for Dismissal)
Minn. Stat. § 123A.06 (State-Approved Alternative Programs and Services)
Minn. Stat. § 124D.66 (Assurance of Mastery Programs)
Minn. Stat. § 124D.68 (Graduation Incentives Programs)
Minn. Stat. § 124D.74 (American Indian Language and Cultural Educational Programs)
Minn. Stat. § 125A.50 (Alternative Delivery of Specialized Instructional Services)

- Cross References:** MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)

Adopted: *MSBA/MASA Model Policy 609*

Orig. 1995

Revised:

Rev. 2000

609 RELIGION

I. PURPOSE

The purpose of this policy is to identify the status of religion as it pertains to the programs of the school district.

II. GENERAL STATEMENT OF POLICY

A. The school district shall neither promote nor disparage any religious belief or nonbelief. Instead, the school district encourages all students and employees to have appreciation for and tolerance of each other’s views.

B. The school district also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.

C. The school district recognizes that one of its educational objectives is to increase its students’ knowledge and appreciation of music, art, drama, and literature which may have had a religious basis or origin as well as a secular importance.

D. The school district supports the inclusion of religious music, art, drama, and literature in the curriculum and in school activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.

E. The historical and contemporary values and the origin of various religions, holidays, customs, and beliefs may be explained in an unbiased and nonsectarian manner.

III. RESPONSIBILITY

A. The superintendent shall be responsible for ensuring that the study of religious materials, customs, beliefs, and holidays in the school district is in keeping with the following guidelines:

1. The proposed activity must have a secular purpose.
2. The primary objective of the activity must be one that neither advances nor inhibits religion.
3. The activity must not foster excessive governmental relationships with religion.
4. Notwithstanding the foregoing guidelines, reasonable efforts will be made to accommodate any student who wishes to be excused from attendance at school for the purpose of religious instruction or observance of religious holidays.

B. The superintendent is granted authority to develop and present for school board review and approval directives and guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion. Approved directives and guidelines shall be attached as an addendum to this policy.

Legal References: U. S. Const., amend. I
Minn. Stat. § 120A.22, Subd. 12(3) (Compulsory Instruction)
Minn. Stat. § 120A.35 (Absence From School for Religious Observance)
Minn. Stat. § 121A.10 (Moment of Silence)
Good News Club v. Milford Central School, 533 U.S. 98, 121 S.Ct. 2093, 150 L.Ed.2d 151 (2001)
Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290, 120 S.Ct. 2266 (2000)
Tangipahoa Parish Bd. of Educ. v. Freiler, 530 U.S. 1251, 120 S.Ct. 2706 (2000)
Lemon v. Kurtzman, 403 U.S.602, 91 S.Ct. 2105, 29 L.Ed.2d 745 (1971)
Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1, 690 F.3d 996 (8th Cir. 2012)
Wigg v. Sioux Falls Sch. Dist., 382 F.3d 807 (8th Cir. 2004)
Doe v. School Dist. of City of Norfolk, 340 F.3d 605 (8th Cir. 2003)
Stark v. Independent Sch. Dist. No. 640, 123 F.3d 1068 (8th Cir. 1997)
Florey v. Sioux Falls Sch. Dist. 49-5, 619 F.2d 1311 (8th Cir. 1980)
Roark v. South Iron R-1 Sch. Dist., 573 F.3d 556 (8th Cir. 2009)
Child Evangelism Fellowship v. Elk River Area Sch. Dist. No. 728, 599 F.Supp.2d 1136 (D. Minn. 2009)
LeVake v. Independent Sch. Dist. No. 656, 625 N.W.2d 502 (Minn. App. 2001)
Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)
Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)
Minn. Op. Atty. Gen. 63 (1940)
Minn. Op. Atty. Gen. 120 (1924)
Minn. Op. Atty. Gen. 121 (1924)

Cross References: MSBA/MASA Model Policy 801 (Equal Access to School Facilities)

Adopted: MSBA/MASA Model Policy 615
Orig. 1997
Revised: Rev. 2015

615 TESTING ACCOMMODATIONS, MODIFICATIONS, AND EXEMPTIONS FOR IEPS, SECTION 504 PLANS, AND LEP STUDENTS

[Note: In 2013, the Minnesota legislature modified state graduation requirements by making the

Graduation-Required Assessments for Diploma (GRAD) tests optional for school districts. A district may decide whether individual students will meet graduation assessment requirements by meeting the GRAD requirements in reading, mathematics, and written composition; by taking the WorkKeys job skills assessment, the Compass college placement test, the ACT assessment for college admission, or a nationally recognized Armed Services Vocational Aptitude Battery test (ASVAB); or by receiving a score on an equivalent assessment. Refer to Table 1b of the Minnesota Assessment System and Requirements Overview 2013-2016 documents, which is posted to the Test Administration page of the Minnesota Department of Education (MDE) website. While a district may choose not to include GRAD retests on the testing calendar, an individual student who requests a GRAD retest must be provided the opportunity to retest.]

I. PURPOSE

The purpose of the policy is to provide adequate opportunity for students identified as having individualized education program (IEP), Rehabilitation Act of 1973, § 504 (504) accommodation, or limited English proficiency (LEP) needs to meet the graduation requirements of basic skills testings and graduation-required assessments for diploma (GRAD) tests.

II. GENERAL STATEMENT OF POLICY

A. The school district will utilize the existing annual review of IEPs or 504 accommodation plans to review, on a case-by-case basis, the extent of student participation in basic skills testing and GRAD testing. For students subject to GRAD testing, the student's IEP or 504 accommodation plan must identify one of the following decisions for each subject area of GRAD:

1. the student is expected to achieve the statewide standard with or without testing accommodations resulting in a "pass" or "p" notation on the record when achieving a passing score; or
2. the student is expected to achieve the statewide standard at an individually modified level of difficulty, resulting in a "pass" or "p" notation on the record when achieving the modified level. A Minnesota alternative assessment must be used when an IEP team chooses to replace the GRAD. Adoption of modifications for a student must occur concurrently with the adoption of transition goals and objectives as required by Minn. Stat. § 125A.08(a)(1). The IEP or 504 accommodation plan must define an appropriate assessment of the statewide standard at a modified level of difficulty. Achievement of the individually modified standard shall be certified only through documented student performance of the defined assessment.

Students subject to GRAD testing also must be tested under standard conditions as specified by the developer of the test except those students whose IEP or 504 accommodation plan specifies other decisions consistent with the above stated requirements.

B. Students with LEP needs must be identified and accommodations made for students subject to basic skills testing. Students subject to GRAD testing are required to pass the GRAD if they have been enrolled in any Minnesota school for at least four consecutive years. An English language learner (ELL) student who first enrolls in a Minnesota school in grade 9 or above who completes the coursework and any other state and district requirements to graduate within a four-year period is not required to pass the GRAD.

III. DEFINITION OF TERMS

See the current "Procedures Manual for the Minnesota Assessments" which is produced by the Minnesota Department of Education and available through pearsonaccess.com.

IV. GRANTING AND DOCUMENTING ACCOMMODATIONS, MODIFICATIONS, OR EXEMPTIONS FOR BASIC SKILLS AND GRAD TESTING

See Chapter 5 of the current "Procedures Manual for the Minnesota Assessments."

V. RECORDS

All test accommodations, modifications, or exemptions shall be reported to the School District Test Administrator. The School District Test Administrator shall be responsible for keeping a list of all such test accommodations, modifications, and exemptions for school district audit purposes. Testing results will be documented and reported.

- Legal References:** Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
Minn. Stat. § 125A.08(a)(1) (Individualized Education Programs)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

- 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 616 (School District System Accountability)

Adopted:	<i>MSBA/MASA Model Policy 623</i>
	<i>Orig. 1999</i>
Revised:	<i>Rev. 2002</i>

623 MANDATORY SUMMER SCHOOL INSTRUCTION

I. PURPOSE

The purpose of this policy is to establish program parameters and student attendance guidelines and requirements for the school district relating to the provision of mandatory summer school educational services.

II. GENERAL STATEMENT OF POLICY

Summer school educational services and instruction shall be directed toward the fulfillment of the goals and objectives of the educational program and graduation standards of the school district.

III. PROCEDURES

A. The school district shall offer summer school instruction providing opportunities for: **for special education instruction and services related to mandatory summer school instruction consistent with applicable state and federal authority for all qualified disabled children where appropriate to their educational needs. The school district may offer the following summer school opportunities:**

1. Remedial instruction at the K-12 level(s);
2. Make-up and review courses at the grade 7 - 12 level(s);
3. Other mandatory summer school programs as determined by the school district.
4. Reading intervention programs or instruction for students who are in risk of not learning to read before the end of the second grade; and
5. Other mandatory summer school programs as determined by the school district.

B. All services of the summer school program will be free to residents of the school district whose need for a summer program has been identified by teachers or the school principal and who are required to attend pursuant to established school district criteria and the provisions of this policy.

C. The summer school curriculum will be established in line with the needs of students and in accordance with rules of the Department of Education. Remedial, make-up, and review courses shall provide opportunities for students to qualify for promotion and/or credit in areas and subjects where previous work has not met promotion/credit standards. It shall further be designed to assist students who have not passed one or more basic requirements tests and who are in need of remediation services relating to the school district's graduation standards or who have been identified as at risk of not learning to read before the end of second grade.

D. Summer school provides the opportunity for students to improve basic skills, further their academic progress, and/or accelerate in designated academic areas. It is the intent of the school district to ensure that courses taught during the summer session are of the same level of instructional breadth and difficulty as provided during the regular school year.

IV. MANDATORY SUMMER SCHOOL INSTRUCTION

The school board will direct the administration to identify and develop specific criteria and standards for determining which students must receive summer school instruction. These will be provided to the school board for review and approval on no less than an annual basis. ~~Following school board approval, the criteria and standards for mandatory summer school instruction will be included in this policy as Attachment A and incorporated herein by reference.~~

V. TRANSPORTATION SERVICES

A. The school district shall make available transportation services for all students required to receive instruction in the school district's summer school program in accordance with Minn. Stat. § 120A.22, Subd. 5(b). The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

B. The school board shall retain sole discretion, control, and management of scheduling routes,

establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

VI. SCHOOL BOARD REVIEW

The superintendent or designated representative shall report at least annually to the school board regarding the status and utilization of programs under this policy. All summer school programs will be subject to annual review and approval by the school board.

Sources: Independent School District 314, Braham, MN

Legal References: Minn. Stat. § 120A.20 (Admission to Public School)

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

Minn. Stat. § 120B.12 (Reading Intervention)

Minn. Stat. § 123B.02 (General Powers of Independent School Districts)

Minn. Stat. § 123B.09 (Boards of Independent School Districts)

Minn. Stat. § 123B.88 (Independent School Districts; Transportation)

Minn. Stat. § 125A.50 (Alternative Delivery of Specialized Instructional Services)

Minn. Rules Part 3501 (Graduation Standards)

Cross References: MSBA/MASA Model Policy 603 (Curriculum Development)

MSBA/MASA Model Policy 604 (Instructional Curriculum)

MSBA/MASA Model Policy 605 (Alternative Programs)

MSBA/MASA Model Policy 707 (Transportation of Public School Students)

Adopted:

MSBA/MASA Model Policy 704

Orig. 1995

Revised:

Rev. 2009

704 DEVELOPMENT AND MAINTENANCE OF AN INVENTORY OF FIXED ASSETS AND A FIXED ASSET ACCOUNTING SYSTEM

I. PURPOSE

The purpose of this policy is to provide for the development and maintenance of an inventory of the fixed assets of the school district and the establishment and maintenance of a fixed asset accounting system.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that a fixed asset accounting system and an inventory of fixed assets be developed and maintained.

III. DEVELOPMENT OF INVENTORY AND ACCOUNTING SYSTEM

The superintendent or such other school official as designated by the superintendent or the school board shall be responsible for the development and maintenance of an inventory of the fixed assets of the school district and for the establishment and maintenance of a formal fixed asset accounting system. The accounting system shall be operated in compliance with the applicable provisions of the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts (UFARS). In addition, the inventory shall specify the location of all continued abstracts

showing the conveyance of the property to the school district; certificates of title showing title to the property in the school district; title insurance policies; surveys; and other property records relating to the real property of the school district.

IV. REPORT

The administration shall annually update the property records of the school district and provide an inventory of the fixed assets of the school district to the school board.

Legal References: Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.51 (Schoolhouse and Sites; Access for Noncurricular Purposes)

Cross References: MSBA/MASA Model Policy 702 (Accounting)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: *MSBA/MASA Model Policy 711*
Orig. 1995
Revised: *Rev. 2012*

711 VIDEO RECORDING ON SCHOOL BUSES

I. PURPOSE

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus is a significant factor in the safety and efficiency of school bus transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that video recording student passengers and employees on the school bus will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus video recording system.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. Each and every school bus owned, leased, contracted, and/or operated by the school district ~~shall~~ **may** be equipped with a fully enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded.
2. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted, and/or operated by the school district, but cameras may be rotated from bus to bus without prior notice to students.
3. Video cameras will be placed on a particular school bus, to the extent possible, where the school district has received complaints of inappropriate behavior.

B. Use of Video Recordings

1. A video recording of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct on the bus.
2. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and the rules and/or regulations promulgated thereunder.
3. Video recordings will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.
4. A video recording will be retained by the school district until relooped or until the conclusion of disciplinary proceedings in which the video recording is used for evidence.

[Note: School districts should review their record retention policies/schedules as to the stated retention period for school bus video recordings. The retention time period in the retention schedule should be consistent with the retention time period set forth in this policy. The January 2000 School District General Records Retention Schedule, adopted by many school districts, provides that building security/transportation video recordings are to be retained until relooped.]

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records, Administration)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References: 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 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)
MSBA Service Manual, Chapter 2, Transportation

Adopted: *MSBA/MASA Model Policy 713*
Orig. 2004
Revised:

#713 STUDENT ACTIVITY ACCOUNTING

I. PURPOSE

The school board recognizes the need to provide alternative paths to learning, skill development for its students, and activities for student enjoyment. It also understands its commitment to and obligation for assuring maximum accountability for public funds and student activity funds. For these reasons, the school board will assume control over and/or oversee funds for student activities as set forth in this policy.

II. GENERAL STATEMENT OF POLICY

A. Curricular and Cocurricular Activities

The school board shall take charge of, control over, and account for all student activity funds that relate to curricular and cocurricular activities.

[Note: The school board is required by Minn. Stat. § 123B.49, Subd. 2, to take charge of and control over all co-curricular activities, including all money received for such activities.]

B. Extracurricular Activities

[Options 1 and 2]

The school board shall ***[take charge of, control over, and account for]*** or ***[review and account for]*** all student activity accounting that relates to extracurricular activities.

or

[Option 3]

1. The school board shall take charge of, control over, and account for the following student extracurricular activities:

a. Any student extracurricular activity related to a contract which must be ratified by the school board or its designee ***[Note: The school board must take charge of, control over, and approve all contracts entered into for the purchase of items related to an extracurricular activity (i.e., contracts for the purchase of items for a fundraising event).]***

b. Student activities or transactions that have a fee which the school district is statutorily authorized to charge ***[Note: The school board may, but is not required to, take charge of and control over these activities or transactions.];***

c. Student activities or transactions that have a taxable sale related to them ***[Note: The school board may, but is not required to, take charge of and control over these activities or transactions.];***

d. All student class activity accounts of graduated classes where a residual balance remains in the account at the start of the school year following graduation;

e. ***[The school board may take control over a student activity it otherwise is not required to control. All other extracurricular activities over which the school board chooses to take control, such as class activity funds, should be listed in this section.]***

2. The school board shall review and account for the following student extracurricular activities:

[List extracurricular activities over which the school board will review and account; i.e., class activity funds.]

[A school board may, but is not required to, take charge of and control over extracurricular activities in accordance with Minn. Stat. § 123B.49, Subd. 4. Board control includes powers and responsibilities, such

as: board approval of a budget; receipt, review, and approval of revenue; and preparation of expenditure reports. If the school board takes charge of and control over extracurricular activities, any or all costs of these activities may be provided from school revenues and all revenues and expenditures must be recorded in the same manner as other revenues and expenditures of the school district in accordance with the Uniform Financial Accounting and Reporting Standards (UFARS).

To the extent a school board does not take control over such activities, these activities must be self-sustaining with all expenses (except direct salary costs and indirect costs of the use of school facilities) met by dues, admissions, or other student fundraising events. Extracurricular activities which are not under school board control still may be directed by the school board, but the fiscal transactions for such activities may only be presented to the school board for review and receipt, not approval. Accordingly, the school board may take charge of all extracurricular activities (Option 1), no extracurricular activities (Option 2), or may choose to take charge of and control over some extracurricular activities (which are not required to be under its control, such as activities which are not related to a graduation requirement or credit or a board-ratified contract) and only review and account for other extracurricular activities (Option 3).]

C. Non-Student Activities

In overseeing student activity accounts under this policy, the school board shall not maintain or account for funds generated by non-students including, but not limited to, convenience funds of staff members, booster club funds, parent-teacher organization or association funds, or funds donated to the school district for specified purposes other than student activities.

III. DEFINITIONS

A. Co-curricular Activity

A “co-curricular activity” means those portions of the school-sponsored and directed activities designed to provide opportunities for students to participate in such experiences on an individual basis or in groups, at school and at public events, for improvement of skills (i.e., interscholastic sports, band, etc.). Co-curricular activities are not offered for school credit, cannot be counted toward graduation, and have *one or more* of the following characteristics:

1. They are conducted at regular and uniform times during school hours, or at times established by school authorities;
2. They are directed or supervised by instructional staff in a learning environment similar to that found in courses offered for credit; and
3. They are partially, primarily, or totally funded by public moneys for general instructional purposes under direction and control of the school board.

B. Curricular Activity

A “curricular activity” means those portions of the school program for which credit is granted, whether the activity is part of a required or elective program.

C. Extracurricular (Non-curricular/Supplementary) Activity

An “extracurricular (non-curricular/supplementary) activity” means all direct and personal services for students for their enjoyment that are managed and operated under the guidance of an adult or staff member. Extracurricular activities have *all* of the following characteristics:

1. They are not offered for school credit nor required for graduation;

2. They generally are conducted outside school hours or, if partly during school hours, at times agreed by the participants and approved by school authorities;
3. The content of the activities is determined primarily by the student participants under the guidance of a staff member or other adult.

D. Public Purpose Expenditure

A “public purpose expenditure” is one which benefits the community as a whole, is directly related to the functions of the school district, and does not have as its primary objective the benefit of private interest.

IV. MANAGEMENT AND CONTROL OF ACTIVITY FUNDS

A. Curricular and Cocurricular Activities

1. All money received on account of co-curricular activities shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
2. The treasurer shall account for all revenues and expenditures related to curricular and cocurricular activities in accordance with the Uniform Financial Accounting and Reporting Standards (UFARS), the Manual for Activity Fund Accounting (MAFA) to the extent applicable, and school district policies and procedures.

B. Extracurricular Activities

1. Extracurricular Activities Under Board Control

- a. Any and all costs of extracurricular activities under board control may be provided from school revenues.
- b. All money received or expended for extracurricular activities under board control shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
- c. The treasurer shall account for all revenues and expenditures related to extracurricular activities under board control in accordance with UFARS and MAFA and school district policies and procedures. ***[Note: UFARS is required to be used when transactions of an activity are under school board control in accordance with Minn. Stat. §§ 123B.49 and 123B.77.]***

2. Extracurricular Activities Not Under Board Control

- a. All extracurricular activities not under board control shall be self-sustaining with all expenses, except direct salary costs and indirect costs of the use of school facilities, met by dues, admissions, or other student fundraising events. The general fund shall reflect only those salaries directly related to and readily identified with the activity and paid by public funds.
- b. Revenues and expenditures for extracurricular activities not under board control shall be recorded and be managed according to MAFA and shall be reviewed for compliance with and accepted by the school board in accordance with school district policies and procedures. ***[Note: MAFA is required to be used when transactions of an extracurricular activity are not under school board***

control in accordance with Minn. Stat. § 123B.49, Subd. 4(c).]

c. All student activity funds will be collected and expended:

- (1) in compliance with school district policies and procedures;
- (2) under the general direction of the principal and with the participation of students and faculty members who are responsible for generating the revenue;
- (3) in a manner which does not produce a deficit or an unreasonably large accumulation of money to a particular student activity fund;
- (4) for activities which directly benefit the majority of those students making the contributions in the year the contributions were made whenever possible; and
- (5) in a manner which meets a public purpose.

d. Activity accounts of a graduated class will be terminated prior to the start of the school year following graduation. Any residual money from a graduating class activity fund will be removed from the terminated student activity account and deposited into the general fund. Prior to depositing such accounts, all donations or gifts accepted for the specific purpose of the student activity account shall be administered in accordance with the terms of the gift or donation and school district policy.

[Note: The school board may take control over residual funds from a graduating class activity account only if it has taken board control over such activities and transactions. The school board then has authority to transfer these terminated accounts to its general fund. The school district may then transfer this money from its general fund to those extracurricular activities over which the board has taken control in accordance with Section IV.B.1.a., above. Unless the school board has taken class activity accounts under its control, it would not be authorized to transfer funds from a graduating class activity account to an existing class activity fund for another class. If the school board has not taken control over these accounts, however, the principal and student representatives of the class may choose to transfer residual accounts to another existing class activity account prior to graduation.]

V. DEMONSTRATION OF ACCOUNTABILITY

A. Semi-Annual Activity Fund Reports

The school board shall appoint a Student Finance Advisory Committee at the commencement of each school year. The Committee will review all new student activity funds and continuing student activity funds for conformity with state law, MAFA requirements, and school district policies and procedures. The Committee will provide the school board with a summary accounting of student activity accounts at least semi-annually, including a report on transactions within each account of the student activity funds. The Committee will make recommendations to the school board on any recommended internal controls regarding student activity funds.

[Note: MAFA recommends that the school board conduct periodic reviews of student activity funds for conformity with state law, MAFA requirements, and school district policies and procedures. The manner in which such reviews are conducted is in the discretion of the school board. The foregoing procedure is the practice suggested by MAFA. It could also be done by a different standing or special committee appointed by the school board.]

B. Annual External Audit

The school board shall direct its independent certified public accountants to audit, examine, and report upon student activity accounts as part of its annual school district audit in accordance with state law.

C. Fundraiser Report

The Committee will prepare a fundraising report semi-annually which will be reviewed by the school board in May and November. The report will list the activity, type of fundraisers, timing, purpose, and results.

[Note: MAFA recommends that the school board conduct periodic reviews of student fundraising. The manner in which such reviews are conducted is in the discretion of the school board. The foregoing procedure is the practice suggested by MAFA.]

Legal References: Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.15, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.35 (General Policy)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.38 (Hearing)
Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)
Minn. Rules Part 3500.1050 (Definitions for Pupil Fees)
Visina v. Freeman, 252 Minn. 177, 89 N.W.2d 635 (1958)
Minn. Op. Atty. Gen. 159a-16 (May 10, 1966)

Cross References: Uniform Financial Accounting and Reporting Standards (UFARS)
Manual for Activity Fund Accounting (MAFA)
MSBA/MASA Model Policy 511 (Student Fundraising)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
MSBA/MASA Model Policy 702 (Accounting)
MSBA/MASA Model Policy 703 (Annual Audit)
MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
MSBA/MASA Model Policy 706 (Acceptance of Gifts)

Adopted: *MSBA/MASA Model Policy 720*
Orig. 1996
Revised: *Rev. 2008*

720 VENDING MACHINES

I. PURPOSE

The purpose of this policy is to establish procedures to govern vending machines installed in school facilities in the school district.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to contract for, supervise, maintain, and account for the proceeds from vending machines located in school facilities in a manner that is fair, that maximizes the revenues from those machines, that allows those revenues to be included in the budget of the facility in which they are generated, and that establishes controls to avoid fraud, theft, or the appearance of impropriety.

III. AUTHORIZATION

Automatic vending machines for the dispensing of food, beverages, or other approved items are authorized in any school facility in the school district provided that all contracts for such vending machines must be approved by the school board as provided in this policy.

[Note: This provision can be narrowed to apply only to specific facilities.]

IV. SUPERVISION; APPROVAL; LOCATION

- A. All vending machines shall be under the supervision of the school principal or other person in charge of the facility in which the machine is located. That administrator shall be responsible to supervise the machine in compliance with this policy and any applicable laws.
- B. The items to be dispensed from a vending machine located in a school facility shall be approved by the principal or other person in charge of that facility. All food, beverages, or other items approved shall be appropriate to the school setting. Machines dispensing cigarettes or tobacco products are not authorized under any circumstances. In the event a written complaint is filed with the superintendent regarding the approval or disapproval of any item, the school board, after proper review, shall make the final determination.
- C. Vending machines may be approved that will dispense items only during certain hours, through the use of timers or otherwise. Vending machines should not be operated in competition with the school cafeteria or food service. The principal or other person in charge of the school facility may regulate the hours of operation of any machine.
- D. Vending machines shall be located to meet any applicable building, fire, or life/safety codes and to provide convenience of operation, accessibility, and ease of maintenance. The principal or other person in charge of the facility shall review the location of each machine with appropriate maintenance and food service staff.

V. CONTRACT APPROVAL

- A. All contracts for the purchase or rental of vending machines shall be considered by the school board on a facility-by-facility basis.

[Note: These provisions may need to be amended if the school board determines to contract for vending machine services on an exclusive and district-wide basis.]

- B. If it is estimated that the aggregate receipts from all vending machines located in a school facility will be \$10,000 or more in a fiscal year, the contract for any vending machine in that facility must be awarded after the receipt of sealed bids and compliance with Minn. Stat. § 123B.52.

[Note: This dollar figure is lower than the \$100,000 statutory requirement for sealed bids but is recommended to protect the interests of the public.]

- C. If it is estimated that the aggregate receipts from all vending machines located in a school facility will be less than \$10,000 in a fiscal year, the contract for any vending machine in that facility may be awarded after the receipt of

two or more quotations after taking into consideration conformity with the specifications, terms of delivery, other conditions imposed in the call for quotations, and compliance with Minn. Stat. § 123B.52.

[Note: This dollar figure is lower than the \$25,000 statutory requirement for quotations but is recommended to protect the interests of the public.]

D. The contracting process shall be conducted in compliance with Minn. Stat. § 123B.52. A copy of this policy shall be included in any specifications or request for proposals or quotations. A record shall be kept of all bids or quotations received with the names, amounts, and successful bidder indicated. All bids and quotations shall be kept on file as a public record for a period of at least one year after their receipt.

E. Any bid or quotation must specify all commissions to be paid from the machine and any other non-commission amounts to be paid as a result of the award of the contract. The non-commission amounts include, but are not limited to, cash payments, in-kind payments, equipment donations, scholarship contributions, bonus payments, or other payments or contributions of any kind or nature. The non-commission amounts shall be reduced to a cash equivalency and shall be specified on the bid or quotation as an additional amount to be paid for the award of the contract.

F. If a contract contains a provision allowing exclusivity, such as all machines in the building carrying only a certain manufacturer's brand of pop, that provision must be reviewed by the administration prior to requesting bids or quotations to ensure that it does not conflict with other contracts of the school district.

G. All contracts for vending machines must be approved by the school board. Any contract not made in compliance with this policy shall be void. Any district employee signing an unauthorized contract may be subject to personal liability thereon and may be disciplined for said action.

H. All vending machines are to be installed at the expense of the facility in which located. All financial responsibility for the maintenance and repair of machines shall remain with the individual facility in which located to the extent not addressed in the contract.

I. No teacher, administrator, school district employee, or school board member shall be interested, directly or indirectly, in a vending machine contract with the school district or personally benefit financially therefrom.

VI. ACCOUNTING

A. Proceeds from vending machine sales and contracts shall be under the control of the school board, shall be accounted for in one of the regular school district funds, and must be accounted for and reported in compliance with UFARS.

B. An amount equal to the amount of the proceeds from the machines in each facility shall be included in the budget of the facility in which the proceeds are generated. That amount may be expended in accordance with established expenditure procedures.

C. Pursuant to the vending machine contract or otherwise, proper auditing and inventory control procedures shall be established to ensure that commissions are being correctly calculated and paid. These controls must include daily, weekly, or other periodic inventories and written reconciliations of variances between inventory and cash. Each time cash is removed from, or inventory is added to a machine, a written reconciliation between cash and inventory must be

performed by the person taking the cash from the machine and must be signed by the principal or other person in charge of the facility. The original written reconciliation reports shall be filed with the business office monthly and a copy shall be retained by the principal's office.

Legal References: Minn. Stat. § 123B.20 (Dealing in Supplies)

Minn. Stat. § 123B.52 (Contracts)

Minn. Stat. § 471.345 (Contracts)

Minn. Stat. § 471.87 (Conflict of Interest)

Cross References: MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)

MSBA/MASA Model Policy 702 (Accounting)

Adopted: *MSBA/MASA Model Policy 904*

Orig. 1995

Revised: *Rev. 2002*

#904 DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NON-SCHOOL PERSONS

I. PURPOSE

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by non-staff and non-students on school district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school district.

II. GENERAL STATEMENT OF POLICY

A. The school district intends to provide a method for nonschool persons and organizations to distribute materials appropriate to the school setting within the limitations and provisions of this policy.

B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following regulations and procedures.

III. DEFINITIONS

A. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in internal staff or student mailboxes.

B. "Materials" includes all materials and objects intended by non-school persons or non-school organizations for distribution. Examples of non-school-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects.

C. "Non-school person" means any person who is not currently enrolled as a student in or employed by the school district.

D. "Obscene to minors" means:

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

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

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

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

G. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, other theatrical productions, and in-school lunch periods.

H. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

IV. GUIDELINES

A. Non-school persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.

B. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always prohibited. Material is prohibited that:

1. is obscene to minors;
2. is libelous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
4. advertises any product or service not permitted to minors by law;
5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

C. Permission for nonschool persons to distribute materials on school district property is a privilege and not a right. In making decisions regarding permission for such distribution, the administration will consider factors including, but not limited to, the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that non-school persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

If permission is granted pursuant to this policy for the distribution of any materials, the time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. PROCEDURES

A. Any non-school person wishing to distribute materials must first submit for approval a copy of the materials to the administration at least five days in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting the request.

2. Date(s) and time(s) of day of requested distribution.
3. If material is intended for students, the grade(s) of students to whom the distribution is intended.
4. The proposed method of distribution.

B. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether non-school persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.

C. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

D. In the event that permission to distribute materials is denied, the non-school person or organization may request reconsideration of the decision by the superintendent. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school community.

VII. VIOLATION OF POLICY

Any party violating this policy or distributing materials without permission will be directed to leave the school property immediately and, if necessary, the police will be called.

VIII. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

[Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]

Legal References: U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985)
Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983)
Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied ___ U.S. ___, 132 S.Ct. 592 (2011)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)

Adopted: MSBA/MASA Model Policy 905
Orig. 1996
Revised: Rev. 2015

#905 ADVERTISING

[Note: School districts should carefully consider whether they wish to allow advertising in school district facilities or publications. Once advertisements are accepted, First Amendment Rights may limit the school district's ability to reject specific advertisements or to regulate the content of advertisements.]

I. PURPOSE

The purpose of this policy is to provide guidelines for the advertising or promoting of products or services to students and parents in the schools.

II. GENERAL STATEMENT OF POLICY

The school district's policy is that the name, facilities, staff, students, or any part of the school district shall not be used for advertising or promoting the interests of a commercial or nonprofit agency or organization except as set forth below.

III. ADVERTISING GUIDELINES

A. School publications, including publications such as programs and calendars, may accept and publish paid advertising provided they receive advance approval from the appropriate administrator. In no instance shall publications accept advertising or advertising images for alcohol, tobacco, drugs, drug paraphernalia, weapons, or obscene, pornographic, or illegal materials. Advertisements may be rejected by the school district if determined to be inconsistent with the educational objectives of the school district or inappropriate for inclusion in the publication. For example, advertisements may be rejected if determined to be false, misleading, or deceptive, or if they relate to an illegal activity or antisocial behavior. The faculty advisor is responsible for screening all such advertising for appropriateness, including compliance with the school district policy prohibiting sexual, racial, and religious harassment.

B. The school board may approve advertising in school district facilities or on school district property. Any approval will state precisely where such advertising may be placed. The restrictions listed in Section A. above will apply. Advertising will not be allowed outside the specific area approved by the school board. Specific advertising must be approved by the superintendent or designee. In no instance will an advertising device be erected or maintained within 100 feet of a school that is visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles.

C. Donations which include or carry advertisements must be approved by the school board.

D. The school district or a school may acknowledge a donation it has received from an organization by displaying a "donated by," "sponsored in part by," or a similar by-line with the organization's name and/or symbol on the item. Examples include activity programs or yearbooks.

E. Nonprofit entities and organizations may be allowed to use the school district name, students, or facilities for purposes of advertising or promotion if the purpose is determined to be educationally related and prior approval is obtained from the school board. Advertising will be limited to the specific event or purpose approved by the school board.

F. Contracts for computers or related equipment or services that require advertising to be disseminated to students will not be entered into or permitted unless done pursuant to and in accordance with state law.

G. The inclusion of advertisements in school district publications, in school district facilities, or on school district property does not constitute approval and/or endorsement of any product, service, organization, or activity. Approved advertisements will not imply or declare such approval or endorsement.

IV. ACCOUNTING

Advertising revenues must be accounted for and reported in compliance with UFARS. A periodic report shall be made to the school board by the superintendent regarding the scope and amount of such revenues.

Legal References: Minn. Stat. § 123B.93 (Advertising on School Buses)

Minn. Stat. § 125B.022 (Contracts for Computers or Related Equipment or Service)

Minn. Stat. § 173.08 (Excluded Road Advertising Devices)

Cross References: MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)

MSBA/MASA Model Policy 702 (Accounting)

Braham Area Public Schools

Ind. School Dist. #314

Braham, MN 55006

Adopted:

#906 COMMUNITY NOTIFICATION OF PREDATORY OFFENDERS

I. PURPOSE

The purpose of this policy is to assist school administrators and staff members in responding to a notification by a law enforcement agency that a convicted predatory offender is moving into the school district so that they may better protect individuals in the school's care while they are on or near the school district premises or under the control of the school district.

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to provide information to staff regarding known predatory offenders that are moving into the school district so that they may monitor school premises for the safety of the school, its students, and employees. Staff will be notified as appropriate and have access to Offender Fact Sheets.

B. The superintendent, in cooperation with appropriate school transportation officials, will evaluate bus routes and bus stops. Bus drivers will have access to Offender Fact Sheets. If necessary, bus stops may be moved if they place children in close proximity to a predatory offender who has been convicted of crimes against children of similar ages.

C. The superintendent, in conjunction with the building principal or designee, shall prepare or provide safety information for distribution to students regarding protecting themselves from abuse, abduction, or exploitation. The school district will prepare a list of available resources. Staff will provide safety information to students on how to protect themselves against abuse, abduction, or exploitation. School officials may ask their police liaison officer or local law enforcement officials for assistance in providing instruction to staff and students.

III. DEFINITIONS

A. The “Sex Offender Community Notification Act,” Minn. Stat. § 244.052, as amended, allows law enforcement agencies to disclose information about certain predatory offenders when they are released into the community. The information disclosed and to whom it is disclosed will depend upon their assessment of the level of risk posed by the predatory offender.

B. “Risk Level Assessment” is the level of danger to the community as established by the Minnesota Department of Corrections following a review by a committee of experts. The level of risk assigned to a soon-to-be-released offender determines the scope of notification. (Minn. Stat. § 244.052, Subds. 2, 3)

C. “Risk Levels”

1. “Level I” – Risk Level I is assigned to a predatory offender whose risk assessment score indicates a low risk of reoffense.
2. “Level II” – Risk Level II is assigned to a predatory offender whose risk assessment score indicates a moderate risk of reoffense.
3. “Level III” – Risk Level III is assigned to a predatory offender whose risk assessment score indicates a high risk of reoffense.
(Minn. Stat. § 244.052, Subd. 3(e))

D. “Notification or Disclosure by Law Enforcement Agency”

1. Risk Level I – The local law enforcement agency may disclose certain information to other law enforcement agencies and to any victims of or witnesses to the offense committed by the offender. There will be no disclosure to school districts.
2. Risk Level II – In addition to those notified in Level I, a law enforcement agency may notify agencies and groups the offender is likely to encounter that the offender is about to move into the community and provide to those agencies and groups an Offender Fact Sheet on the offender. School districts, private schools, day care centers, and other institutions serving those likely to be victimized by the predatory offender are included in a Level II notification.
3. Risk Level III – In most cases, the local law enforcement agencies will hold a community meeting and distribute an Offender Fact Sheet with information concerning and a photograph of the soon-to-be-released Level III offender.
(Minn. Stat. § 244.052, Subd. 4)

E. “Offender Fact Sheet” is a data sheet compiled by the Department of Corrections or local law enforcement agency. The Offender Fact Sheet contains both public and private data including a photograph and physical description of the predatory offender, as well as the general location of the offender’s residence.

1. A local law enforcement agency will generally provide Offender Fact Sheets for Level

II predatory offenders directly to the school district.

2. Level III Offender Fact Sheets will be distributed at a community meeting conducted by the local law enforcement agency.

F. “Law enforcement agency” means the law enforcement agency having primary jurisdiction over the location where the offender expects to reside upon release. (*Minn. Stat. § 244.052, Subd. 1(3)*)

G. “Criminal history conviction data” is public data on a convicted criminal which is compiled by the State Bureau of Criminal Apprehension (BCA). (*Minn. Stat. § 13.87*)

IV. PROCEDURES

A. Level II Notification

In keeping with the statutorily designated purpose that Offender Fact Sheets are to be used by staff members to secure the school and protect individuals in the school district’s care while they are on or near the school district’s premises or under the control of the school district, the school district will take the following steps:

1. The superintendent shall notify the law enforcement agencies within the school district that all appropriate Level II and Level III notifications are to be provided at least to the superintendent of schools.
2. Upon notification of the release of a Level II predatory offender, the superintendent shall forward the Offender Fact Sheet to all building principals and central office administrators. This would include transportation, food service and buildings and grounds supervisors.
3. Principals of schools in close proximity to the Level II predatory offender’s residence shall meet with staff and show the Offender Fact Sheet to persons within the buildings who supervise students or who would be in a position to observe if the Level II offender was in or around the school. This includes, but is not limited to, administrators, teachers, coaches, paraprofessionals, custodians, clerical and office workers, food service workers, volunteers, and transportation providers.
4. The school district shall request criminal history conviction data on the Level II predatory offender from its local law enforcement agency. On a case-by-case basis, the superintendent may determine whether to send a letter to parents with general information regarding release of the Level II offender and a copy of the criminal history conviction data that the school district obtained from its local law enforcement agency. The offender fact sheet contains data classified as private or not public under Minnesota law and may only be distributed to parents, students, or others outside the school district if it determines the release is for the purpose of securing the schools and protecting individuals under the school district’s care while they are on or near school premises.
5. The building administrator shall cause the Offender Fact Sheet to be posted in each building in an area accessible to staff and employees but not the general public unless a determination has been made that public posting will help secure the school or protect students.
6. The school district shall not distribute or provide access to Level II Offender Fact Sheets to parents, students, or others outside the school district unless a determination has been made that dissemination of the data will help secure the school or protect students.

B. Level III Notification

1. The superintendent shall notify the law enforcement agencies within the school district that all Level III notifications of community meetings are to be provided to the superintendent of schools.
2. When a Level III predatory offender is released into a community, generally the local law enforcement agency will notify the school district of the time and location of the community meeting at which the Level III Offender Fact Sheet will be distributed to the community.
3. When the school district receives this information, the superintendent shall determine on a case-by-case basis whether the school district will notify parents and students of the time, date, and location of the community meeting.
4. When notified of a Level III predatory offender community meeting the superintendent or another school district administrator designated by the superintendent shall attend the community notification meeting.
5. When the school district receives information that a Level III predatory offender is moving into the school district, in addition to following the procedures specified above, the school district shall follow the procedures outlined for a Level II notification.
6. If the predatory offender is participating in programs offered by the school district that require or allow the person to interact with children other than the person's children, the superintendent shall notify parents of children in the school district of the contents of the Offender Fact Sheet.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 244.052 (Community Notification)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
42 U.S.C. § 16901 *et seq.* (Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program)
Dept. of Admin. Advisory Op. No. 98-004
Cross References: 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 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

24. Consider **SECOND** reading of MSBA and district Policies for discussion, update and revision.

The following policies are being submitted for their SECOND reading: #201 - Legal Status of the School Board; #208 - Development, Adoption & Implementation of Policies; #209 - Code of Ethics; #301 - School District Administration; #302 - Superintendent; #303 Superintendent Selection; #304 - Superintendent Contract, Duties, and Evaluation; #305 - Policy Implementation; #306 - Administrator Code of Ethics; #511 Student Fundraising; #513 - Student Promotion, Retention, and Program Design; #518 - DNR-DNI Orders; #519 Interviews of Students by Outside Agencies; #602 - Organization of School Calendar & School Day; #606 - Textbooks & Instructional Materials; #901 - Community Education; #903 - Visitors to School District Buildings & Sites. **NO ACTION REQUIRED AT THIS TIME.**

Adopted: MSBA/MASA Model Policy 201
Orig. 1995
Revised: Rev. 2009

#201 - LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

The care, management, and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties, and powers of the school board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

- A. The school board is the governing body of the school district. As such, the school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

III. DEFINITION

“School board” means the governing body of the school district.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the school board consists of six elected directors, or seven if the school board has submitted the question to the electors and a majority have approved a seven-member school board. The term of office is four years.

[Note: This number may be different for combining or consolidating school boards that are in a transition period.]

- B. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.

V. POWERS AND DUTIES

- A. The school board has powers and duties specified by statute. The school board’s authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.

- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
 - 1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
 - 2. conduct the business of the schools and pay indebtedness and proper expenses;
 - 3. employ and contract with necessary qualified teachers and discharge the same for cause;
 - 4. provide services to promote the health of its pupils;
 - 5. provide school buildings and erect needed buildings;
 - 6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
 - 7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
 - 8. employ and discharge necessary employees and contract for other services;
 - 9. provide for transportation of pupils to and from school, as governed by statute; and
 - 10. procure insurance against liability of the school district, its officers, and employees.
- F. The school board, at its discretion, may perform the following:
 - 1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
 - 2. furnish school lunches for pupils and teachers on such terms as the school board determines;
 - 3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
 - 4. lease rooms or buildings for school purposes;
 - 5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
 - 6. authorize cocurricular and extracurricular activities;
 - 7. receive, for the benefit of the school district, bequests, donations, or gifts for any

proper purpose; and

- 8. perform other acts as the school board shall deem to be reasonably necessary or required for the governance of the schools.

Legal References: Minn. Stat. § 123A.22 (Cooperative Centers)
 Minn. Stat. § 123B.02 (General Powers)
 Minn. Stat. § 123B.09 (School Board Powers)
 Minn. Stat. § 123B.14 (School District Officers)
 Minn. Stat. § 123B.23 (Liability Insurance)
 Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)
 Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)
 Minn. Stat. § 123B.85 (Definition)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References: MSBA/MASA Model Policy 101 (Legal Status of the School District)
 MSBA/MASA Model Policy 202 (School Board Officers)
 MSBA/MASA Model Policy 203 (Operation of the School Board -Governing Rules)
 MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
 MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Adopted: MSBA/MASA Model Policy 208
Orig. 1995
Revised: Rev. 2015

#208 DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES

[Note: The provisions of this policy are recommendations. The procedures for policy development, adoption, and implementation are not specifically provided by statute.]

I. PURPOSE

The purpose of this policy is to emphasize the importance of the policy-making role of the school board and provide the means for it to continue to be an ongoing effort.

II. GENERAL STATEMENT OF POLICY

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient, and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the school board and should be in a form which is sufficiently explicit to guide administrative action.

III. DEVELOPMENT OF POLICY

- A. The school board has jurisdiction to legislate policy for the school district with the force and effect of law. School board policy provides the general direction as to what the school board wishes to accomplish while delegating implementation of policy to the administration.
- B. The school board’s written policies provide guidelines and goals to the school community.

The policies shall be the basis for the formulation of guidelines and directives by the administration. The school board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.

- C. Policies may be proposed by a school board member, employee, student or resident of the school district. Proposed policies or ideas shall be submitted to the superintendent for review prior to possible placement on the school board agenda.

IV. ADOPTION OF POLICY

- A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action.
- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school board at a subsequent meeting after the meetings at which public input was received. The policy will be effective on the later of the date of passage or the date stated in the motion.
- C. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.
- D. **If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.**

V. IMPLEMENTATION OF POLICY

- A. The superintendent shall be responsible for implementing school board policies, **other than the policies that cover how the school board will operate. The superintendent shall develop** administrative guidelines and directives to provide greater specificity and consistency in the process of implementation. These guidelines and directives, including employee and student handbooks, shall be subject to annual review and approval by the school board.

[Note: These policies are found in the 200 Series of the MSBA/MASA Policy Reference Manual.]

- B. ~~Each school board member shall have access to this policy manual, and a copy shall be placed in the office of each school attendance center. Manuals shall be available in the central office and made available for reference purposes to other interested persons.~~
Policies shall be accessible to all members of the public on the school website.

- C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping the policy manuals current.
- D. The school board shall review policies at least once every three years. The superintendent shall be responsible for developing a system of periodic review, addressing approximately one third of the policies annually. In addition, the school board shall review the following policies annually: 410 Family and Medical Leave Policy; 413 Harassment and Violence; 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse; 415 Mandated Reporting of Maltreatment of Vulnerable Adults; 506 Student Discipline; 514 Bullying Prohibition Policy; 522 Student Sex Nondiscrimination; 524 Internet Acceptable Use and Safety Policy; 616 School District System Accountability; and 806 Crisis Management Policy.
- E. When no school board policy exists to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the school district. Under such circumstances, the superintendent shall advise the school board of the need for a policy and present a recommended policy to the school board for approval.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)

Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

Cross References: MSBA/MASA Model Policy 305 (Policy Implementation)

Adopted: MSBA/MASA Model Policy 209
Orig. 1995
Revised: Rev. 2009

209 CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to assist the individual school board member in understanding his or her role as part of a school board and in recognizing the contribution that each member must make to develop an effective and responsible school board.

II. GENERAL STATEMENT OF POLICY

Each school board member shall follow the code of ethics stated in this policy.

- A. AS A MEMBER OF THE SCHOOL BOARD, I WILL:
 - 1. Attend school board meetings.
 - 2. Come to the meetings prepared for discussion of the agenda items.
 - 3. Listen to the opinions and views of others (including, but not limited to, other school board members, administration, staff, students, and community members).

4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.
8. Inform myself about the proper duties and functions of a school board member.

B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the school board as a whole, is to see that the schools are properly run – not to run them myself.
5. Work through the superintendent – not over or around the superintendent.
6. Delegate the implementation of school board decisions to the superintendent.

C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE SCHOOL BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the

school district and community.

2. Attempt to obtain adequate financial support for the school district's programs.
3. Insist that business transactions of the school district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my school district.

E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF, I WILL:

1. Hold the superintendent responsible for the administration of the school district.
2. Give the superintendent authority commensurate with his or her responsibilities.
3. Assure that the school district will be administered by the best professional personnel available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open

meeting of the school board.

- 5. Avoid conflicts of interest and refrain from using my school board position for personal gain.
- 6. Take no private action that will compromise the school board or administration.
- 7. Guard the confidentiality of information that is protected under applicable law.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
 Minn. Stat. § 123B.09 (School Board Powers)
 Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: MSBA Service Manual, Chapter 1, School Board Member Code of Ethics
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Adopted: *MSBA/MASA Model Policy 301*
Orig. 1995
Revised: *Rev. 2011*

#301 - SCHOOL DISTRICT ADMINISTRATION

I. PURPOSE

The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

II. GENERAL STATEMENT OF POLICY

- A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school district administration to develop a school environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services.
- B. The school board expects all activities related to the operation of the school district to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school board.
- C. The school board shall seek specific recommendations, background information and professional advice from the school district administration, and will hold the administration accountable for sound management of the schools.
- D. Although the school board holds the superintendent ultimately responsible for administration of the school district and annual evaluation of each principal, the school board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school building level.
- E. The school board and school administration shall work together to share information and decisions

that best serve the needs of school district students within financial and facility constraints that may exist.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Minn. Stat. § 123B.147 (Principals)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools

Adopted: MSBA/MASA Model Policy 302

Orig. 1995

Revised: Rev. 2011

#302 - SUPERINTENDENT

I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent who shall serve as an ex officio, nonvoting member of the school board and as chief executive officer of the school system.

III. GENERAL RESPONSIBILITIES

- A. The superintendent is responsible for the management of the schools, the administration of all school district policies, and is directly accountable to the school board.
- B. The superintendent shall annually evaluate each principal assigned responsibility for supervising a school building in the district.
- C. The superintendent may delegate responsibilities to other school district personnel, but shall continue to be accountable for actions taken under such delegation.
- D. Where responsibilities are not specifically prescribed, nor school board policy applicable, the superintendent shall use personal and professional judgment, subject to review by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 202 (School Board Officers)

MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)

MSBA/MASA Model Policy 301 (School District Administration)

MSBA/MASA Model Policy 303 (Superintendent Selection)

MSBA/MASA Model Policy 304 (Superintendent Contract, Duties, and Evaluation)

MSBA/MASA Model Policy 305 (Policy Implementation)

MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

MSBA/MASA Model Policy 412 (Expense Reimbursement)

MSBA/MASA Model Policy 510 (School Activities)
 MSBA/MASA Model Policy 511 (Student Fundraising)
 MSBA/MASA Model Policy 513 (Student Promotion, Retention, and Program Design)
 MSBA/MASA Model Policy 602 (Organization of School Calendar and School Day)
 MSBA/MASA Model Policy 605 (Alternative Programs)
 MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
 MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
 MSBA/MASA Model Policy 802 (Disposition of Obsolete Equipment and Material)
 MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)
 MSBA/MASA Model Policy 905 (Advertising)
 MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
 MSBA/MASA Model Policy 907 (Rewards)
 MSBA Service Manual, Chapter 3, Superintendent of Schools

Adopted: MSBA/MASA Model Policy 303
Orig. 1995
Revised: Rev. 2003

#303 - SUPERINTENDENT SELECTION

I. PURPOSE

The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent to serve as the chief executive officer of the school board and to conduct the daily operations of the school district.

III. QUALIFICATIONS

- A. The school board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.
- B. The school board will consider professional preparation, experience, skill and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

- A. A process for recruitment, screening, and interviewing of candidates shall be developed by the school board.
- B. The school board may contract for assistance in the search for a superintendent.

- C. The school board shall provide the contract for the superintendent and specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the school board shall observe all requirements of state and federal law and school board policy.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Minn. Rules, Chapter 3512

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools

Adopted: MSBA/MASA Model Policy 304

Orig. 1995

Revised: Rev. 1999

#304 - SUPERINTENDENT CONTRACT, DUTIES, AND EVALUATION

I. PURPOSE

The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description and the use of an approved instrument to evaluate performance.

II. GENERAL STATEMENT OF POLICY

- A. The superintendent’s contract shall be used to formalize the employment relationship and to specifically identify and clarify all conditions of employment with the superintendent.
- B. The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the school board in consultation with the superintendent. The school board shall use this instrument to periodically evaluate the performance of the superintendent.
- C. The school board may use the model contract approved by the boards of the Minnesota School Boards Association and the Minnesota Association of School Administrators as a model instrument.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools (See Model Contract, Sample Performance Appraisals, and Model Job Description)

Adopted: MSBA/MASA Model Policy 305

Orig. 1995

Revised: Rev. 1999

#305 - POLICY IMPLEMENTATION

I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school board policy.

II. GENERAL STATEMENT OF POLICY

- A. It shall be the responsibility of the superintendent to implement school board policy and to recommend additions or modifications thereto. The administration is authorized to develop guidelines and directives to effectuate the implementation of school board policies. These guidelines and directives shall not be inconsistent with said policies. At least annually, these written procedures shall be presented to the school board for review.
- B. Employee and student handbooks shall be subject to annual review and approval by the school board.
- C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within handbooks shall be reviewed by the superintendent to assure compliance with school board policy and shall be approved by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

Adopted: MSBA/MASA Model Policy 306

Orig. 1995

Revised: Rev. 2002

#306 - ADMINISTRATOR CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

- A. An educational administrator’s professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator’s actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.
- B. The Educational Administrator:

1. Makes the well-being of students the fundamental value of all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil and human rights of all individuals.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
5. Implements the school board's policies.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.
11. Adheres to the Code of Ethics for School Administrators in Minnesota Rule.

Legal References: Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Cross References:

Adopted: MSBA/MASA Model Policy 511
Orig. 1995
Revised: Rev. 2003

#511 - STUDENT FUNDRAISING

I. PURPOSE

The purpose of this policy is to address student fundraising efforts.

II. GENERAL STATEMENT OF POLICY

The school board recognizes a desire and a need by some student organizations for fundraising. The school board also recognizes a need for some constraint to prevent fundraising activities from becoming too numerous and overly demanding on employees, students and the general public.

III. RESPONSIBILITY

- A. It shall be the responsibility of the building administrators to develop recommendations to the superintendent that will result in a level of activity deemed acceptable by employees, parents and students. Fundraising must be conducted in a manner that will not result in embarrassment on the part of individual students, employees, or the school.
- B. All fundraising activities must be approved in advance by the administration. Participation in non-approved activities shall be considered a violation of school district policy.
- C. It shall be the responsibility of the superintendent to provide coordination of student fundraising throughout the school district as deemed appropriate.
- D. The school district expects all students who participate in approved fundraising activities to represent the school, the student organization and the community in a responsible manner. All rules pertaining to student conduct and student discipline extend to student fundraising activities.
- E. The school district expects all employees who plan, supervise, coordinate, or participate in student fundraising activities to act in the best interests of the students and to represent the school, the student organization, and the community in a responsible manner.

IV. ANNUAL REPORT

The superintendent shall report to the school board, at least annually, on the nature and scope of student fundraising activities approved pursuant to this policy.

Legal References: Minn. Stat. § 120A.20 (Age Limitations; Pupils)
Minn. Stat. § 123B.09, Subd. 8 (Duties)
Minn. Stat. § 123B.36 (Authorized Fees)

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

Adopted: MSBA/MASA Model Policy 513
Orig. 1995
Revised: Rev. 2007

#513 - STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

A. Promotion

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

B. Retention

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

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A procedure for screening and identifying students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options.

2. The school district will adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:

- a. assess a student's readiness and motivation for acceleration; and
- b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Program)

Minn. Stat. § 123B.143, Subd. 1 (Superintendents)

Cross References: MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)

MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

MSBA/MASA Model Policy 620 (Credit for Learning)

Adopted: MSBA/MASA Model Policy 518

Orig. 1995

Revised: Rev. 2003

#518 - DNR-DNI ORDERS

I. PURPOSE

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life threatening situation at school or school activities or be presented with Do Not

Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

II. GENERAL STATEMENT OF POLICY

- A. The primary mission of the school district is education. DNR-DNI orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI orders, shall be advised of and shall be given a copy of this policy.

Legal References: 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
42 U.S.C. §§ 12101-12213 (Americans with Disabilities Act)

Cross References:

Adopted: MSBA/MASA Model Policy 519
Orig. 1995
Revised: Rev. 2002

#519 - INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

There are occasions in which persons other than school district officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the school district. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

II. GENERAL STATEMENT OF POLICY

- A. Generally, students may not be interviewed during the school day by persons other than a student's

parents, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.

- B. Requests from law enforcement officers and those other than a student's parents, school district officials, employees and/or agents to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT

- A. In the case of an investigation pursuant to the Maltreatment of Minors Act, Minn. Stat. § 626.556, Subd. 10, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. School district officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or school district official.
- B. If the interview took place or is to take place on school district property, an order of the juvenile court pursuant to Minn. Stat. § 626.556, Subd. 10 (c) may specify that school district officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.
- C. When the local welfare agency, local law enforcement agency, or agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school district property, school district officials must receive written notification of intent to interview the child on school district property 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 district property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. School district 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, unless a school employee or agent is alleged to have maltreated the child. Until school district officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosure regarding the nature of the assessment or investigation.
- D. School district officials shall have discretion to reasonably schedule the time, place, and manner of

an interview by a local welfare or local law enforcement agency on school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. School district officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on school district premises.

- E. Students shall not be taken from school district property without the consent of the principal and without proper warrant.

Legal References: Minn. Stat. § 13.32 (Educational Data)

Minn. Stat. § 626.556, Subd. 10(c) and (d) (Duties of Local Welfare Agency and Local Law Enforcement Agency Upon Receipt of a Report)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)

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

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

Adopted: MSBA/MASA Model Policy 602

Orig. 1995

Revised: Rev. 2013

#602 - ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff, and parents.

[Note: The annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school commencing with the 2012-2013 school year. Also commencing with the

2013-2014 school year, the school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the Commissioner of Education under Minn. Stat. § 124D.126.]

[Note: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minn. Stat. § 122A.40, Subds. 7 and 7a, or Minn. Stat. § 122A.41, Subds. 4 and 4a, the school district shall adopt as its school calendar a total of 240 days of student instruction and staff development, of which the total number of staff development days equals the difference between the total number of days of student instruction and 240 days. The school board may schedule additional staff development days throughout the calendar year.]

- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.
1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.
 2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minn. Stat. § 123A.30, § 123A.32, or § 123A.35 with a school district that qualifies under Section III.B.1.
 3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

[Note: The provisions of the prior law requiring the school board to adopt the calendar for the next school year by April 1 have been repealed. The school board should still attempt to establish the calendar as early as possible so proper planning can take place by all members of the school community.]

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as

school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.

- C. Proposed changes in the school day shall be subject to review and approval by the school board.

Legal References: Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123A.32 (Interdistrict Cooperation)
Minn. Stat. § 123A.35 (Cooperation and Combination)
Minn. Stat. § 124D.11, Subd. 9 (Revenue for Results-Oriented Charter School)
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)

Cross References: MSBA/MASA Model Policy 425 (Staff Development)

Adopted: MSBA/MASA Model Policy 606
Orig. 1995
Revised: Rev. 2005

#606 - TEXTBOOKS AND INSTRUCTIONAL MATERIALS

I. PURPOSE

The purpose of this policy is to provide direction for selection of textbooks and instructional materials.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that selection of textbooks and instructional materials is a vital component of the school district's curriculum. The school board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials.

III. RESPONSIBILITY OF SELECTION

- A. While the school board retains its authority to make final decisions on the selection of textbooks and instructional materials, the school board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of textbooks and instructional materials. Accordingly, the school board delegates to the superintendent the responsibility to direct the professional staff in formulating recommendations to the school board on textbooks and other instructional materials.

- B. In reviewing textbooks and instructional materials during the selection process, the professional staff shall select materials which:
1. support the goals and objectives of the education programs;
 2. consider the needs, age, and maturity of students;
 3. foster respect and appreciation for cultural diversity and varied opinion;
 4. fit within the constraints of the school district budget;
 5. are in the English language. Another language may be used, pursuant to Minn. Stat. § 124D.61;
 6. permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
 7. do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The superintendent shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents, and other interested members of the school district community. This procedure shall be coordinated with the school district's curriculum development effort and may utilize advisory committees.

IV. SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS

- A. The superintendent shall be responsible for keeping the school board informed of progress on the part of staff and others involved in the textbook and other instructional materials review and selection process.
- B. The superintendent shall present a recommendation to the school board on the selection of textbooks and other instructional materials after completion of the review process as outlined in this policy.

V. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS

- A. The school board recognizes differences of opinion on the part of some members of the school district community relating to certain areas of the instruction program. Interested persons may request an opportunity to review materials and submit a request for reconsideration of the use of certain textbooks or instructional materials.
- B. The superintendent shall be responsible for the development of guidelines and procedures to identify the steps to be followed to seek reconsideration of textbooks or other instructional materials.
- C. The superintendent shall present a procedure to the school board for review and approval

regarding reconsideration of textbooks or other instructional materials. When approved by the school board, such procedure shall be an addendum to this policy.

Legal References: Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction – Curriculum)

Minn. Stat. § 120B.235 (American Heritage Education)

Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)

Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)

Minn. Stat. § 124D.59-124D.61 (Limited English Proficiency)

Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)

Pratt v. Independent Sch. Dist. No. 831, 670 F.2d 771 (8th Cir. 1982)

Cross References: MSBA/MASA Model Policy 603 (Curriculum Development)

MSBA/MASA Model Policy 604 (Instructional Curriculum)

Adopted: MSBA/MASA Model Policy 901

Orig. 1995

Revised: Rev. 1999

#901 - COMMUNITY EDUCATION

I. PURPOSE

The purpose of this policy is to convey to employees and to the general public the important role of community education within the school district.

II. GENERAL STATEMENT OF POLICY

The school board affirms a strong commitment to the community education program. The school board welcomes, and strongly encourages use of school buildings and activity areas by the community when not used for regularly scheduled elementary and secondary programs. The school administration should strive to accomplish the following objectives:

- A. Maximum use should be made of public school facilities within the school district service area.
- B. Educational needs and interest of area residents should be determined periodically.
- C. Community resources and expertise of residents should be utilized to develop a vibrant, well-rounded community education program.
- D. Area residents should be encouraged to actively participate in program opportunities.

III. COMMUNITY EDUCATION ADVISORY COUNCIL

- A. The council shall assist in promoting the goals and objectives of the program.
- B. The membership of the community education advisory will consist of members who represent: various service organizations; churches; public and nonpublic schools; local government including elected officials; public and private nonprofit agencies serving youth and families; parents; youth; park, recreation or forestry services of municipal or local

government units located in whole or in part within the boundaries of the school district; and any other groups participating in the community education program in the school district.

C. Bylaws of the community education advisory council shall provide the framework for the organization including criteria pertaining to membership, officers' duties, frequency and structure of meetings and such other matters as deemed necessary and appropriate.

D. The council will adopt a policy to reduce and eliminate program duplication within the school district.

Legal References: Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)

Minn. Stat. § 124D.19, Subd. 1 (Community Education Programs; Advisory Council)

Minn. Stat. § 124D.20, Subd. 1 (Community Education Revenue)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)

Adopted: MSBA/MASA Model Policy 903

Orig. 1995

Revised: Rev. 2002

#903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

II. GENERAL STATEMENT OF POLICY

A. The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.

B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

III. RESPONSIBILITY

A. The school district administration shall present recommended visitor procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.

- B. It shall be the responsibility of the superintendent to provide coordination that may be needed throughout the process and provide for periodic school board review and approval of the procedures.

IV. VISITOR LIMITATIONS

- A. An individual or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.
- B. Visitors are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are parked on school property, school officials may:
 - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 - 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)

Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)

Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)

Cross References:

- 25. Consider **FIRST** reading of MSBA and district Policies for update and revision.

This policy was just added by MSBA and is being submitted for its first reading. **NO FURTHER ACTION IS REQUIRED AT THIS TIME.**

#721 - Uniform Grant Guidance Policy Regarding (replaces old DDA)

Adopted: MSBA/MASA Model Policy 721

Orig. 2016

Revised:

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

[Note: School districts are required by the federal Uniform Grant Guidance regulations, 2 C.F.R. Part 200, to have the policies which establish uniform administrative requirements, cost principles, and

audit requirements for federal awards to non-federal entities including school districts. The United States Office of Management and Budget published the final regulations December 26, 2013. The Uniform Grant Guidance is effective for new and continuation federal grant awards issued on or after December 26, 2014. The regulations do not affect grant funds awarded prior to December 26, 2014, unless funds made available under those grants are carried forward into a new federal fiscal year or a continuation grant. 2 C.F.R. § 200.110.]

I. PURPOSE

The purpose of this policy is to ensure compliance with the requirements of the federal Uniform Grant Guidance regulations by establishing uniform administrative requirements, cost principles, and audit requirements for federal grant awards received by the school district.

II. DEFINITIONS

A. Grants

1. “State-administered grants” are those grants that pass through a state agency such as the Minnesota Department of Education (MDE).
2. “Direct grants” are those grants that do not pass through another agency such as MDE and are awarded directly by the federal awarding agency to the grantee organization. These grants are usually discretionary grants that are awarded by the U.S. Department of Education (DOE) or by another federal awarding agency.

[Note: All of the requirements outlined in this policy apply to both direct grants and state-administered grants.]

- B. “Non-federal entity” means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.
- C. “Federal award” has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:
 1.
 - a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability); or
 - b. The cost-reimbursement contract under the federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability).
 2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 C.F.R. § 200.40 (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
 3. “Federal award” does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.

- D. "Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 C.F.R. Part 200, does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
1. "Procurement by micro-purchase" is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (generally \$3,000, except as otherwise discussed in 48 C.F.R. Subpart 2.1 or as periodically adjusted for inflation).
 2. "Procurement by small purchase procedures" are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$150,000 (periodically adjusted for inflation).
 3. "Procurement by sealed bids (formal advertising)" is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 4. "Procurement by competitive proposals" is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.
 5. "Procurement by noncompetitive proposals" is procurement through solicitation of a proposal from only one source.
- F. "Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.
- G. "Compensation for personal services" includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 C.F.R. § 200.431 (Compensation - Fringe Benefits).
- H. "Post-retirement health plans" refer to costs of health insurance or health services not included in a pension plan covered by 2 C.F.R. § 200.431(g) for retirees and their spouses, dependents, and survivors.
- I. "Severance pay" is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated.
- J. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

- K. "Relocation costs" are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.
- L. "Travel costs" are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.

III. CONFLICT OF INTEREST

- A. Employee Conflict of Interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, and agents of the school district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school district may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, or agents of the school district.
- B. Organizational Conflicts of Interest. The school district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization because of relationships with a parent company, affiliate, or subsidiary organization.
- C. Disclosing Conflicts of Interest. The school district must disclose in writing any potential conflict of interest to MDE in accordance with applicable federal awarding agency policy.

IV. ACCEPTABLE METHODS OF PROCUREMENT

- A. General Procurement Standards. The school district must use its own documented procurement procedures which reflect applicable state laws, provided that the procurements conform to the applicable federal law and the standards identified in the Uniform Grant Guidance.
- B. The school district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. The school district's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
- D. The school district must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

- E. The school district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement; selection of the contract type; contractor selection or rejection; and the basis for the contract price.
- F. The school district alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the school district of any contractual responsibilities under its contracts.
- G. The school district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- H. Methods of Procurement. The school district must use one of the following methods of procurement:
 - 1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the school district considers the price to be reasonable.
 - 2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 - 3. Procurement by sealed bids (formal advertising).
 - 4. Procurement by competitive proposals. If this method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The school district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The school district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.
 - 5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay

- c. resulting from competitive solicitation;
 - d. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or
 - e. After solicitation of a number of sources, competition is determined inadequate.
- I. Competition. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 - 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- J. The school district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school district must not preclude potential bidders from qualifying during the solicitation period.
- K. Non-federal entities are prohibited from contracting with or making subawards under “covered transactions” to parties that are suspended or debarred or whose principals are suspended or debarred. “Covered transactions” include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.
- L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 C.F.R. § 180.215.

V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

- A. Property Standards. The school district must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-federal entity. Federally owned property need not be insured unless required by the terms and conditions of the federal award.

The school district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 C.F.R. §§ 200.311, 200.314, and 200.315.

- B. Equipment

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, at a minimum, meet the following requirements:

1. Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
4. Adequate maintenance procedures must be developed to keep property in good condition.
5. If the school district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

VI. FINANCIAL MANAGEMENT REQUIREMENTS

- A. **Financial Management.** The school district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.
- B. **Payment.** The school district must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school district and the financial management systems that meet the standards for fund control.

Advance payments to a school district must be limited to the minimum amounts needed and timed to be in accordance with the actual, immediate cash requirements of the school district in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The school district must make timely payment to contractors in accordance with the contract provisions.

- C. **Internal Controls.** The school district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the school district is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States, or the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The school district must comply with federal statutes, regulations, and the terms and conditions of the federal award.

The school district must also evaluate and monitor the school district's compliance with statutes, regulations, and the terms and conditions of the federal award.

The school district must also take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

The school district must take reasonable measures to safeguard protected personally identifiable information considered sensitive consistent with applicable federal and state laws regarding privacy and obligations of confidentiality.

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

A. Allowable Use of Funds. The school district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.

B. Definitions

1. "Allowable cost" means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.
2. "Education Department General Administrative Regulations (EDGAR)" means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.
3. "Omni Circular" or "2 C.F.R. Part 200s" or "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means federal cost principles that provide standards for determining whether costs may be charged to federal grants.
4. "Advance payment" means a payment that a federal awarding agency or pass through entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.

C. Allowable Costs. The following items are costs that may be allowable under the 2 C.F.R. Part 200s under specific conditions:

1. Advisory councils;
2. Audit costs and related services;
3. Bonding costs;
4. Communication costs;

5. Compensation for personal services;
6. Depreciation and use allowances;
7. Employee morale, health, and welfare costs;
8. Equipment and other capital expenditures;
9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
10. Insurance and indemnification;
11. Maintenance, operations, and repairs;
12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;
15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

D. Costs Forbidden by Federal Law. 2 CFR Part 200s and EDGAR identify certain costs that may never be paid with federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. Other important restrictions apply to federal funds, such as those items detailed in the 2 CFR Part 200s; thus, the following list is not exhaustive:

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);
6. Donations;
7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;
10. General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
11. Goods or services for personal use;
12. Interest, except interest specifically stated in 2 C.F.R. § 200.441 as allowable;
13. Religious use;
14. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);
15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and
16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program.

E. Program Allowability

1. Any cost paid with federal education funds must be permissible under the federal program that would support the cost.
2. Many federal education programs detail specific required and/or allowable uses of funds for that program. Issues such as eligibility, program beneficiaries, caps or restrictions on certain types of program expenses, other program expenses, and other program specific requirements must be considered when performing the programmatic analysis.
3. The two largest federal K-12 programs, Title I, Part A, and the Individuals with Disabilities Education Act (IDEA), do not contain a use of funds section delineating the allowable uses of funds under those programs. In those cases, costs must be consistent with the purposes of the program in order to be allowable.

F. Federal Cost Principles

1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide for effective grant management. These core principles require all costs to be:
 - a. Necessary for the proper and efficient performance or administration of the program.
 - b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
 - c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
 - d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
 - e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

G. Program Specific Fiscal Rules. The Omni Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with federal funds.

1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.
2. Many state-administered programs require local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources

by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and, in some cases, with other federal funds).

3. Auditors generally presume supplanting has occurred in three situations:
 - a. School district uses federal funds to provide services that the school district is required to make available under other federal, state, or local Laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.
4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

1. As required by the Omni Circular, all costs must be consistent with approved program plans and budgets.
2. Costs must also be consistent with all terms and conditions of federal awards, including any special conditions imposed on the school district's grants.

I. Training

1. The school district will provide training on the allowable use of federal funds to all staff involved in federal programs.
2. The school district will promote coordination between all staff involved in federal programs through activities, such as routine staff meetings and training sessions.

- J. Employee Sanctions. Any school district employee who violates this policy will be subject to discipline, as appropriate, up to and including the termination of employment.

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

Costs of compensation are allowable to the extent that they satisfy the specific requirements of the Uniform Grant Guidance and that the total compensation for individual employees:

1. Is reasonable for the services rendered and conforms to the established written policy of the school district consistently applied to both federal and non-federal activities; and
2. Follows an appointment made in accordance with a school district's written policies and meets the requirements of federal statute, where applicable.

Unless an arrangement is specifically authorized by a federal awarding agency, a school district must follow its written non-federal, entitywide policies and practices concerning the

permissible extent of professional services that can be provided outside the school district for non-organizational compensation.

B. Compensation – Fringe Benefits

1. During leave.

The costs of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- a. They are provided under established written leave policies;
- b. The costs are equitably allocated to all related activities, including federal awards; and
- c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the school district.

2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 C.F.R. § 200.447(d)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the school district's accounting practices.

3. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the school district follows a consistent costing policy.

4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the school district.

5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the school district.

6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.

C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the school district's policy and sound business practice.

D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:

1. Critical and necessary for the conduct of the project;
 2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
 3. Consistent with the school district's cost accounting practices and school district policy; and
 4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.
- E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the school district's reimbursement policy.
- F. Travel Costs. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the school district's non-federally funded activities and in accordance with the school district's reimbursement policies.

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the school district in its regular operations according to the school district's written reimbursement and/or travel policies.

In addition, when costs are charged directly to the federal award, documentation must justify the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with the school district's established travel policy.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences is allowable provided the costs are:

1. A direct result of the individual's travel for the federal award;
2. Consistent with the school district's documented travel policy for all school district travel; and
3. Only temporary during the travel period.

[Note: Noncompliance. If a school district fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or MDE may impose additional conditions, as described in 2 C.F.R. § 200.207 (Specific Conditions). If the DOE or MDE determines that noncompliance cannot be remedied by imposing additional conditions, the DOE or MDE may take one or more of the following actions, as appropriate under the circumstances: 1) Temporarily withhold cash payments pending correction of the deficiency by the school district or more severe enforcement action by the DOE or MDE; 2) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance; 3) Wholly or partly suspend or terminate the federal award; 4) Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and DOE regulations (or, in the case of MDE,

recommend such a proceeding be initiated by the DOE); 5) Withhold further federal awards for the project or program; and/or 6) Take other remedies that may be legally available.]

- Legal References:** 2 C.F.R. § 200.12 (Capital Assets)
2 C.F.R. § 200.112 (Conflict of Interest)
2 C.F.R. § 200.113 (Mandatory Disclosures)
2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
2 C.F.R. § 200.212 (Suspension and Debarment)
2 C.F.R. § 200.300(b) (Statutory and National Policy Requirements)
2 C.F.R. § 200.302 (Financial Management)
2 C.F.R. § 200.303 (Internal Controls)
2 C.F.R. § 200.305(b)(1) (Payment)
2 C.F.R. § 200.310 (Insurance Coverage)
2 C.F.R. § 200.311 (Real Property)
2 C.F.R. § 200.313(d) (Equipment)
2 C.F.R. § 200.314 (Supplies)
2 C.F.R. § 200.315 (Intangible Property)
2 C.F.R. § 200.318 (General Procurement Standards)
2 C.F.R. § 200.319(c) (Competition)
2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms)
2 C.F.R. § 200.328 (Monitoring and Reporting Program Performance)
2 C.F.R. § 200.338 (Remedies for Noncompliance)
2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)
2 C.F.R. § 200.430 (Compensation – Personal Services)
2 C.F.R. § 200.431 (Compensation – Fringe Benefits)
2 C.F.R. § 200.447 (Insurance and Indemnification)
2 C.F.R. § 200.463 (Recruiting Costs)
2 C.F.R. § 200.464 (Relocation Costs of Employees)
2 C.F.R. § 200.473 (Transportation Costs)
2 C.F.R. § 200.474 (Travel Costs)
- Cross References:** MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)
MSBA/MASA Model Policy 412 (Expense Reimbursement)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
MSBA/MASA Model Policy 702 (Accounting)
MSBA/MASA Model Policy 703 (Annual Audit)
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26. Consider elimination of outdated policies.

The following policies were reviewed by the Policy Review Committee and MSBA. They can be eliminated because they have become part of other policies or procedures. They only need one reading to eliminate them. The policies are: BAA - School Board Evaluation; BBBA - Board Member Qualifications; BBBB - Board Member Oath of Office; BID-2 - Board Member Compensation; DL - Payroll Procedures; EAA - Intruder Policy - EBCD - Emergency Closing; GBGB - Provide a Safe Environment; GBI - Employee Recognition /Compensation; GCAA - Classroom Teaching Position; GCBC - GDBC - Employee Insurance Program; GCN - Evaluation Procedures for Instructional Staff; HE - Board Negotiating Agents; IIA - Material Selection and Review Policy; IICC - School Volunteers; JN - Extracurricular Fees; and, LBA - Shared Services.

Braham, MN 55006

Adopted: October 16, 1978

Reviewed by Policy Committee: April 17, 1995

BAA SCHOOL BOARD EVALUATION

The School Board of I.S.D. # 314 believes that an annual self-appraisal program is in the best interests of all individuals served by district.

The Superintendent of Schools shall develop an instrument that will enable the Board to conduct an annual self-appraisal.

The instrument shall include the following areas:

1. Relationship with Superintendent of Schools.
2. Relationship with Community.
3. Relationship with Staff.
4. Relationship Between Members During Meetings.
5. Relationship to Instruction Program.
6. Relationship to Financial Management of Schools.
7. Strengths and weaknesses of the School System

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: January 22, 1996

BBBA BOARD MEMBER QUALIFICATIONS

A candidate for the office of School Board Member must be an eligible voter, must be 21 years of age or more on assuming office, and must have been a resident of the school district for which the candidate seeks election for 30 days before the school board member election.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

ADOPTED: June 19, 1995

BBBB BOARD MEMBER OATH OF OFFICE

Each school board member, within 30 days after delivery of his/her certificate of election, is required to sign an oath that (s)he will faithfully perform the duties of his/her office as required by law and will support the Constitution of the United States, the Constitution of Minnesota, and the laws made pursuant thereto. Such oath will be filed with the school district clerk.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: April 15, 1996

BID-2 BOARD MEMBER COMPENSATION

School Board Members shall be compensated for attendance of meetings and other related functions and for performance of their duties as School Board members at a rate established by the School Board as its Annual Organizational Meeting in January of each year.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: July 16, 1984

Reviewed and Accepted by Policy Review Committee: December 11, 1997

DL PAYROLL PROCEDURES

It is the policy of Independent School District No. 314 to pay all employees on an every other Friday basis. In the event payday falls on a holiday, pay will be on the preceding day.

All extra curricular salaries will be paid in the next payroll prepared after receipt of the voucher.

Part-time employees are paid on an hourly basis and will always be two (2) weeks behind (i.e. the hours worked the 1st through the 15th will be paid on the 30th) on the basis of time cards furnished to the Business Office. It is the employee's responsibility to see that all time cards are turned in on a timely basis.

For instructional employees, a choice of 20 or 26 checks is available. Prior to June 1st of each year, the employee must specify his/her selection as to the number of checks to be issued for the following year. If the employee does not notify the Business Office prior to June 1, the payroll cycle will be 26 checks.

Employees leaving the district may request advance payment of summer checks on June 30th if they request advance payment prior to May 1.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: July 16, 2012

EAA - INTRUDER

CRITICAL INFORMATION:

An intruder is always assumed to be an unauthorized person requiring immediate attention. Not knowing the motive for entering the school, early intervention is critical to avoid the possibility of a weapons violation, violence or other unwanted activity.

It is always best to follow the "I CAN" rule:

Intercept Contact Ask Notify

Teachers/Staff will:

1. Contact the Principal, District Maintenance Supervisor, Secretary, if possible, and describe intruder.
2. Politely greet and identify yourself. Consider asking another staff person to accompany you and to contact Principal, District Maintenance Supervisor, Secretary if you are not able to do so.
3. Inform intruder all visitors must register at the office.
4. Ask the purpose of the visit and attempt to identify the intruder & vehicle.
5. If purpose is not legitimate ask the intruder to leave & accompany to the exit.
6. If not cooperative, back away
7. If purpose is legitimate accompany to the office.

Principal, District Maintenance Supervisor, Secretary will:

1. Respond to call for assistance from staff.
2. Notify the Superintendent.
3. Advise intruder of trespass law and ask them to leave if purpose is not legitimate.
4. Notify law enforcement providing a full description of intruder.
5. Announce "LOCKDOWN WITH INTRUDER" and implement action.
6. Attempt to keep intruder in full view until law enforcement arrives while maintaining a safe distance.
7. Document all actions.

Braham Area Public Schools
Ind. School District #314
Braham, MN 55006

Adopted: September 22, 1980
 Amended & Adopted: July 21, 1997

EBCD - EMERGENCY CLOSING

The Superintendent may close the schools in event of hazardous weather, epidemics, or other emergencies which threaten the safety or health of students or staff members. The Superintendent shall take such action only after consultation with knowledgeable authorities.

The normal procedure shall be if school is closed, all other activities, practices and rehearsals will also be canceled except if otherwise decided by the administration; e.g.: MN State High School Tournament.

Braham Area Public Schools
Ind. School District #314

Braham, MN 55006

ADOPTED: April 18, 1994

REVISED: February 18, 1997

GBGB - POLICY TO PROVIDE A SAFE ENVIRONMENT

A motion by D. Heineman recognized that it is the policy of our school district to provide a safe environment. Therefore, District 314 acknowledges the written compliance program contained in the District's Comprehensive Occupational Safety and Health Manual. This manual will be maintained in the District Office. The motion was seconded by M.A. Carlson and carried.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: June 16, 2003

GBI - RECOGNITION/COMPENSATION POLICY

I. PURPOSE

The purpose of this policy is to provide guidance for the district in providing proper incentives through district recognition of staff.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall provide recognition awards for employees for exemplary work or effort and/or years of service whenever fiscally possible. This form of in-kind compensation shall include, but is not limited to recognition luncheons, plaques and similar awards. It shall not include cash payment of any kind.
- B. The district, through the School Board, shall declare its intent to provide this recognition prior to the beginning of each school year. This declaration shall include a description of the types of incentives and the date they will be delivered. It is expected that the district will determine a list of priorities for each of the incentive types.
- C. The district shall be fiscally responsible in determining the level of incentives for recognition that will be provided each year. The district priorities will guide decisions in making the determination.
- D. Nothing in this policy sets precedence for the presence or absence of recognition awards on a year-to-year basis.
- E. It is the intent of this policy that the recognition awards be de minimis in nature.

III. DEFINITIONS

- A. Recognition means the acknowledgement of exemplary work or effort and/or years of service.
- B. In-kind compensation in this policy refers to methods of recognition the district will use to

recognize exemplary work or effort and/or years of service. This form of compensation shall include, but is not limited to recognition luncheons, plaques, pins, medals, certificates, and similar awards. It shall not include cash payment of any kind.

IV. LEGALITY

- A. If, at any time, it is determined that any portion of this policy is not deemed to be legal, it shall be null and void.
- B. Legal counsel was sought in the development of this policy.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: September 20, 1988

Reviewed & okayed as is by Policy Review Committee: **March 12, 1998**

GCAA - CLASSROOM TEACHING POSITION

Requirements for Position

Must hold a teaching certificate valid in Minnesota

Brief Description of Position

The teacher is the central provider of educational services and is proficient in curriculum development, instructional methods, generating student performance, and evaluation of students and the school.

Responsibilities

A teacher receives work assignments and duties from the principal and is responsible to the principal for timely and high quality work. A teacher is responsible for meeting the terms of the Master Contract, State of Minnesota Statutes, Federal Law and Regulations and School Board Policy as each relate to their particular assignment.

Duties

Curriculum

A teacher will work in their area of expertise to bring about the following qualities in the students and school:

- A. Students will obtain a strong foundation in reading, writing, languages, mathematics, science, social studies, fine arts, health, vocations and physical education
- B. Students will become competent verbal and non-verbal communicators - learning to express themselves well in speaking and writing and to be attentive listeners
- C. Students will be comfortable with obtaining information and other assistance by using modern technology
- D. Students will obtain positive self-concepts, recognize and value their own uniqueness, and accept both their capabilities and their limitations,
- E. A teacher will consider the communities values and goals when making decisions about curriculum
- F. A teacher will be aware of their contribution to the district curriculum goals for each subject they teach and move the students through the curriculum without unnecessary duplications or omissions

- G. A teacher will be familiar with a wide range of materials designed to meet the needs of students with different learning styles.

Instruction

Teachers demonstrate competency and growth in each of the following areas of the educational process:

- a. instruction
- b. use of materials
- c. content
- d. classroom management
- e. planning
- f. human relations
- g. child growth and development
- h. ethics
- i. communications

Student Performance

Teachers will encourage students to achieve their full potential.

- a. a teacher will set high expectations for students
- b. a teacher will enhance student strengths and remediate weaknesses
- c. a teacher will implement and maintain validated principles of behavior management
- d. a teacher will identify and use appropriate support services provided by the district, county, coop, ECSU, State of Minnesota and others

Evaluation

Teachers will actively engage in identifying strengths and weakness of the individual students and the school.

- a. a teacher will continuously monitor student performance
- b. a teacher will inform students, parents and other professional staff members of the student progress
- c. a teacher will evaluate curriculum materials and district curriculum goals
- d. a teacher will share thoughts and experience regarding school effectiveness with their colleagues and supervisor

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: February 26, 1979

Modified: January 21, 1980

Modified: April 19, 1982

Modified: **July 20, 1998**

GCBC- GDBC -- EMPLOYEE INSURANCE PROGRAM

The insurance program of Independent School District No. 314 includes Hospitalization, Surgical, Life Insurance, Major Medical Coverage and Income Protection.

The following policies are presently in effect regarding the program:

1. MEMBERSHIP:

Hospitalization, Surgical and Major Medical:

All regular employees of Independent School District No. 314 who are involved in no less than 30 hours of employment per week shall be afforded the opportunity to participate in a group insurance plan.

The premium contribution on the part of Independent School District No. 314 may vary from one employee group to another. The specific amount will be included as a part of the conditions of employment for each of the respective groups or individuals, and will be determined within the negotiations or meet and confer process.

Income Protection and Life Insurance:

All regular employees of Independent School District No. 314 who are involved in no less than 30 hours of employment per week shall be afforded the opportunity to participate in an income protection and life insurance program.

The premium contribution and policy amounts may vary from one employee group to another. The specific amount will be included as a part of the conditions of employment for each of the respective groups or individuals, and will be determined within the negotiations or meet and confer process.

Additionally, permanent, part-time members who are employed at least 600 hours per year but less than 30 hours per week may elect to participate in the income protection and life insurance programs, if eligible, according to the insurance policies. The employee shall pay the entire premium for such coverage according to the terms established by the school district.

2. SELECTION OF CARRIER AND COVERAGE:

The School Board shall make final determination of the carrier, taking into consideration the recommendations of a representative employee insurance committee. The insurance policy shall be reviewed from time to time by the committee and the School Board.

3. TERMINATION:

- A. Every eligible employee whose employment is terminated for reasons other than disability and retirement may elect to continue their health coverage for themselves and their dependents until they become re-employed or for a period of eighteen (18) months, whichever is shorter pursuant to M.S. 62A.17. The employee shall pay the total cost of this coverage on a monthly basis.
- B. Every eligible employee whose employment is terminated due to total disability may continue their health coverage for themselves and their dependents as long as they remain disabled pursuant to M.S. 62A.148. The employee shall pay the total cost of this coverage on a monthly basis.
- C. If an individual wishes to discontinue the insurance program during the year, the person must notify the Business Office, in writing, by the first day of the month prior to the month of discontinuation.
- D. A person going on a leave of absence may, for the duration of the leave, continue the insurance program, if permitted by policy eligibility requirements. The employee shall pay the entire premium of such coverage according to the terms established by the school district.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: September 20, 1988

Revised: January 24, 1994

Revised: **June 16, 2003**

GCN - EVALUATION PROCEDURES FOR INSTRUCTIONAL STAFF

The purpose of this procedure is to provide a method for the systematic improvement of instruction in the Braham Schools. Evaluation procedures are created to identify the strengths as well as the needs of the specific staff members and to design programs which will lead to instructional improvement.

1. Non-Tenured Staff

- a. The observation be completed by the building principal by December 15, February 15, and March 15 of each year of non-tenured status.
- b. The principal shall use his/her own discretion if he/she feels the need to complete the evaluation more often.

2. Tenured staff

- a. The checklist is to be completed on a three year cycle for all tenured staff.
- b. The principal is to use his/her own discretion if he/she feels the need to complete the evaluation more often.

The principal will report to the Board the status of evaluations of staff members each April.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: February 26, 1979

Reviewed and okayed as is by Policy Review Comm. - **December 3, 1998**

HE - BOARD NEGOTIATING AGENTS

It is the policy of the School Board to appoint various negotiating sub-committees to represent the Board with the various employee groups within the district. The committee shall have the right to make offers and concessions. The entire Board, however, reserves the right to accept or reject any parts of the agreement recommended by the committee.

At any time during the negotiation process the committee may recommend to the entire Board that a professional negotiator be solicited. When such a request is made, the Superintendent working with the committee shall recommend to the Board a competent negotiator. The Board shall vote on said request at an official meeting of the Board.

When a professional negotiator is employed by the Board the committee shall continue to represent the Board through the negotiator.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

ADOPTED: **July 19, 1999**

IIA - MATERIAL SELECTION AND REVIEW POLICY

I. Responsibility for Selecting Media

The Braham Area School's Material Selection Committee is composed of the Media Director, a media aide or aides, and a staff member from each curriculum area. This committee is responsible for the Material Selection Policy of the Braham Area Schools. The final decision and legal responsibility for material selection resides with the Board of Education of the Braham Area Schools. Input into the selection of materials involves many people: administrators, teachers, supervisors, and school library media specialists. The responsibility for coordinating the selection of the instructional materials and making recommendations for purchases rests with the **Braham Area School's Material Selection Committee**.

II. Objectives for Selecting Media

The primary objective of each school's library media program is to enrich and support the instructional program of the school. The school library media program makes available, through the school library media collection, a wide range of materials on varying levels of difficulty with a diversity of appeal compatible with the different needs, interests, and viewpoints of students and teachers.

To this end, the **Braham Area School's Material Selection Committee**, in with the ideas expressed in the Library Bill of Rights, asserts that the responsibility of the school library media program is as follows:

- * To provide school library media that will enrich and support the curriculum, taking into consideration individual needs and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served.
- * To provide school library media that stimulate the growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- * To provide a background of information enabling students to make intelligent judgments in their daily lives.
- * To provide materials on opposing sides of controversial issues so that students may develop, under guidance, the practice of critical thinking and critical analysis of all media.
- * To provide materials representative of the many religious, ethnic, and cultural groups in our nation and the contribution of these groups to our American heritage.
- * To place principle above personal opinion and reason above prejudice in selecting school library media of the highest quality in order to assure a comprehensive collection appropriate for the users of the school library media center.

III. Criteria for Selecting School Library Media

Individual learning styles, the curriculum, and the existing collection are given consideration in determining the needs for library media in individual schools.

Materials considered for purchase are judged on the basis of the following criteria:

- * Purpose - Overall purpose and its direct relationship to instructional objectives and/or the curriculum
- * Reliability - Accurate, authentic
- * Quality - Writing and/or production of merit

- * Treatment - Clear, comprehensible, skillful, convincing, well-organized, unbiased
- * Technical production - Audio and/or visual clear and well-crafted
- * Construction - Durable, manageable, attractive
- * Special features - Useful illustrations, photographs, maps, charts, graphs, etc.
- * Possible uses - Individual, small group, large group instruction, in depth study

IV. Procedures for Selecting and Maintaining the School Library Media Collection.

The school library media professional, in conjunction with teachers, administrators, and the **Braham Area School's Material Selection Committee**, will be responsible for the selection of materials. In coordinating this process, the school library media specialist will:

- * Arrange, when possible, for firsthand examination of items to be purchased.
- * Use reputable, unbiased, professionally prepared selection aids when firsthand examination of materials is not possible.
- * Judge gift items by standard selection criteria and, upon acceptance of such items, reserve the right to incorporate into the collection only those meeting these specified criteria.
- * Purchase duplicates of extensively used materials.
- * Weed continuously from the collection worn, obsolete, and inoperable items.
- * Purchase replacements for worn, damaged, or missing materials basic to the collection.
- * Evaluate carefully and purchase only to fill a specified need.
- * Determine a procedure for preventive maintenance and repair of equipment.

V. Procedures for Reconsideration of Materials

Occasional objections to some materials may be voiced by the public despite the care taken in the selection process and despite the qualifications of persons selecting materials. The **Braham Area School's District Media Materials Review Committee** is responsible for handling a complaint for reconsideration of materials. This committee is composed of the district Media Specialist, a media aide or aides, one principal, one classroom teacher, one member of the public, and one student, to be selected by the Superintendent.

If a complaint is made, the following procedures should be observed:

1. Inform the complainant of the selection procedures and make no commitments.
2. Invite the complainant to file his or her objection in writing and send him or her a copy of the form, Request for Reconsideration of School Library Media Material, for submitting a formal complaint to the **Braham Area School's District Media Materials Review Committee**.
3. The **Braham Area School's District Media Materials Review Committee** will:
 - * Reexamine the challenged material.
 - * Survey appraisals of the material in professional reviewing sources.
 - * Weigh merits against alleged faults to form opinions based on the materials as a whole rather than passages isolated from context.
 - * Discuss the material and prepare a written recommendation to the superintendent and school committee.
4. The decision of the **Braham Area School's District Media Material Review Committee** shall be delivered to the complainant and staff members in writing.
5. The complainant may appeal to the Board of Education of the Braham Area Schools which makes the final decision.

Application to Reconsider Material

Name of person making request: _____

Telephone Number: _____

Address:

Street: _____

City: _____ Zip Code: _____

Complainant represents: himself / herself (circle one)

Represents Organization: _____ (please name)

Other Group: _____ (please identify)

Name of school owning challenged material: _____

Do you have a child at this school? yes no (circle one)

Title of item being challenged: _____

Type of media: book film/video filmstrip CD-ROM Website Computer program

Author/artist/composer/company/etc: _____

Publisher/producer, if known: _____

How did you become aware of this item? _____

Is this item a part of a: series set (circle one) If one of these items, did you examine other items in the series or set? yes no (circle one)

What do you believe are the theme and purpose of this item? _____

To what item do you object: _____

Please be specific, cite pages, frames, etc: _____

Does this item have any redeeming feature or value? yes no (circle one)

If yes, please list them: _____

For what age or grade level would you recommend this item? _____

What do you think might be the result of a student's reading, viewing, or listening to this item? _____

Are you aware of any evaluations of this item by authoritative sources? yes no (circle one)
If yes, did those sources agree with your opinion? Please list specific courses. _____

What would you like the school to do about this item?

_____ Not assign it to your child
_____ Not assign it to any child
_____ Make it available only to those who wish to use it.
_____ Refer it to the Braham Area School's District Media Materials Review Committee.
_____ Withdraw it from the school library media collection.
_____ Other: Please specify: _____

What would you suggest that the school purchase in lieu of this item?

Why is your recommendation a better choice? _____
Other comments: _____

Date: _____ Signature of Complainant: _____

Collection Policy Statement: Electronic Resources

Introduction:
Electronic sources include CD-ROM, online services, and multimedia resources. Examples of electronic sources include: "ArtRageous" (interactive multimedia), "World Book" (Interactive encyclopedia), and the Internet.

The importance and impact of electronic information sources presently changes so rapidly that this policy will be updated annually.

Electronic media in the library includes electronic periodical indexes and abstracts. Additional sources will be added as they are developed to meet the expressed needs of library clientele and become economically feasible.

Selection Statement:

Electronic resources will be selected on the same basic principals as print media in accordance with the Material Selection and Review Policy of the Braham Area Schools.

Electronic sources will not necessarily be used to replace print sources unless they render the print source obsolete and/or cost or client demand permit's the use-of-only an electronic source.

Selection Criteria: Database Components:

Information content:

- * Coverage/scope
- * Accuracy and currency
- * Intellectual level
- * Relationship to print counterpart if one exists
- * Relationship to total collection
- * Indexing

Retrieval software:

- * Equality of searching options: multiple searchable fields, Boolean capability, online help screens, search interrupt feature, online thesauri, variety of display, print, response time.
- * Search protocols and commands similar to other software library owns .

Selection Criteria: Hardware

- * The technology coordinator must approve all hardware purchases.
- * Vendor documentation and support.
- * Licensing requirements and networking capability.

Selection Criteria: Patrons

- * End users are staff and clients who use the electronic resources for information.
- * All criteria are considered vital to meeting the information needs of the end user.
- * The resources selected must present information in a comprehensible and easily used format which requires minimal training or explanation.

Future Development:

- * The media center will investigate multimedia resources as a viable alternative to traditional print sources.
- * This policy will be revised to reflect the changes in the information needs of library clientele and the availability of electronic sources which may meet those needs better than traditional print sources.

**Braham Area Public Schools
Ind. School District #314
Braham, MN 55006**

ADOPTED: August 16, 1993

Reviewed and okayed as is by Policy Review Comm. **February 18, 1999**

IICC - SCHOOL VOLUNTEERS

The Board encourages that volunteers can make many valuable contributions to our schools. The Board endorses a Volunteer Program in Independent School District #314, subject to suitable regulations and safeguards for both volunteers and students.

SOURCE: Independent School District #314, Braham, Minnesota

DATE: 8-16-93

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

ADOPTED: App. Nov. 1978

Reviewed and Accepted by Policy Review Committee: **January 20, 2000**

JN - EXTRACURRICULAR FEES

It shall be the policy of the Board of Education that a fee be charged students who participate in extracurricular activities, as authorized by current MN State Statute.

The fee and activities included in the fee schedule shall be established annually by the Board of Education. Fees shall be collected in a manner determined by the Superintendent of Schools and credited to the General Fund. The fee may be waived by the School Board upon recommendation from the Superintendent of Schools.

The Superintendent of Schools is directed to prepare administrative procedures for the purpose of carrying out this policy.

LEGAL REFERENCE: M.S. 120.73.

ADMINISTRATIVE GUIDELINES FOR THE POLICY ON CHARGING FEES FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

1. The fee charged shall be according to the cost of equipment, supplies or apparel.
2. No student shall be charged a fee for participating in more than two (2) three (3) activities sports during a single school year. Towel fees do not apply to this restriction.
3. Fees must be paid on or before the first second Monday of practice.
4. Fees will be collected at the time and place and in the manner designated by the building principal in cooperation with athletic and fine arts departments.
5. Students exhibiting extreme financial distress may ask for a waiver of fees through the Superintendent of Schools. The number of students exempted from a paying fee will be kept to a minimum. Eligibility for free lunch shall not be acceptable as a single criterion for a waiver of fees.
6. Refunds
 - a) Refunds will be given in the following instances:
 1. The student withdraws from participation because of illness, injury or transfer to

another school district and the event occurs prior to the first regularly scheduled interscholastic contest within the first two weeks of the activity.

- 2. Students cut from the sport for a reason other than violation of training rules.
- b) No refunds will be given for any reason after the first regularly scheduled contest.
- c) No refund will be given to a student who voluntarily withdraws from participation or who is suspended for violating training rules.

1. The process for Activity Fees to be waived will be as follows, and tied to the Free lunch forms previously filled out:

- If a student/family qualifies for free lunches, they will also have their activity fee waived for each activity they choose to participate in.
- If a family is wishing to have their fees waived and have not previously filled out the free lunch form, that form will be made available.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: June 21, 1989

Amended: April 17, 2000

LBA - SHARED SERVICES

District # 314 seeks the cooperation of all learners in the area.

District # 314 will cooperate with all learners in matters of mutual benefit where not expressly prohibited by law.

The following conditions will need to be met:

- 1. A signed request is received from the pupil and his/her parent or guardian.
- 2. Space is available in specifically requested classes that are held during regular public school hours.
- 3. Foundation aids and or tuition are received as a direct result of the pupil's attendance.

Transportation to and from shared time classes shall be limited to the regular trips at the beginning and the end of the school day on the transportation schedule of the district. Rules and regulations pertaining to the transportation service for regular students shall apply to shared time students.

Shared time students may participate in district extracurricular activities provided they meet the eligibility rules and requirements of the Minnesota State High School League.

27. Consider MSBA recommendations to modify specific policies.

MSBA recommended that the following policies will be removed from the District policy manual and become procedures placed in the district handbooks. They are: EEB - Process for Managing

Non-Student Bus Complaint; EFF - Meal Charge Policy; EGAD - Copyright Compliance; GBN - Reclassification for Comparable Worth; GCD - Professional Staff Hiring; GCN - Evaluation Procedures for Instructional Staff; and, IMBA - Policy on Alternative Education.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: **January 22, 1996**

EEB - Process for Managing Non-Student Bus Complaint with Bus Company

Bus complaints from parents, guardians, or others about drivers, bus operation or bus equipment should first be submitted by the complainant to the school district's bus contractor for resolution. The bus contractor would then be responsible for working to resolve the problem with the complainant. It should be the responsibility of the bus contractor to follow up on the complaint, as necessary, with the Superintendent of Schools.

Should the complaint be unresolved by the bus contractor following those efforts on the part of the complainant, the complainant could then file a complaint with the superintendent of schools. The superintendent of schools will be responsible for investigating further the complaint and the efforts made to resolve the complaint, and work to reach resolution with the complainant on the specific complaint(s).

Should the complainant feel the specific complaint(s) still remain unresolved, the complainant could request that the superintendent of schools convene a meeting with all of the relevant parties in the complaint and the school board Building, Grounds and Transportation Committee members for a hearing on the complaint(s).

Any complaint(s) remaining unresolved at this level could be submitted to the full school board for a hearing and a resolution of the issue or issues.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

Adopted: August 15, 2011

Revised/Adopted: **June 17, 2013**

EFF - MEAL CHARGE POLICY

I. PURPOSE

The purpose of this policy is to establish consistent meal account procedures for the Braham Area School District.

II. GENERAL STATEMENT OF POLICY

- A. Braham Area School District recognizes the parent/guardian's responsibility to provide breakfast and lunch for their children. Proper nutritional intake is essential for adequate learning to occur.
- B. It is the policy of Braham Area School District to offer breakfast and lunch. The food service department strives to produce quality meals at a reasonable cost.
- C. Students may purchase meals when funds have been deposited into their family account or by cash payment.

- D. Households may apply for free/reduced meals anytime during the school year. Applications are mailed out to all households in the school district prior to the school year and are included in enrollment packets. In addition, applications are available at both the elementary and high school food service departments.
- E. Households may apply for free/reduced meals online anytime during the school year. BrahamFoodService.heartlandapps.com

III. PROCEDURES FOR NOTIFYING FAMILY OF ACCOUNT STATUS

- A. The parent/guardian of all K-12 students will be notified when the student account is at \$5.00 or less with www.myschoolbucks.com Automatic e-mails are sent out when balances are low. Parents that do not have email accounts will be sent weekly notifications.
- B. Grades 5-12 will be given a verbal notification.
- C. Students will be notified in line each day that their account is \$5.00 or less. The Elementary will continue as is, money is collected in the classroom and brought down to the kitchen with their daily meal counts.
- D. Parents/guardians that do not have email will be sent out a paper statement weekly.
- E. If the student account is less than adequate (-\$10.00) to pay for breakfast and/or lunch, the student will be given an alternative meal. When the account is negative, the Braham Food Service Department will call the family. If the household cannot be reached, another letter will be sent home.
- F. A milk and grain item will be offered at breakfast when the account balance is negative. A PB sandwich/or Cheese, vegetable, fruit and milk will be offered at lunch. {While schools are not obligated to provide meals to children who forget their lunch money, the United States Department of Agriculture {USDA} encourages schools to be flexible in this area; particularly with young children and children with disabilities who may be unable to take full responsibility for their money.)
- G. After the third consecutive day of offering the substitute breakfast and lunch, the building principal/assistant principal will contact the household and review with them their responsibility to provide meals for their child(ren).
- H. Assistance from county social services may be requested by the school social worker for possible neglect when above procedures are unsuccessful.

IV. PROCEDURES FOR PAYMENTS

- A. The high school has 2 deposit boxes. One is located by the High School Office and the other is located in the Cafeteria under the menu board. Both of these deposit boxes will be emptied at 9:30am and ready for use in the lunch account that day.
- B. We will encourage all students to deposit their monies in the locked safe box this will assure a faster lunch line and allow students more time to eat their food.
- C. The Elementary will continue as is.

Braham Area Public Schools
Ind. School District #314
Braham, MN 55006
 Adopted: May 26, 1998

EGAD - COPYRIGHT COMPLIANCE

The school system will take necessary steps to ensure that copyright material is protected. The material - whether graphic, audio, visual, or computer software - must indicate through some means that it is under copyright protection to fall within this policy.

Employees will not violate copyright regulations. For their assistance and Board protection, the director of media services will issue related memoranda to the staff; provide posters at locations of copying machines and apparatus; and notify all employees of this policy.

The burden of the posters will be as follows:

- The school district will not accept responsibility for willful reproduction or retention of copyright materials beyond limits provided by the publisher or producer.
- The employee must exert reasonable effort to be familiar with copyright regulations.
- Willful violation of copyright regulations is the responsibility of the employee.

The school district will not assume responsibility for any employee violating copyright regulations.

Braham Area Public Schools
Ind. School District #314
Braham, MN 55006

ADOPTED: January 17, 1989

Reviewed & okayed as is by Policy Review Committee: March 12, 1998

GBN - RECLASSIFICATION
(FOR COMPARABLE WORTH)

Braham School District 314 recognizes that job responsibilities may be subject to change.

If an employee and his/her supervisor believe a position has changed significantly and therefore might warrant reclassification, the following process for review may be initiated:

1. By September 30 of each year a written request for review would be submitted to the Superintendent. Such a request would include a detailed description of changes in the responsibilities of the position.
2. The Superintendent would convene an evaluation committee in which all groups and Administration and the School Board are represented. This committee would recommend reclassifications to the Superintendent and the School Board.

Reclassifications granted by the Board of Education following these procedures and timelines would be made retroactive to the first day of student attendance of the current school year.

Braham Area Public Schools
Ind. School District #314
Braham, MN 55006

Adopted: January 15, 1979

Revised: June 15, 1998

GCD - PROFESSIONAL STAFF HIRING

All instructional personnel shall be appointed to positions in the school system upon the recommendation of the Superintendent, subject to the approval of the School Board.

All teachers must meet qualifications as fixed by state law, the MN Dept of Education and the local School Board.

All teachers must hold certificates recognized by the Commissioner of Education as qualifying them for positions they hold. No salaries shall be allowed for persons whose certificates are not issued and kept valid. It is the responsibility of the individual employee to see that the proper certificate is issued and renewed from time to time, and presented to the office of the Superintendent to be placed on file.

All employees new to the district shall provide the Superintendent of Schools with a physical examination form from a physician indicating that the candidate is in good health.

Contracts to employees shall be issued only from the office of the Superintendent of Schools.

Ind. School District #314

Braham, MN 55006

Adopted: September 20, 1988

Revised: January 24, 1994

Revised: **June 16, 2003**

GCN - EVALUATION PROCEDURES FOR INSTRUCTIONAL STAFF

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 - a. The checklist is to be completed on a three year cycle for all tenured staff.
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The principal will report to the Board the status of evaluations of staff members each April.

Braham Area Public Schools

Ind. School District #314

Braham, MN 55006

ADOPTED: May 17, 1994

Revised and Adopted: **February 18, 1997**

IMBA - Policy on. Alternative Instruction

State legislation requires each district to have a policy regarding parental review of instructional materials and provisions for alternative instruction. This policy must be published annually in the district's System Accountability Report. Below are the policy and procedures for District 314.

Alternative Instruction - Policy

1. Parents/guardians and adult students may review the content of instructional materials to be provided to their minor child or themselves as an adult student.
2. For purposes of this policy, content of instructional materials means content included in district approved core and supplementary textbooks, films, filmstrips, records, audio and video tapes, and slides. Content of instructional material, as used in this policy, does not include spontaneous classroom discussion, current event or other incidental materials, or the mode of delivery (i.e., by whom, when, or where instruction is provided).
3. If the parent/ guardian or adult student objects to the content of instructional materials, he/ she may make reasonable arrangements with school personnel for alternative instruction that meets the outcomes.
 - a. School personnel will propose alternative instruction that is reasonable within available resources.
 - b. Alternative instruction may be provided by the parent/ guardian or adult student if the alternative instruction offered by school personnel does not meet the concerns of the parent/ guardian or adult student. The district is not required to pay for the costs of alternative instruction provided by a parent/ guardian or adult student.
 - c. School personnel may evaluate and assess the quality of the student's work produced as part of alternative instruction.
4. School personnel will not impose an academic or other penalty on a student merely for arranging alternative instruction under this policy.
5. Neither objection to the content of instructional materials nor provision of alternative instruction for any one student is to interfere with the rights of others to receive the regular instructional content.

Alternative Instruction - Procedures

1. Parents/guardians/adult students wishing to review instructional materials to be provided to their child or themselves as an adult student will present their request to the building principal or designee, being as specific as possible as to which materials they wish to review.
 2. The building principal or designee will arrange an opportunity for review of the requested material.
 3. If the parent/ guardian/adult student objects to the content for his/her child or him/herself, they are to notify the building principal or designee of the specific objection.
 4. The building principal or designee and the parent/guardian/adult student will determine the plan for alternative instruction.
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28. Reminder of the August school board meeting.

The August Regular School Board meeting is set for Monday, August 15th, 7:00 pm, B100 – Community Room.

29. Adjourn.
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