

**INDEPENDENT SCHOOL DISTRICT NO. 659**  
**REGULAR SCHOOL BOARD MEETING**

Monday, October 24, 2022 ~ 6:00 p.m. ~ Regular Board Meeting  
Northfield District Office Boardroom

Zoom Link: <https://northfieldschools-org.zoom.us/j/88218304692?pwd=aE95Q2tzTXgrR0Y2L1E1U2poZHM5dz09>  
Passcode: 499979

**AGENDA**

1. Call to Order
2. Agenda Approval/Table File
3. Public Comment
4. Announcements and Recognitions
5. Items for Discussion and Reports
  - a. Northfield High School Facility Plan Voter Survey Results
  - b. Superintendent Operations & Strategic Plan Update
6. Committee Reports
7. Consent Agenda
  - a. Minutes
  - b. Gift Agreements
  - c. Policy
  - d. Personnel Items
8. Items for Individual Action
  - a. District Health Insurance
  - b. Policy Recommendations
  - c. Resolution of School Board Supporting FORM A Application to Minnesota State High School League Foundation
9. Items for Information
  - a. World's Best Workforce Plan Presentation
10. Future Meetings
  - a. Monday, November 14, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
  - b. Monday, November 28, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
  - c. Monday, December 12, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
11. Adjournment

**NORTHFIELD PUBLIC SCHOOLS**  
**MEMORANDUM**

Monday, October 24, 2022 ~ 6:00 p.m. ~ Regular Board Meeting

Northfield District Office Boardroom

Zoom Link: <https://northfieldschools-org.zoom.us/j/88218304692?pwd=aE95Q2tzTXqrR0Y2L1E1U2poZHM5dz09>

Passcode: 499979

TO: Members of the Board of Education

FROM: Matthew Hillmann, Ed.D., Superintendent

RE: Explanation of Agenda Items for Monday, October 24, 2022, Regular School Board Meeting

1. Call to Order

2. Agenda Approval/Table File

3. Public Comment

Public comment for this school board meeting may be made in person at the beginning of the meeting and must comply with the district's public comment guidelines.

4. Announcements and Recognitions

5. Items for Discussion and Reports

- a. Northfield High School Facility Plan Voter Survey Results. Dr. Don Lifto will present the results of the high school facility plan voter survey conducted by Morris-Leatherman.

- b. Superintendent Operations & Strategic Plan Update. Dr. Hillmann will provide an update about district operations and examples of work underway to achieve the district's vision, strategic commitments, and benchmarks.

6. Committee Reports

Board member Pritchard will provide an update on the Communication Advisory Committee.

Board member Goerwitz will provide updates on both the Wellness Committee and CVSEC.

7. Consent Agenda

**Recommendation:** Motion to approve the following items listed under the Consent Agenda

a. Minutes

- Minutes of the Regular School Board meeting held on October 10, 2022

b. Gift Agreements

- \$1,789.64 from NHS Class of 1955 for NPS Angel Fund food service
- \$13,578.52 from Bridgewater Booster Club: donation of \$18.52/student for classroom teachers, as well as funds for specialists & special education teachers
- \$1,000.00 from Post Consumer Brands to the TORCH program
- \$1,000.00 from Post Consumer Brands to sponsor the Robotics Club

c. Policy Revisions Due to Changes in Law

The revisions to policies 208, 209, 210, 415, 417, 418, 515, 708, 709 and 722 create substantive change or additions to existing policies. The revisions are directly related to changes in federal or Minnesota law and recommended by the Minnesota School Boards Association. Because the district endeavors to have policy align with state and federal law it is recommended that the board adopt the substantive revisions presented. These policies will continue to be evaluated as scheduled in the board's policy review cycle.

d. Personnel Items

i. Appointments

1. Ashley Montemurro, Special Ed EA PCA for 5 hours/day and Gen Ed Supervisory for 2 hours/day at Bridgewater, beginning 10/27/2022. Step 1-\$16.33/hr. + PCA Stipend.
2. Jessica Provancha, American Sign Language Interpreter at the NCEC. beginning 10/11/2022-5/31/2023; \$27.03/hr.
- ii. Increase/Decrease/Change in Assignment
  1. Theresa Bauman, .50 FTE Reading Corps Coach with the District and .10 FTE Math Corps Coach at Spring Creek, add .05 FTE Title I Teacher at St. Dominic, effective 10/24/2022-6/9/2023.
  2. Carrie Duba, School Psychologist/MTSS at the District Office, add ACT Sped Testing Coordination at the High School, effective 10/17/2022-6/9/2023.
  3. Brent Dunkelberger, Teacher at the Middle School, add MSYC Teacher for up to 2 hours/day Mon.-Thurs. at the Middle School, effective 10/17/2022-5/26/2023. Year 1-\$27.11/hr.
  4. Adam Karsko, 1.0 FTE Head Custodian at the High School, change to 1.0 FTE District Maintenance Coordinator at the District Shop, effective 10/24/2022.
  5. Angela Schock, Teacher at the Middle School, add 9th Grade Girls Basketball Coach at the High School, effective 11/14/2022. \$4,062 + step 5.
- iii. Leave of Absence
- iv. Retirements/Resignations/Terminations
  1. Matt Crase, Wrestling Coach at the Middle School, resignation effective 10/8/2022.
  2. Sophia Nevin, Special Ed EA PCA at the NCEC, resignation effective 11/4/2022.
  3. Brent Yule, Wrestling Coach at the High School, resignation effective 10/17/2022.

\*Conditional offers of employment are subject to successful completion of a criminal background check and Pre-work screening (if applicable)

## 8. Items for Individual Action

- a. District Health Insurance. The board is requested to direct administration to collaborate with the Northfield Education Association (NEA) to create a Memorandum of Understanding to make the district's monthly health insurance contribution \$583.26 for single coverage and \$1,774.40 for family coverage. The district has historically strived to maintain a contribution of approximately 80% of the total premium and this will align with approximately 80% of the 2023 premium). In the spring of 2023 when the district negotiates with the NEA, we recommend using this level of district contribution as the base. This will be the district's new operating level for the foreseeable future. This recommendation will cost an additional \$1.45 million over the 2021 rates (an additional \$450,000 over what was already authorized for one year). The estimated district contribution would increase from \$5.4 million in 2021 to \$7.5 million for 2023.

**Superintendent's Recommendation:** Motion to direct administration to collaborate with the NEA to create a Memorandum of Understanding to make the district's monthly health insurance contribution \$583.26 for single coverage and \$1,774.40 for family coverage.

- b. Policy Recommendations. The board is requested to approve the policy committee's recommended updates to policies 630 and 646, the recommendation to sunset policies 648, 649 and 650, and the recommendation to adopt the proposed style guide.

**Superintendent's Recommendation:** Motion to approve the recommended updates to policies 630 and 646, to sunset policies 648, 649 and 650, and to adopt the proposed style guide.

- c. Resolution of School Board Supporting FORM A Application to Minnesota State High School League Foundation. Director of Student Activities Bubba Sullivan requests approval of the attached resolution supporting the district's application to the Minnesota State High School League Foundation for a FORM A grant to offset student activity fees.

**Superintendent's Recommendation:** Motion to approve the Resolution of School Board Supporting FORM A Application to Minnesota State High School League Foundation.

## 9. Items for Information

- a. World's Best Workforce Plan Presentation. Hope Langston, Director of Instructional Services, will summarize the 2022-2023 World's Best Workforce Plan at the public hearing scheduled at 5:15 p.m. on Monday, Nov. 14. This public hearing will precede the regular school board meeting scheduled on Monday, Nov. 14 at 6:00 p.m.

10. Future Meetings

- a. Monday, November 14, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
- b. Monday, November 28, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
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11. Adjournment

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# Northfield Public Schools

## 2022 Community Survey Summary of Results

The Morris Leatherman Company





## INTRODUCTION

# Survey outline

- Survey included interviews with 400 registered voters in the Northfield School District.
- Interviews were completed between September 22<sup>nd</sup> and September 29<sup>th</sup>.
- Survey included 43 questions; average interview length was 10 minutes.
- Approximate margin of error is  $\pm 4.8\%$ .



## INTRODUCTION

# Who we called

- Interviews included demographic targets intended to provide a representative sample of voters in the district.
- To the extent that any demographic dimension was significantly under- or over-sampled, sample weights were adjusted to compensate.



## INTRODUCTION

# Who we called *(cont.)*

- Demographic targets included:
  - Age
  - Gender
  - Parent status
  - Voting history
  - Geographic area
- Cell phones and homeownership were tracked but were not demographic targets.

## Survey structure

- Main body of survey was split into three sections:
  - Improvement projects for the high school.
  - Improvement projects for athletic and activity spaces.
  - Potential to build a new ice arena.
- In each section, we measured initial support for the proposal, then measured reactions to a variety of potential improvement projects.
- Participants were asked for their opinion again after hearing about the potential projects.

## **High school improvements – initial support**

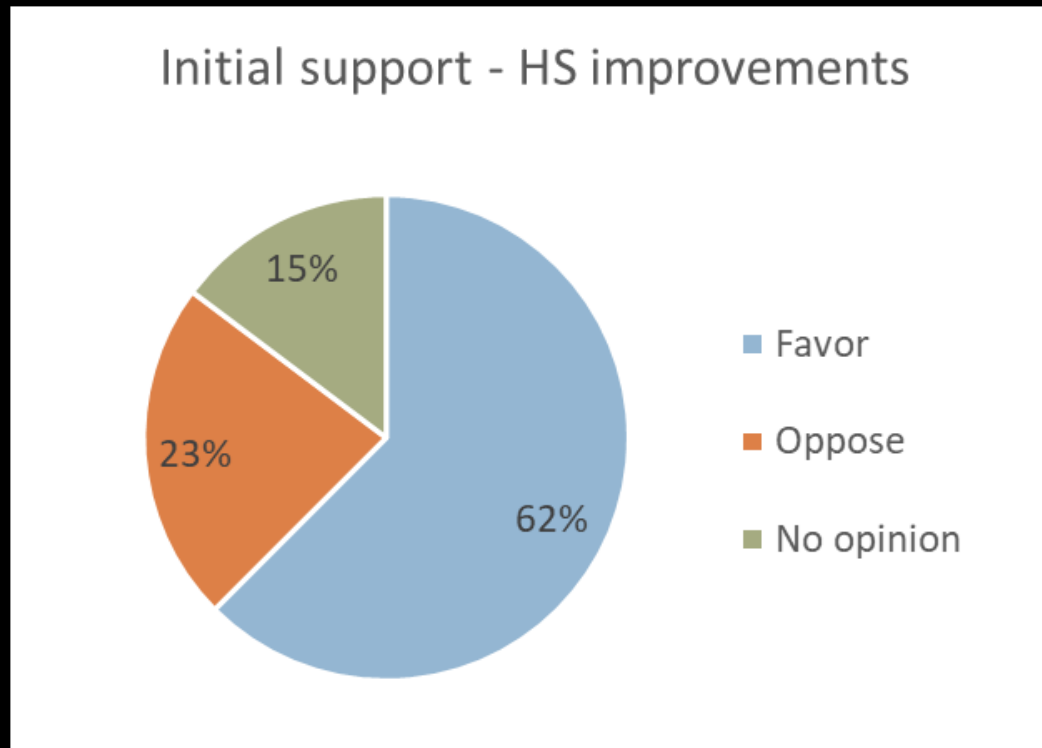
“In recent years, the School District has been evaluating facility needs of the high school. Projects could include updating heating, ventilating, lighting and air conditioning systems, improvements to regular and special education classrooms, and replacement of furniture.

Also under consideration are upgrades to the auditorium, locker rooms, and athletic facilities. The District may ask voters to increase property taxes to provide needed funding for high school facility improvements.

Based on what you know today, would you favor or oppose such a proposal?”

HIGH SCHOOL IMPROVEMENTS

## Initial support



## Effect of information

- Participants were asked to react to nine potential improvements to the high school which might be completed if funding were approved.
- Items were presented in random order to minimize any bias due to their position on the list.
- One item was presented in two forms, using different wording to describe details.
  - Half of interviews used one version, and half used the other.
  - Smaller size of split sample results in margin of error of  $\pm 6.9\%$ .

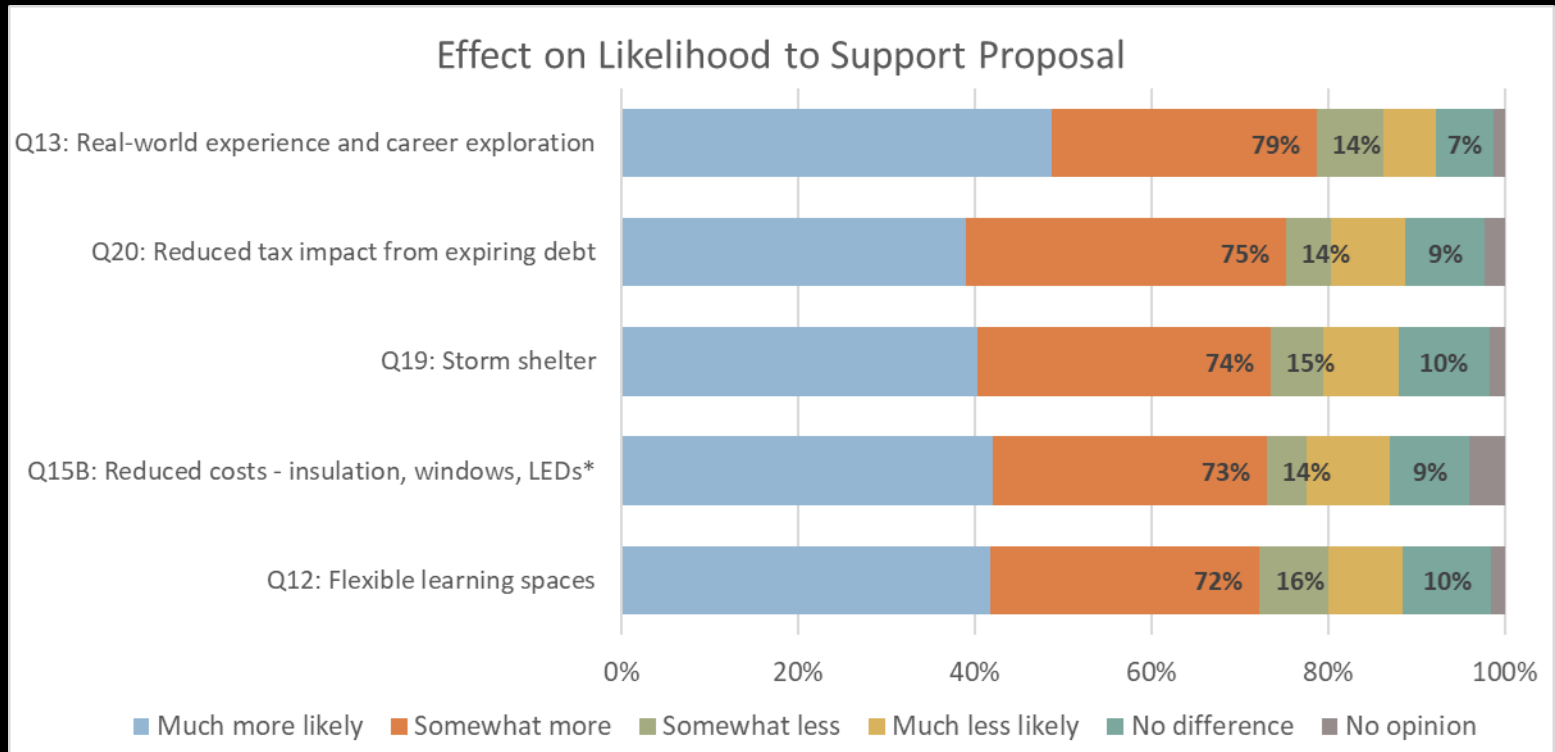
## **Effect of information**

“I am going to read some statements about the potential high school facility projects and upgrades.

For each of these statements, please tell me whether the information would make you much more likely, somewhat more likely, somewhat less likely or much less likely to support the proposal.”

## HIGH SCHOOL IMPROVEMENTS

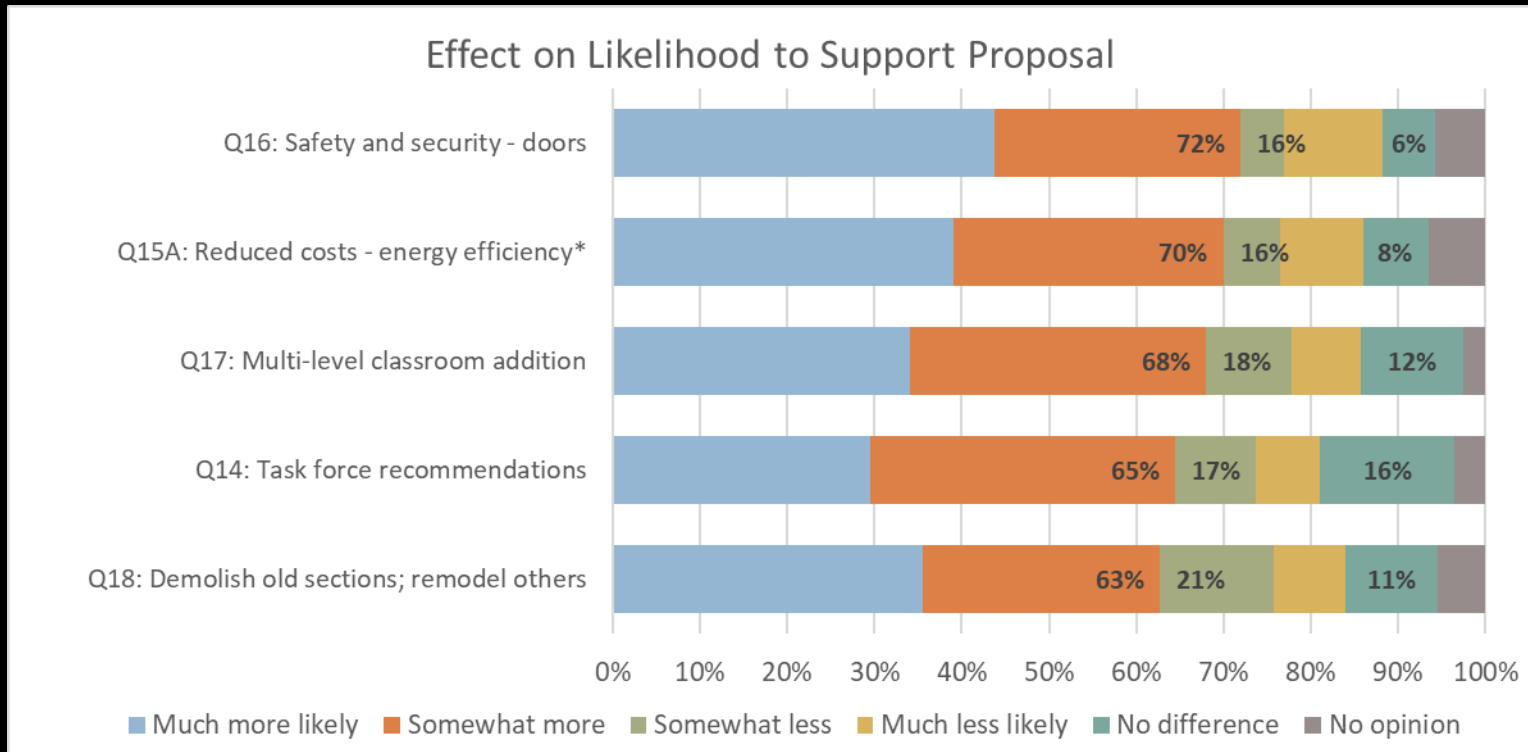
# Reaction to impacts



Labels show combined % for more/much more, less/much less, and no difference. Items with asterisk were split-sample questions; smaller sample size provides margin of error of  $\pm 6.9\%$ .

## HIGH SCHOOL IMPROVEMENTS

# Reaction to impacts *(cont.)*



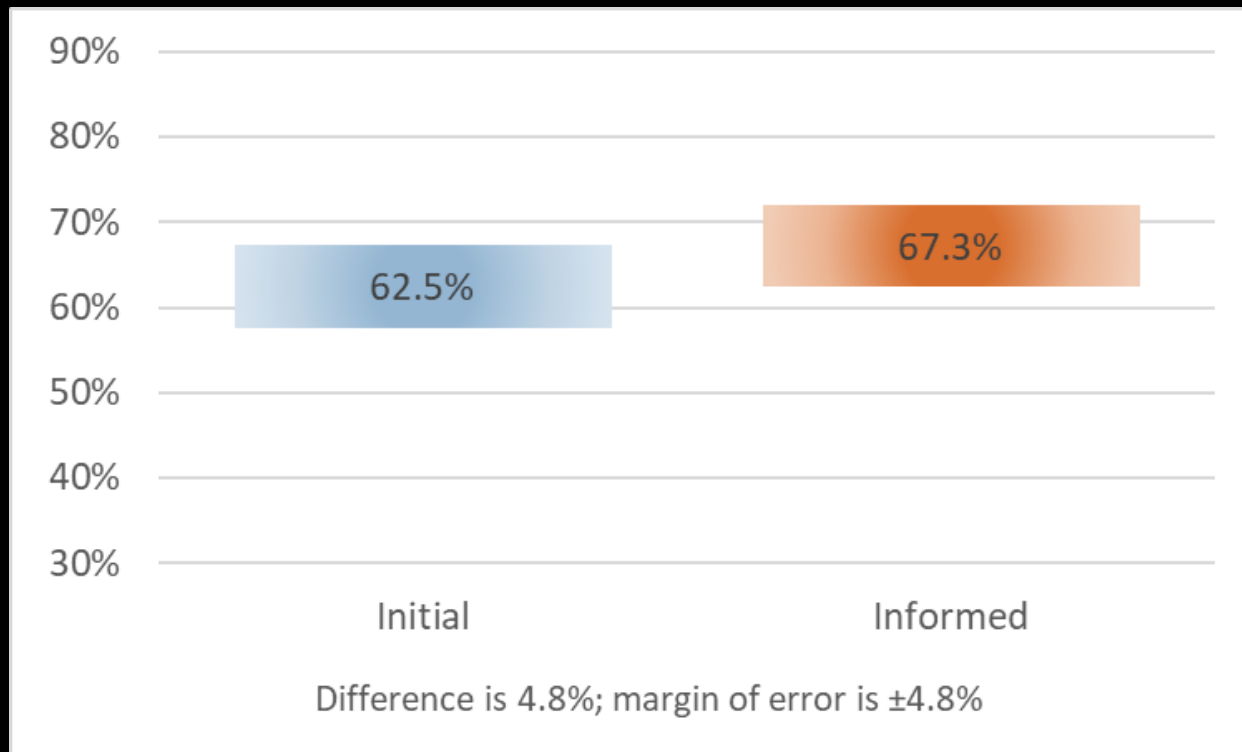
Labels show combined % for more/much more, less/much less, and no difference. Items with asterisk were split-sample questions; smaller sample size provides margin of error of  $\pm 6.9\%$ .

## **High school improvements – informed support**

“Now that you have heard more information about the proposal to raise property taxes to fund high-priority facility projects at the high school and other buildings, would you favor or oppose such a proposal?”

## HIGH SCHOOL IMPROVEMENTS

# Comparison – initial and informed

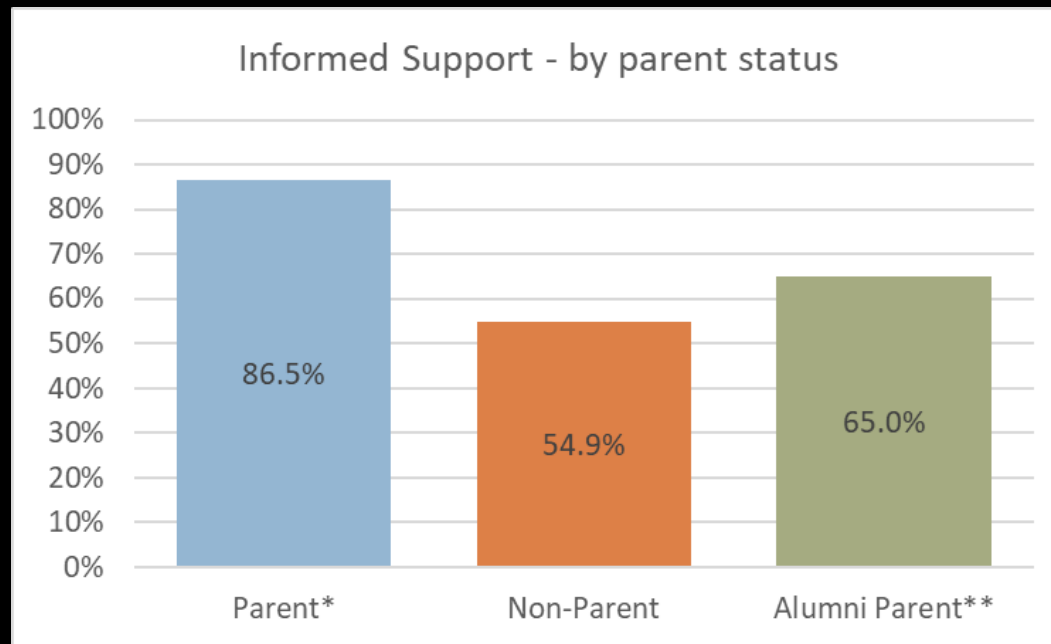


Difference is not statistically significant.

## Demographic differences

- The following slides show a quick snapshot of differences in support between demographic groups:
  - Parent status
  - Gender
  - Age
  - Location
  - Voting activity
  - Income
  - Education
  - Homeownership
- Charts show level of support after hearing information about each proposal.

## Demographic differences *(cont.)*

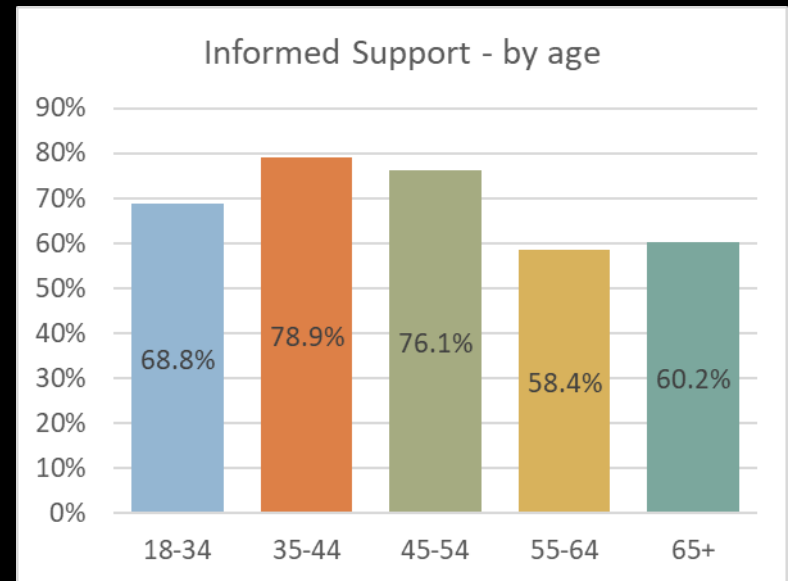
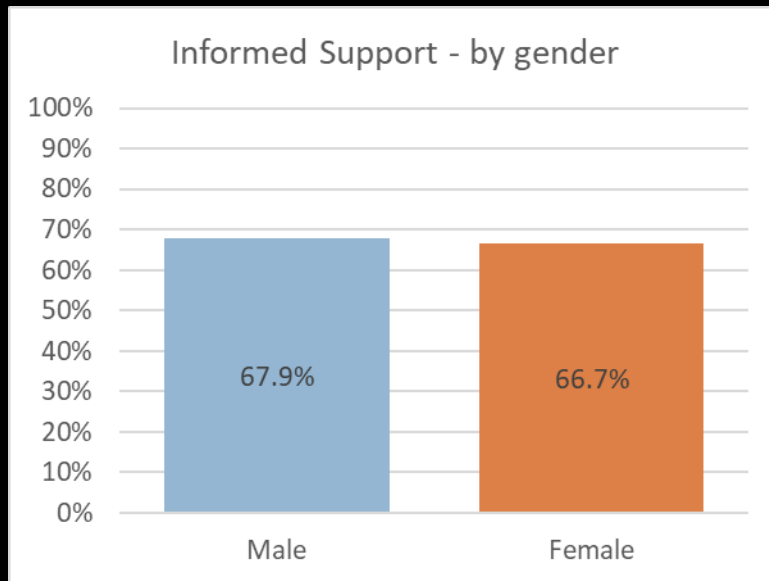


\* “Parent” includes respondents with children attending Northfield Schools.

\*\* “Alumni Parent” includes parents whose grown children attended Northfield Schools in the past.

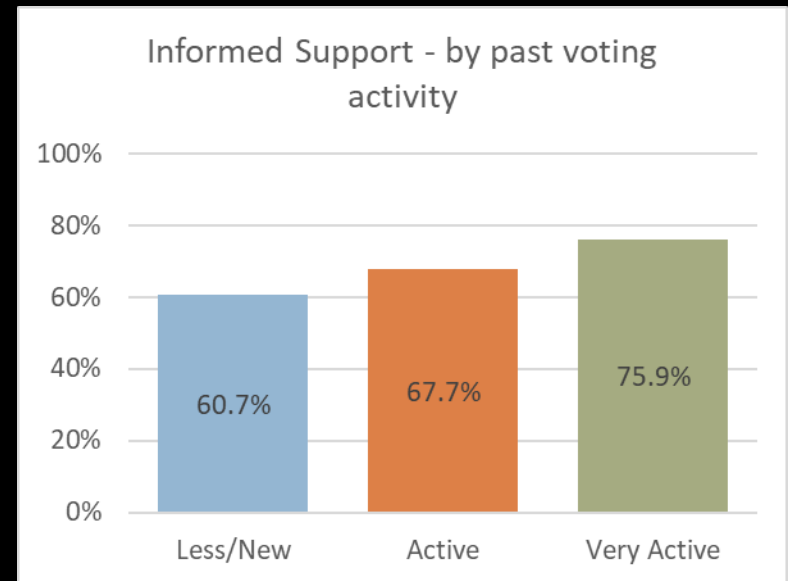
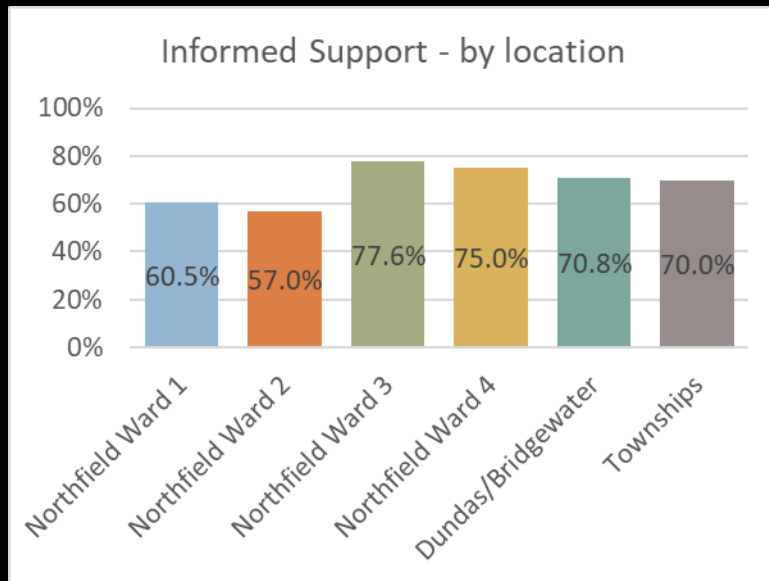
## HIGH SCHOOL IMPROVEMENTS

# Demographic differences *(cont.)*



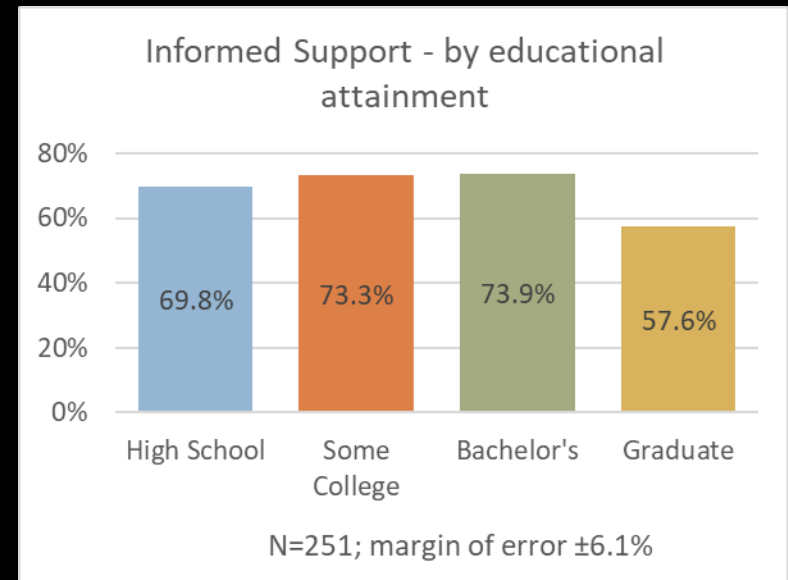
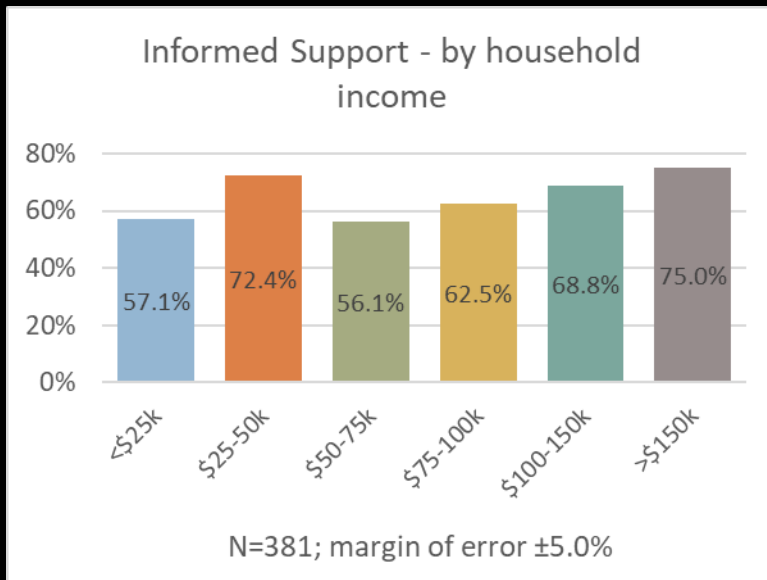
## HIGH SCHOOL IMPROVEMENTS

# Demographic differences *(cont.)*



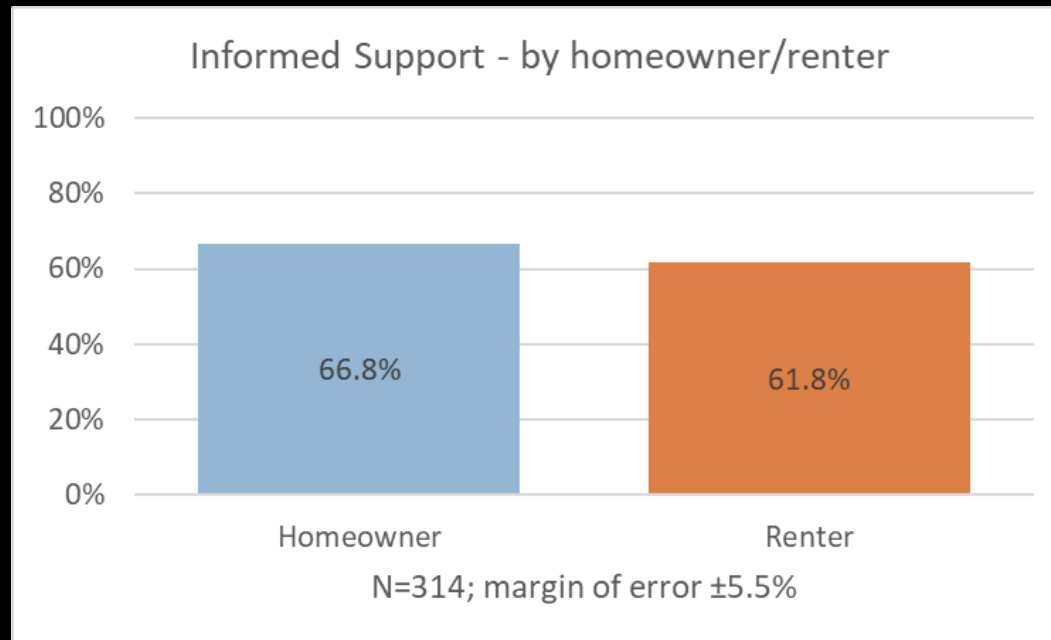
## HIGH SCHOOL IMPROVEMENTS

# Demographic differences (cont.)



HIGH SCHOOL IMPROVEMENTS

## Demographic differences *(cont.)*



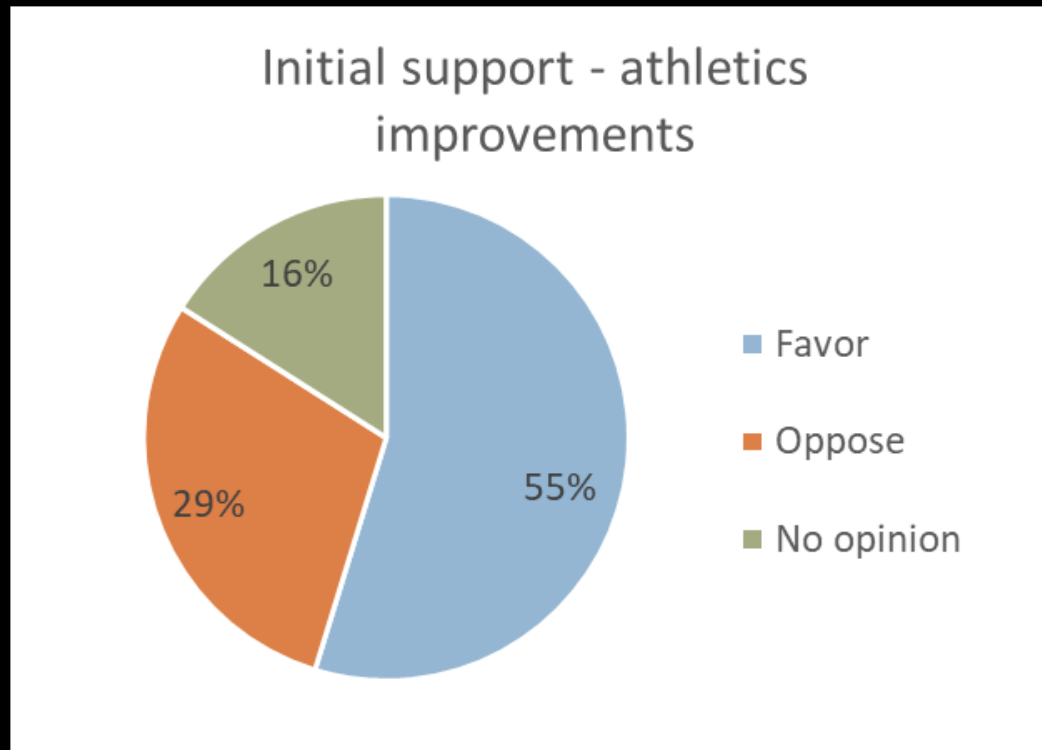
## **Athletic facilities improvements – initial support**

“The community facility task force also evaluated potential expansion and improvements to athletic and activity spaces. Potential upgrades could include a multi-sport fieldhouse and synthetic turf for Memorial Field.

Would you favor or oppose a proposal that included expansion and improvements to student athletic and activity spaces?”

ATHLETIC FACILITIES IMPROVEMENTS

## Initial support



## **Effect of information**

- Participants were asked to react to four potential improvements to athletic facilities.
- As before, items were presented in random order to minimize any bias due to positioning.

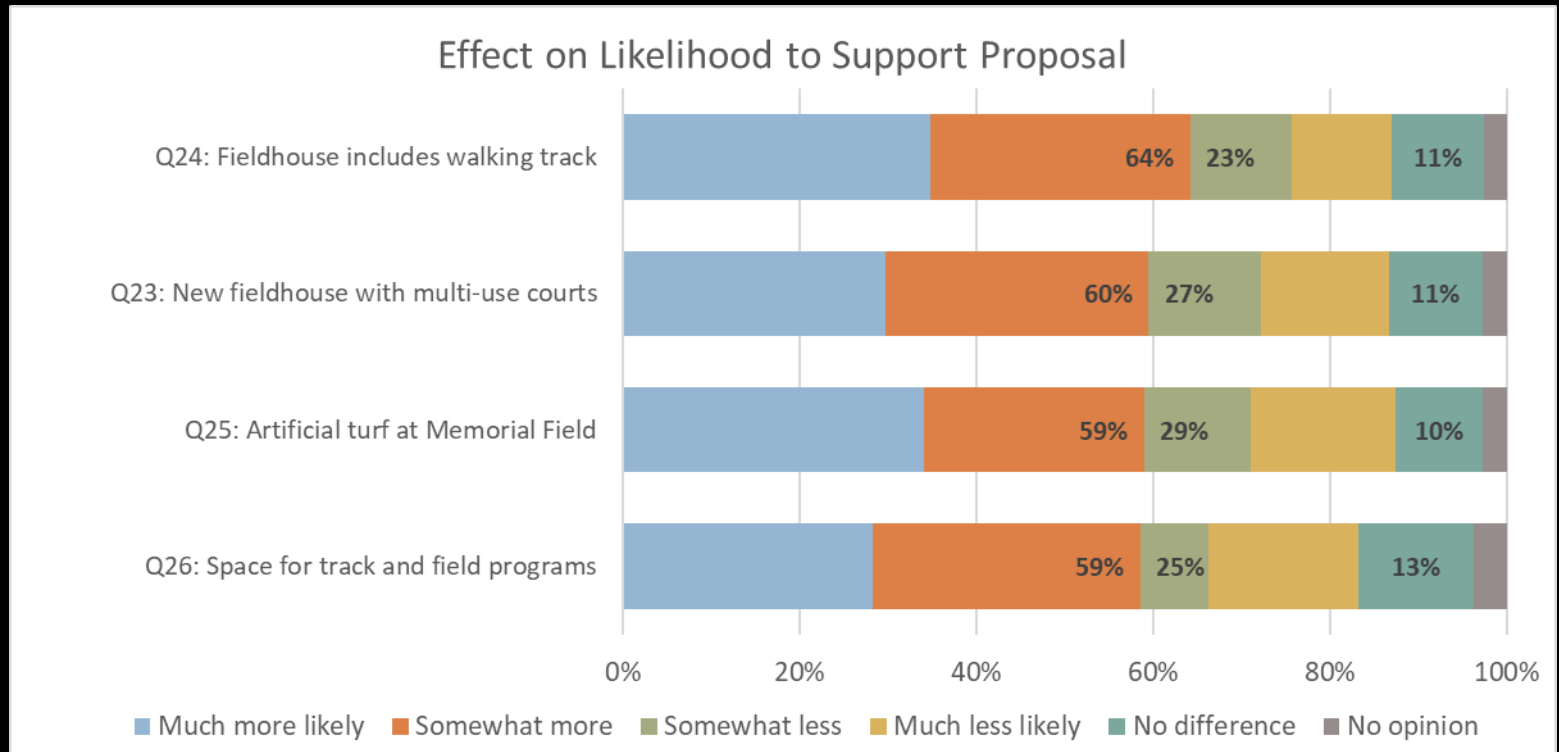
## **Effect of information**

“I am going to read some statements about the potential expansion and improvement of athletic and activity spaces.

For each of these statements, please tell me whether the information would make you much more likely, somewhat more likely, somewhat less likely or much less likely to support the proposal.”

ATHLETIC FACILITIES IMPROVEMENTS

## Reaction to impacts



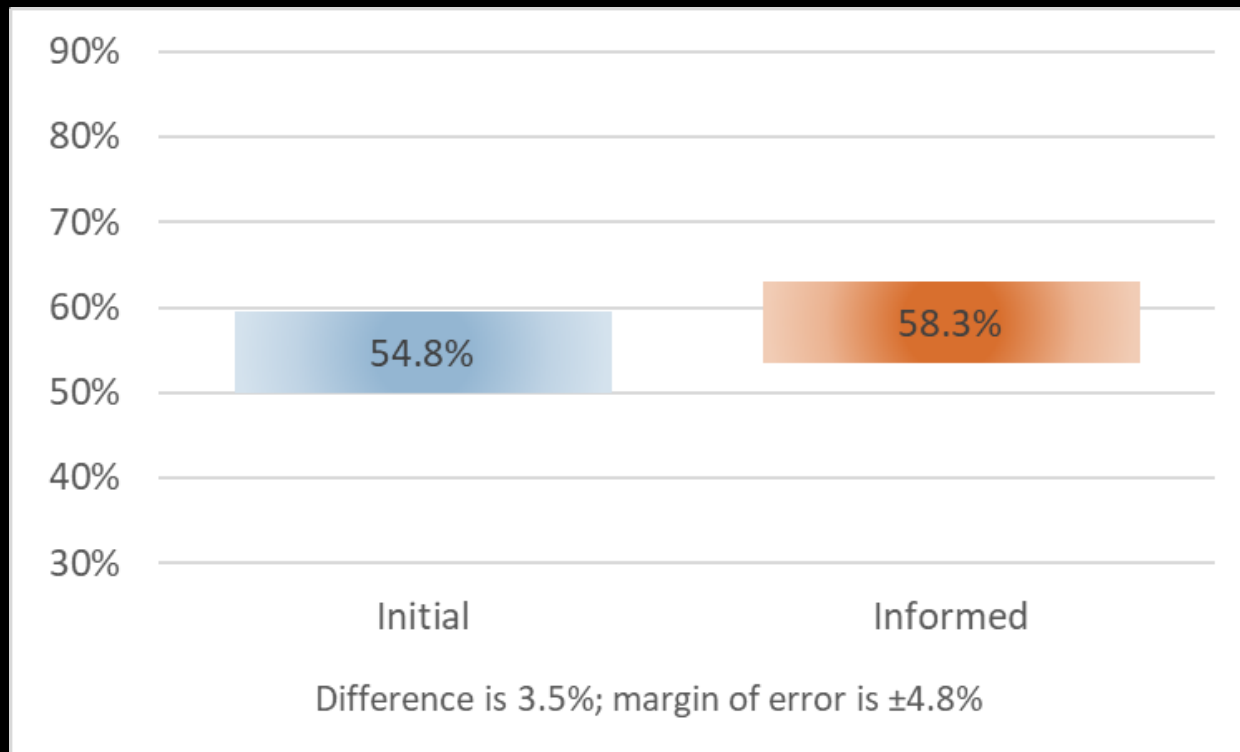
Labels show combined % for more/much more, less/much less, and no difference.

## **Informed support**

“Now that you have heard more information about the potential to raise property taxes to fund expansion and improvements to athletic and activity spaces, would you favor or oppose such a proposal?”

ATHLETIC FACILITIES IMPROVEMENTS

## Comparison – initial and informed



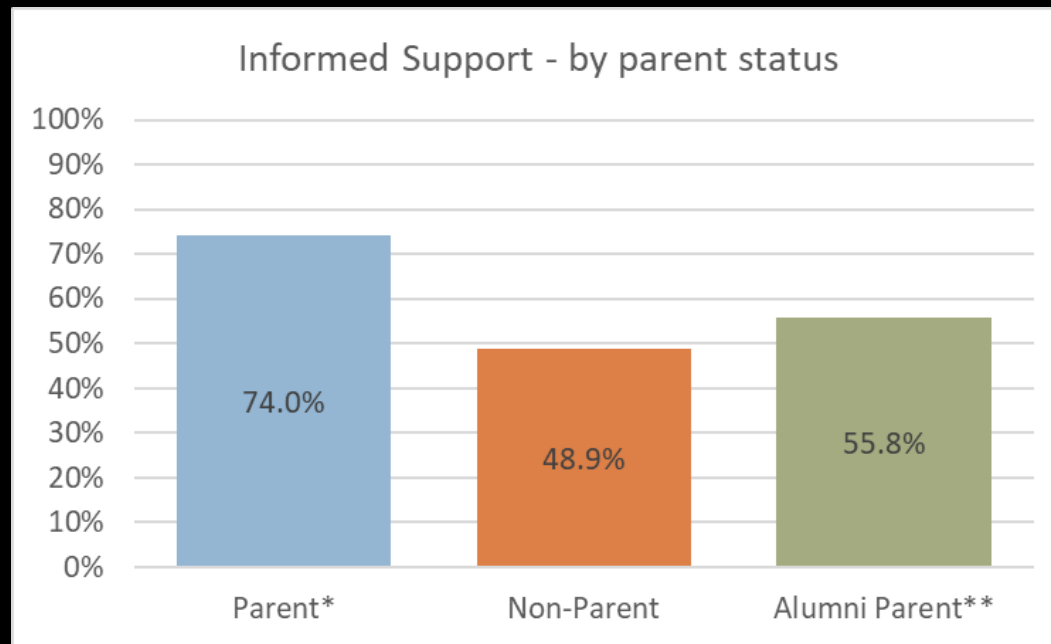
Difference is not statistically significant.

## **Demographic differences**

- The following charts show support from demographic subgroups after hearing information about the proposed improvements.

ATHLETIC FACILITIES IMPROVEMENTS

## Demographic differences *(cont.)*

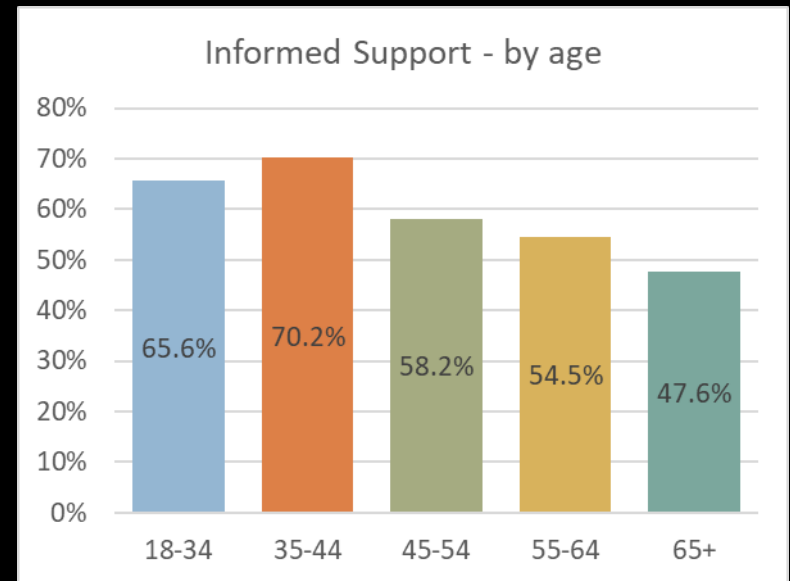
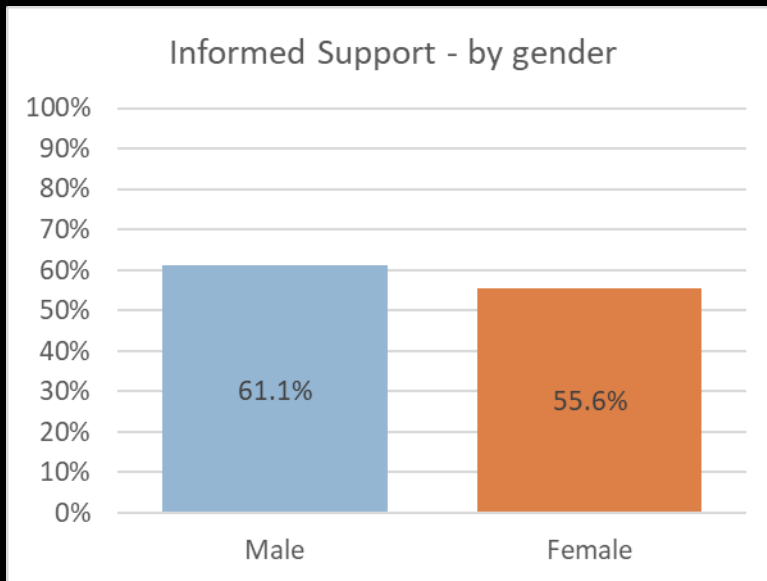


\* "Parent" includes respondents with children attending Northfield Schools.

\*\* "Alumni Parent" includes parents whose grown children attended Northfield Schools in the past.

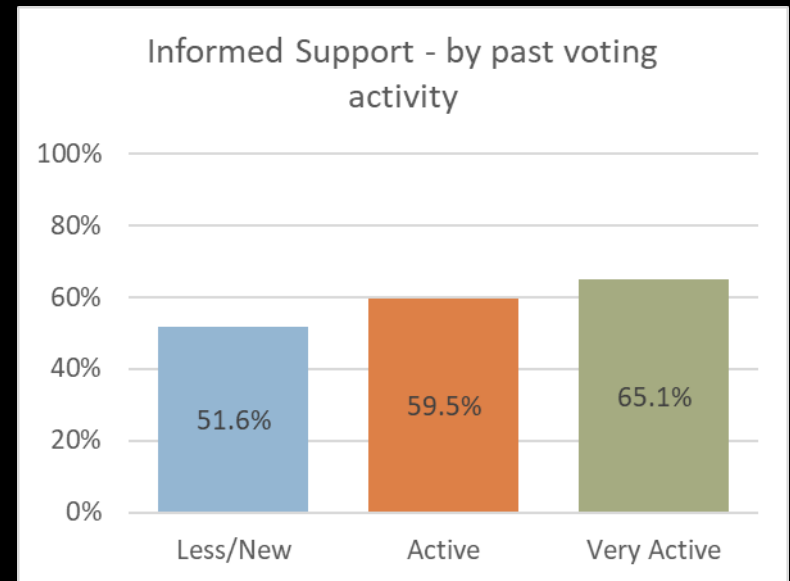
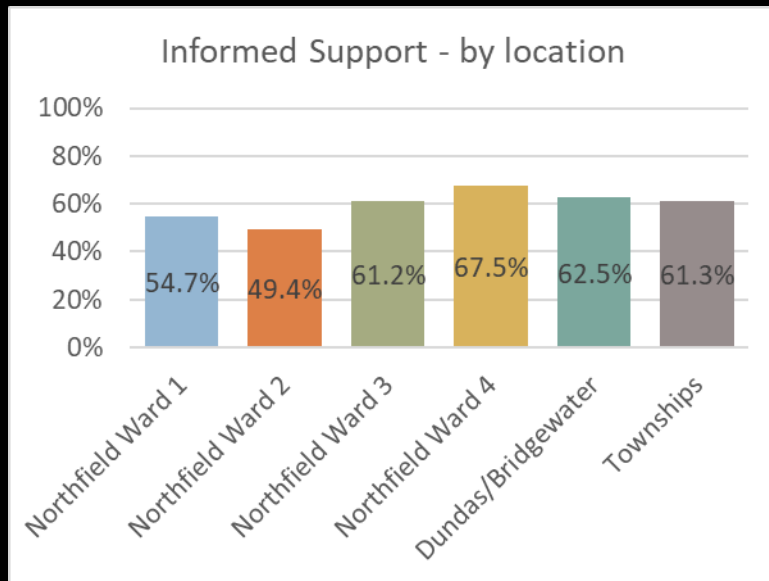
ATHLETIC FACILITIES IMPROVEMENTS

## Demographic differences *(cont.)*



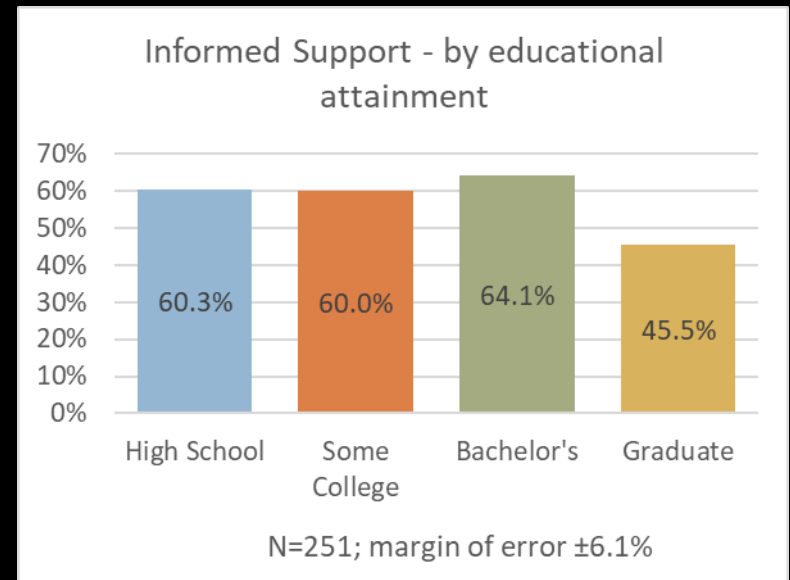
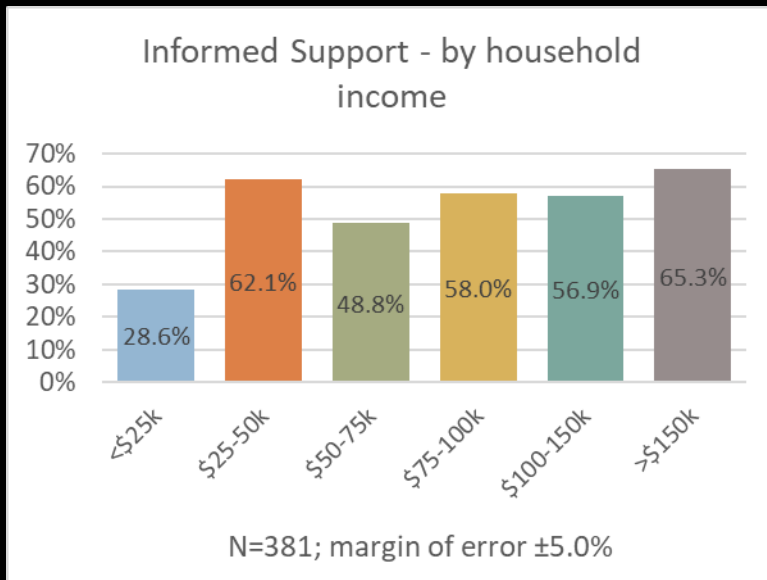
ATHLETIC FACILITIES IMPROVEMENTS

## Demographic differences (cont.)



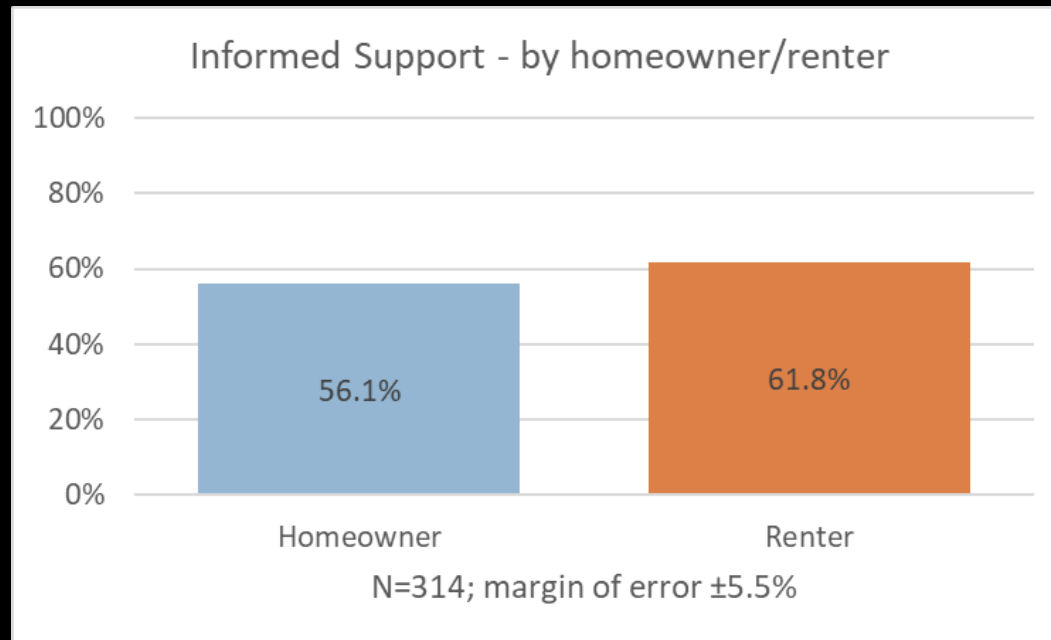
## ATHLETIC FACILITIES IMPROVEMENTS

# Demographic differences (cont.)



ATHLETIC FACILITIES IMPROVEMENTS

## Demographic differences *(cont.)*



## **Impact of cost information**

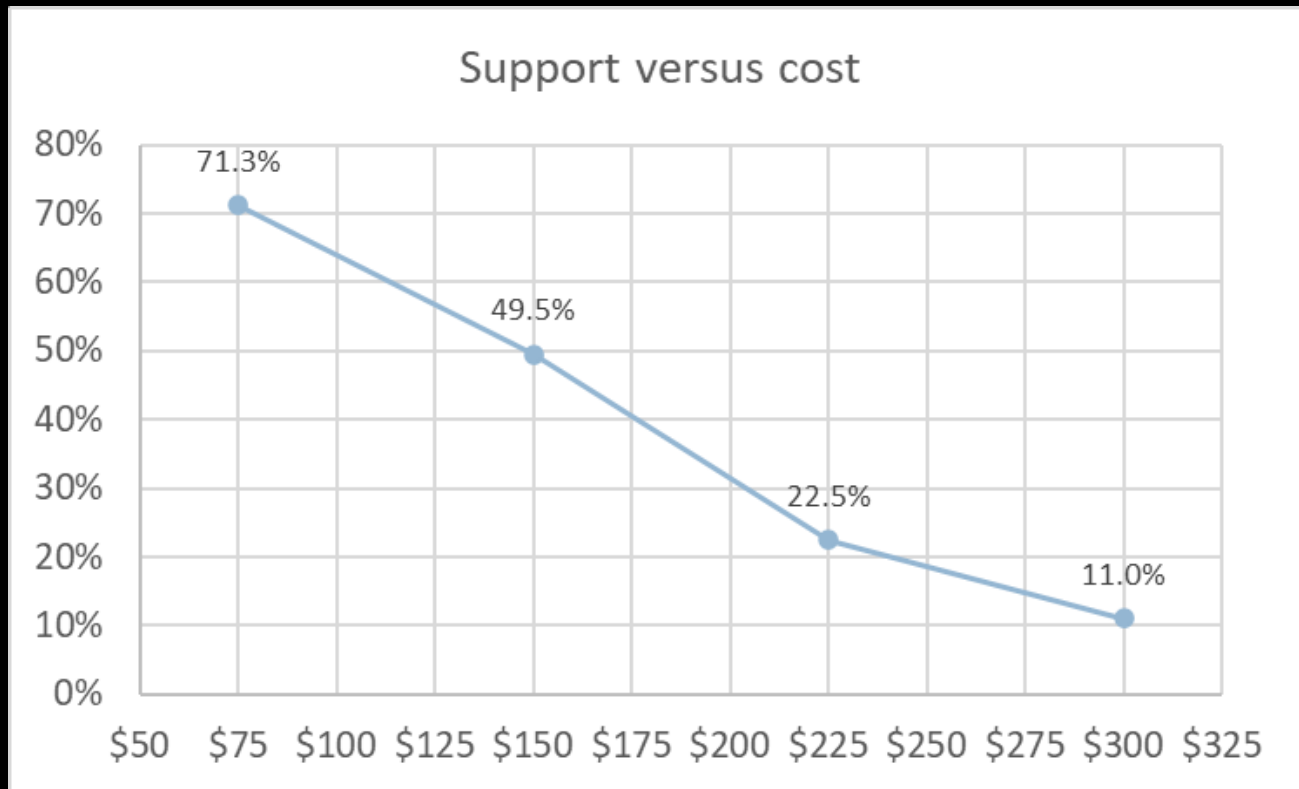
“I am going to ask you some questions about the potential costs to fund facility, athletic and activity improvements and projects at the high school. Each question presents you with the annual cost for a home worth approximately \$300,000.

For each one, please tell me if knowing the cost of the proposal would make you favor or oppose such a proposal.”

## **Impact of cost information** *(cont.)*

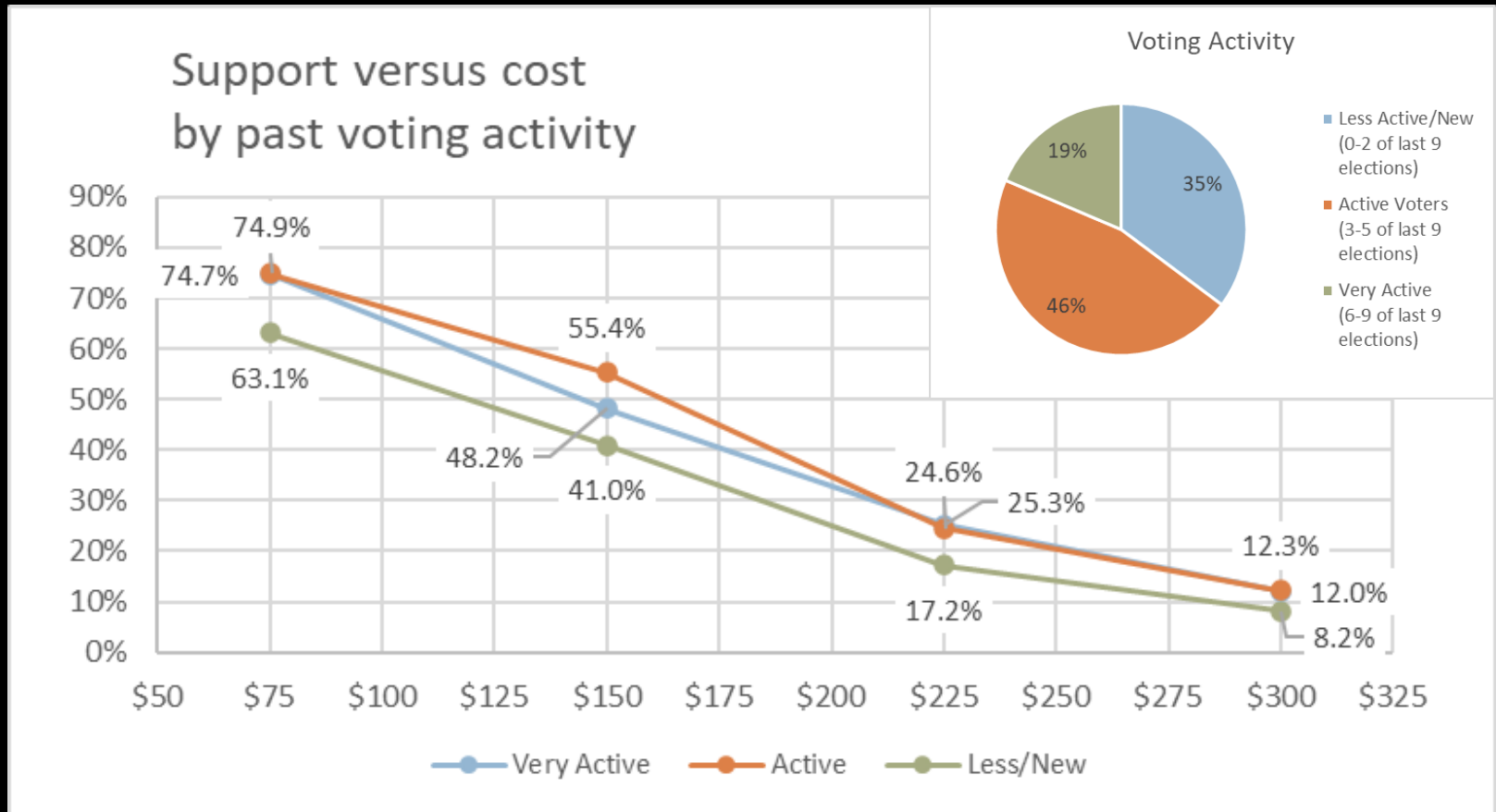
- Participants were asked about four potential property tax increases to fund programs: \$75, \$150, \$225 and \$300 per year on an average home valued at \$300,000.
- To preclude responses given in anticipation of higher or lower options, dollar values were presented in random order.

## Impact of cost information *(cont.)*



Potential tax impacts tested were \$75, \$150, \$225 and \$300 per year.

## Impact of cost information (cont.)



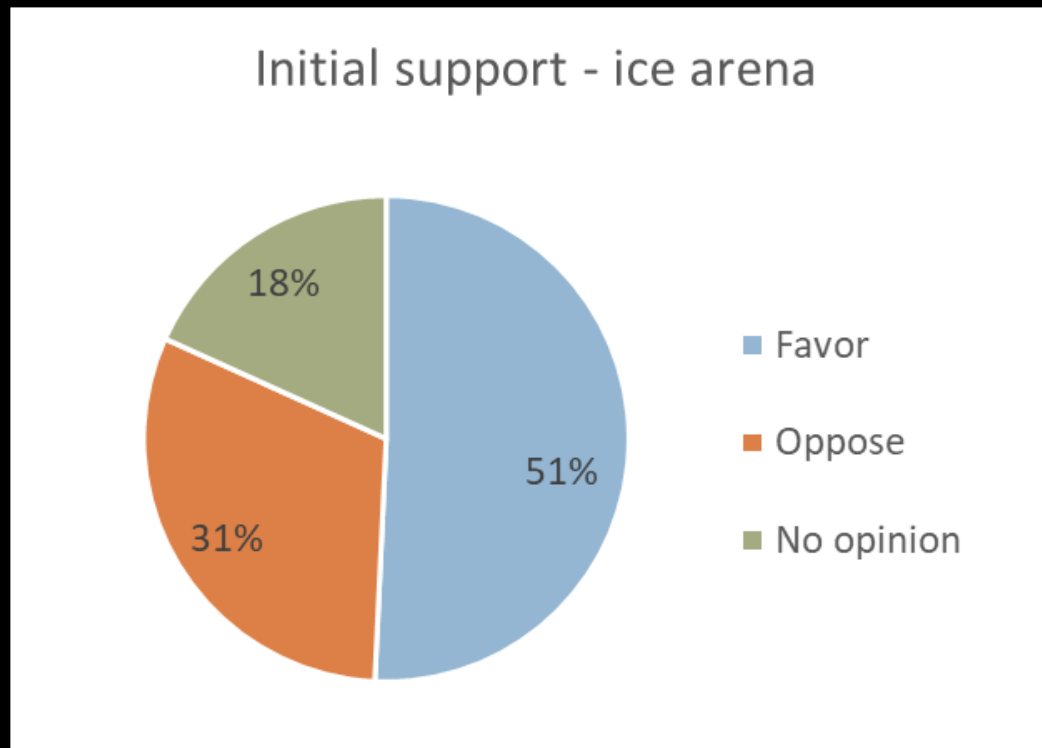
## **New ice arena – initial reaction**

“One additional facility project under consideration is to build a new ice arena to replace the old city-owned facility. This would be done in partnership with the City of Northfield and local businesses.

Would you favor or oppose such a proposal?”

ICE ARENA

## Initial support



## **Effect of information**

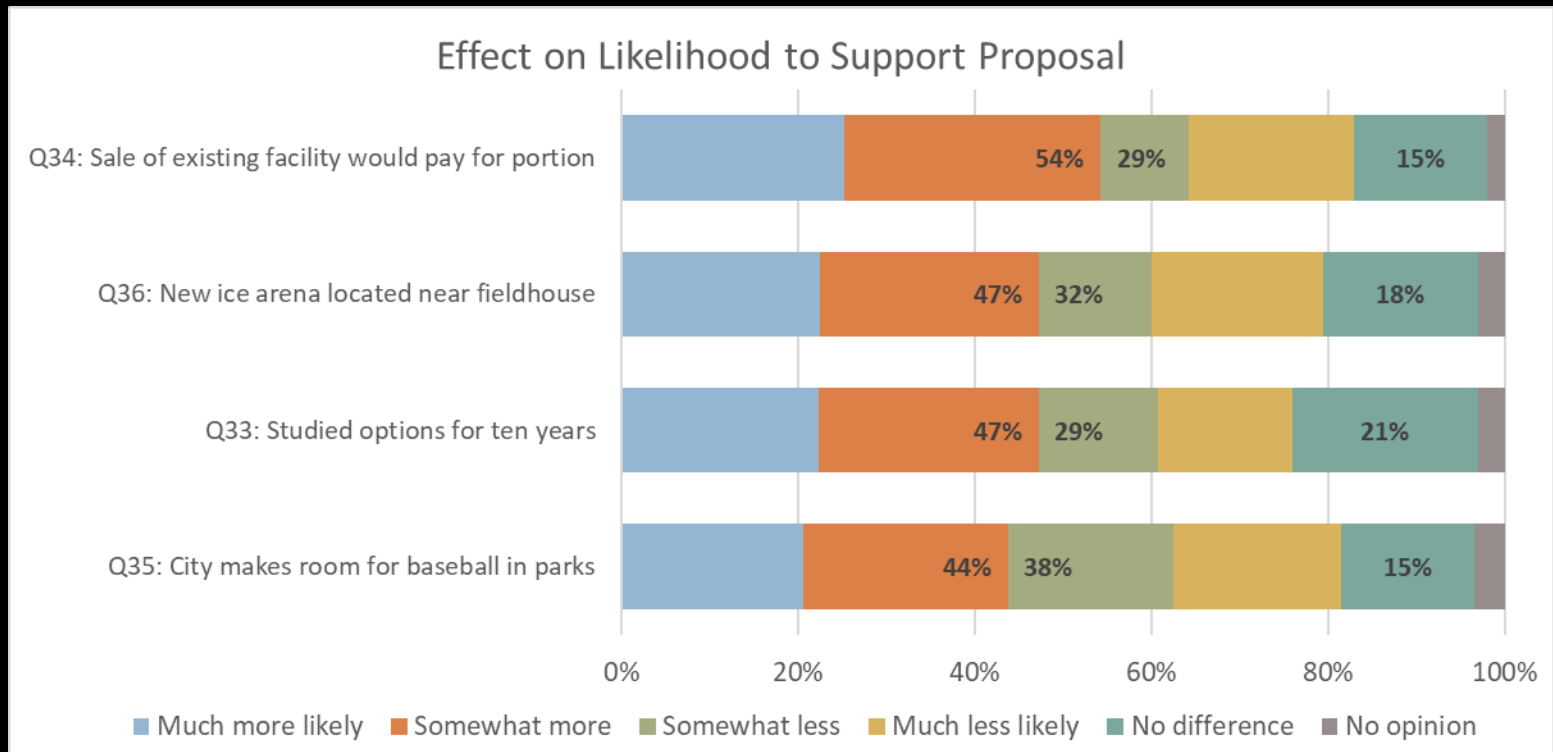
- Participants were asked to react to four statements about the potential new ice arena.
- As before, items were presented in random order to minimize any bias due to positioning.

## **Effect of information**

“I am going to read some statements about the potential to build a new ice arena in partnership with the City and local businesses.

For each of these statements, please tell me whether the information would make you much more likely, somewhat more likely, somewhat less likely or much less likely to support the proposal.”

## Reaction to impacts



Labels show combined % for more/much more, less/much less, and no difference.



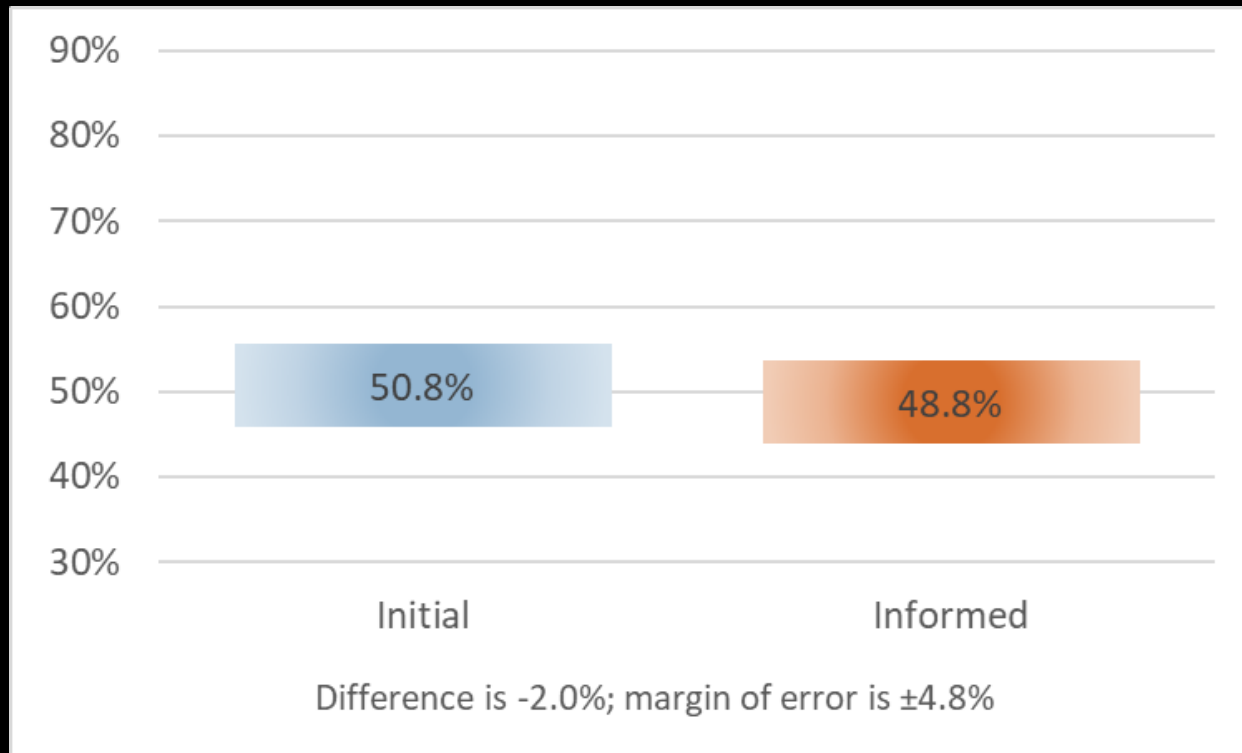
ICE ARENA

## **Informed support**

“Now that you have heard more information about the potential to raise property taxes to fund construction of an expanded fieldhouse to include a new ice arena, would you favor or oppose such a proposal?”

ICE ARENA

## Comparison – initial and informed

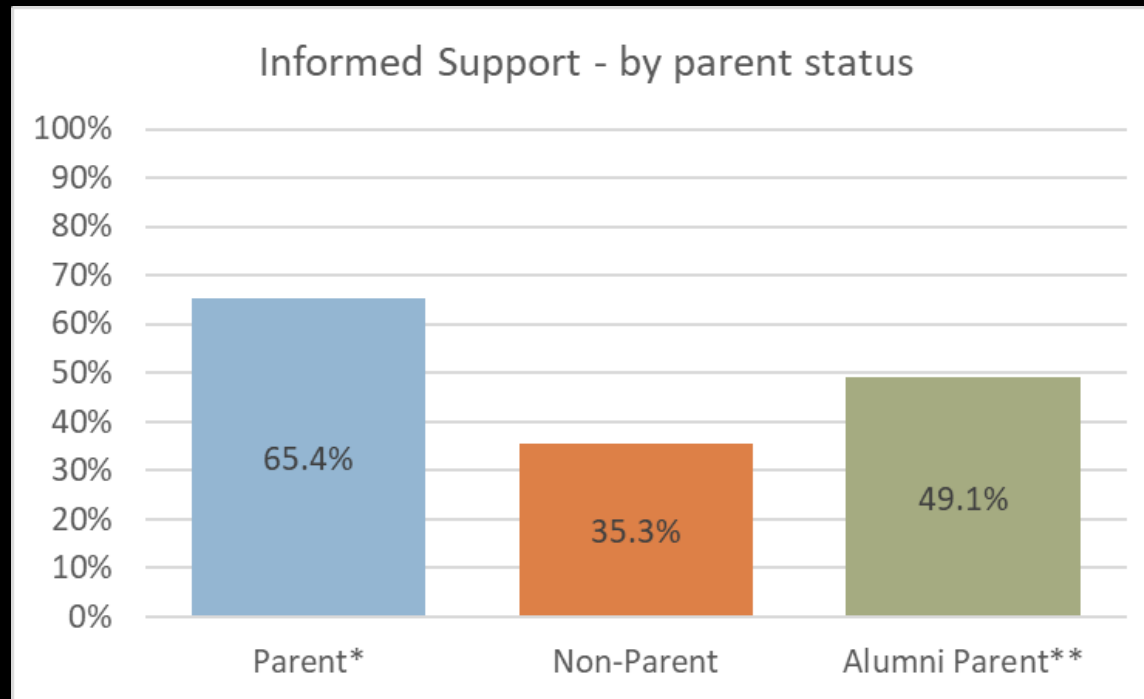


Difference is not statistically significant.

## **Demographic differences**

- The following charts show support from demographic subgroups after hearing information about the proposed improvements.

## Demographic differences *(cont.)*

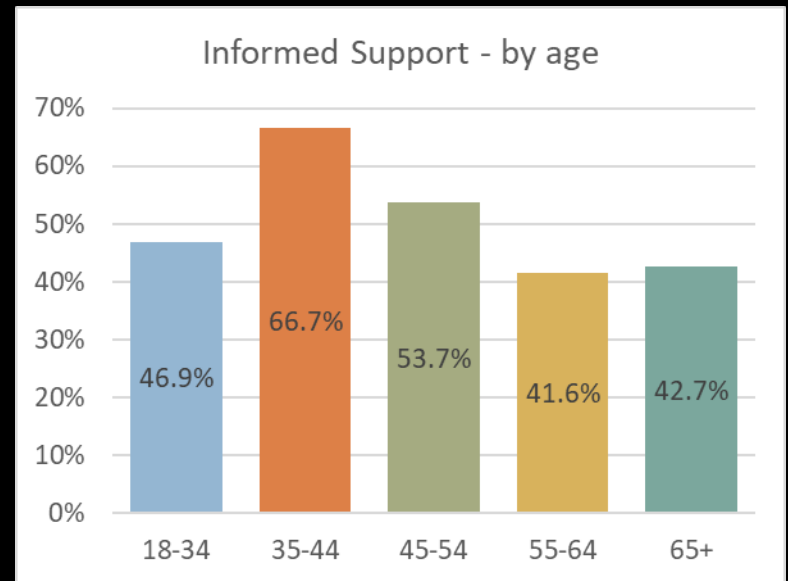
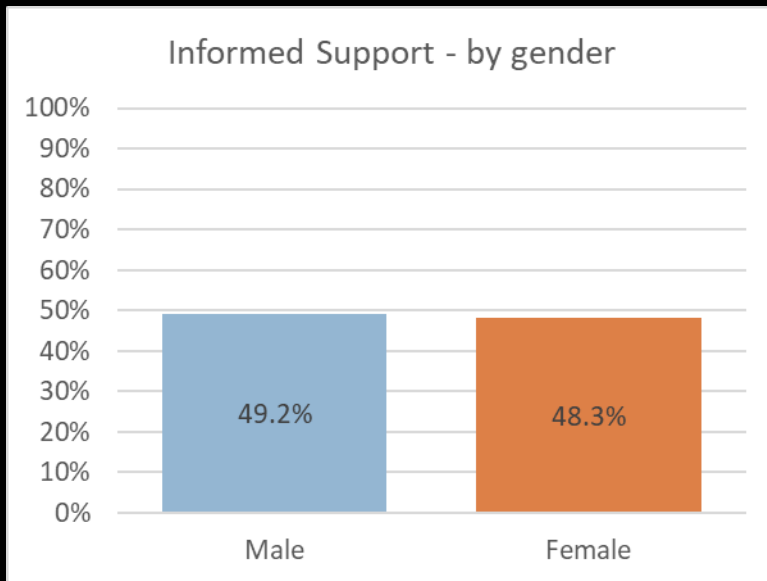


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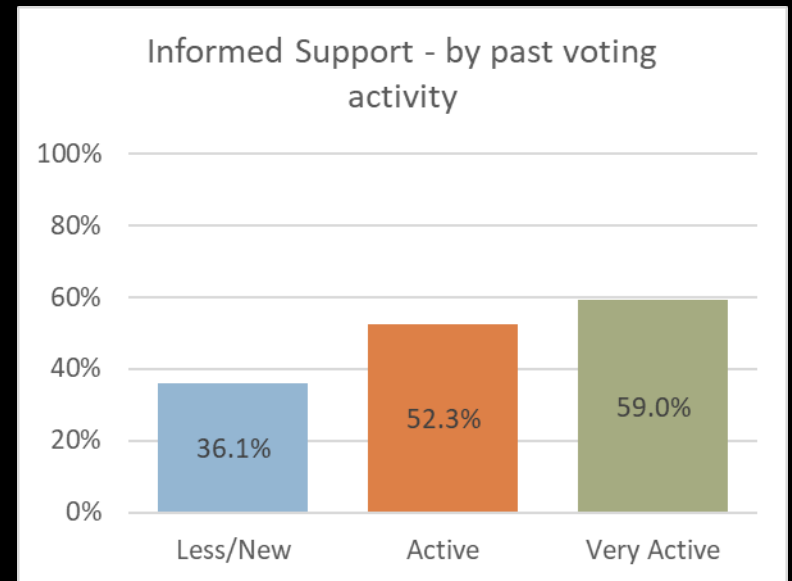
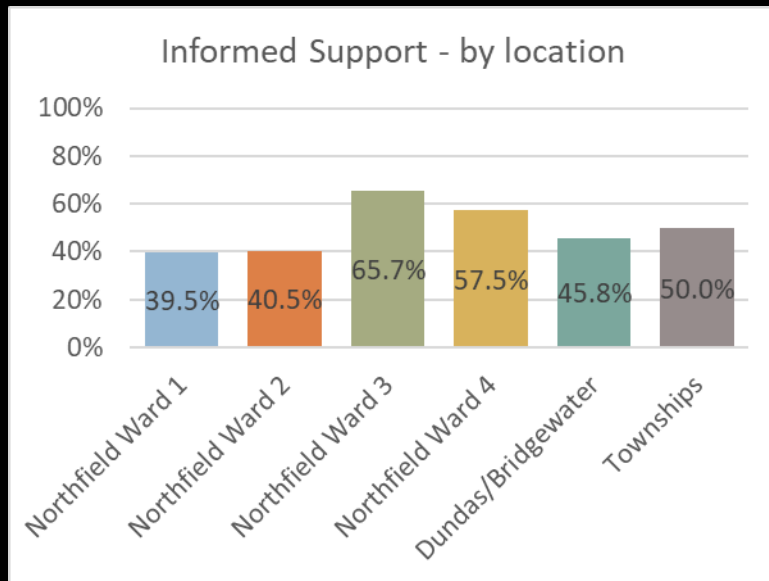
ICE ARENA

## Demographic differences *(cont.)*



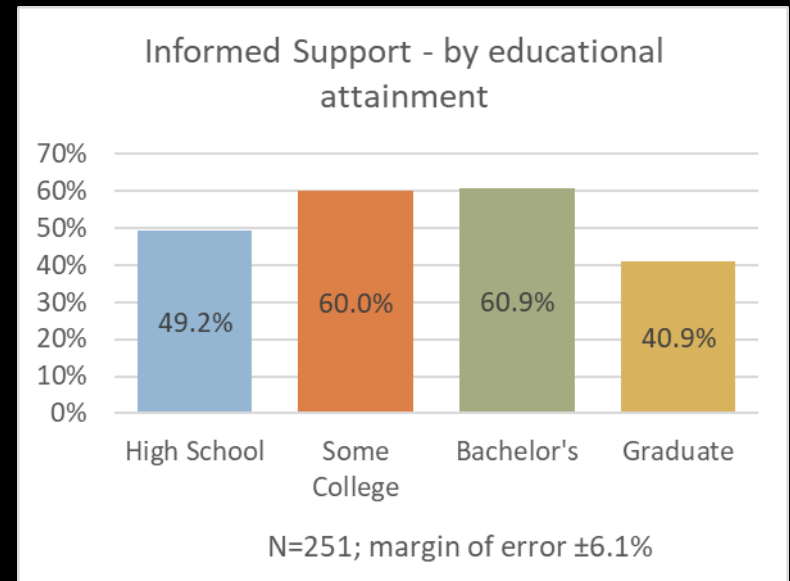
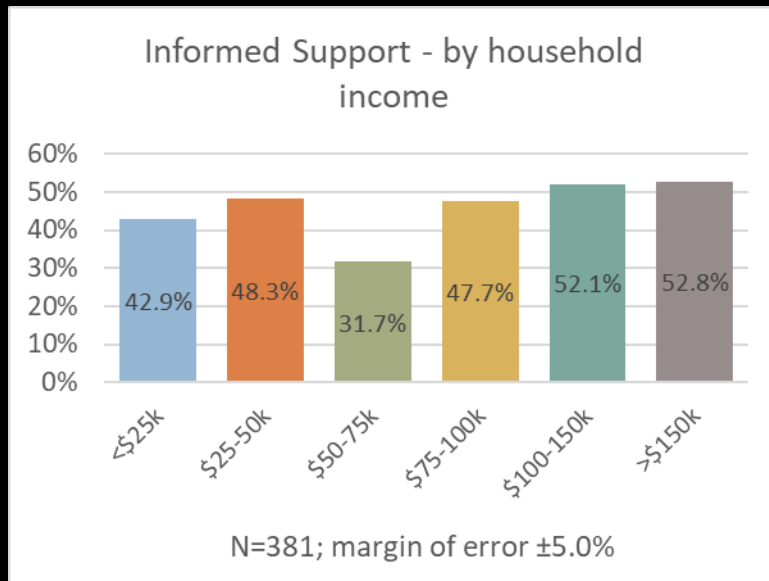
ICE ARENA

## Demographic differences (cont.)



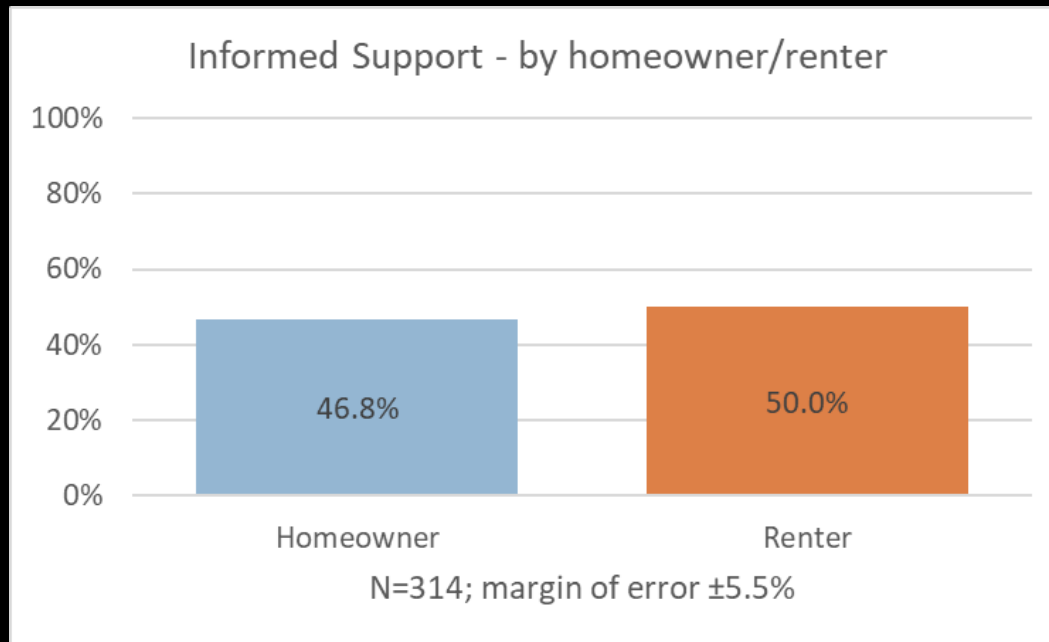
ICE ARENA

## Demographic differences (cont.)



ICE ARENA

## Demographic differences *(cont.)*

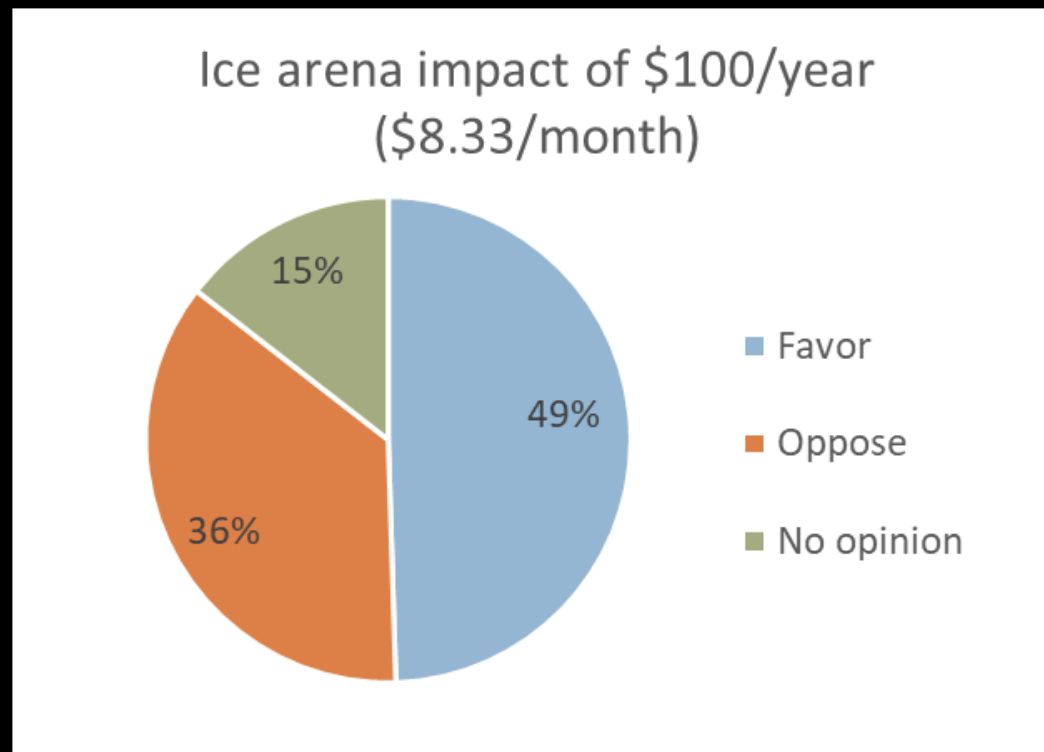


## **Impact of cost information**

“Property taxes to fund a new ice arena will increase an additional \$8.33 a month or \$100 per year for a home worth approximately \$300,000.

Knowing that, would you favor or oppose such a proposal?”

## Impact of cost information *(cont.)*





## **Grading the district**

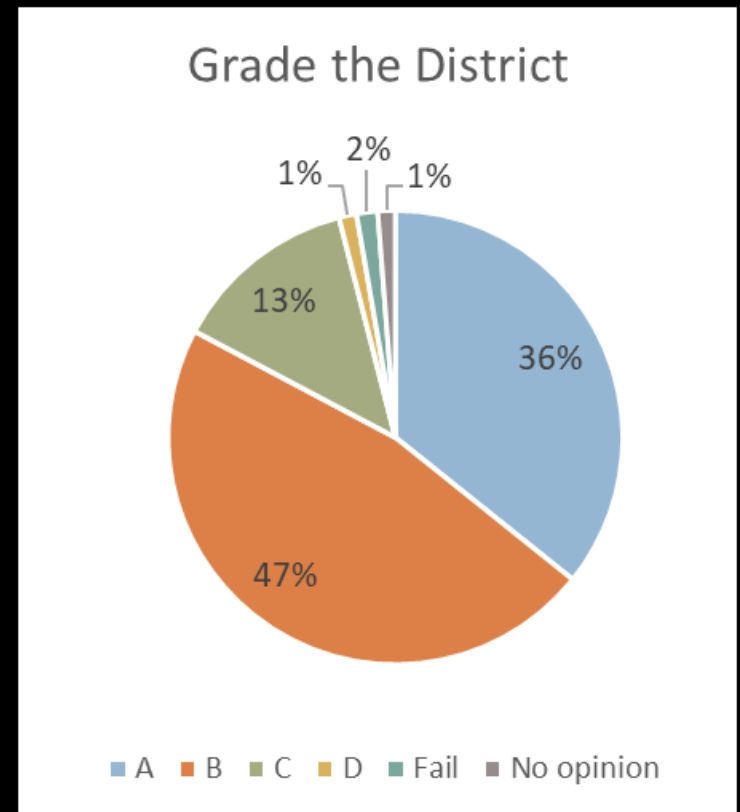
“Students are often given the grades of A, B, C, D and Fail to denote the quality of their work. Suppose the Northfield public schools were graded in the same way.

What grade would you give to the public schools in the Northfield School District?”

#### GRADING THE DISTRICT

## Grading the district *(cont.)*

- 83% of participants gave the district a grade of A or B.
- 3% gave grades of D or Fail.
- 1% had no response to offer.

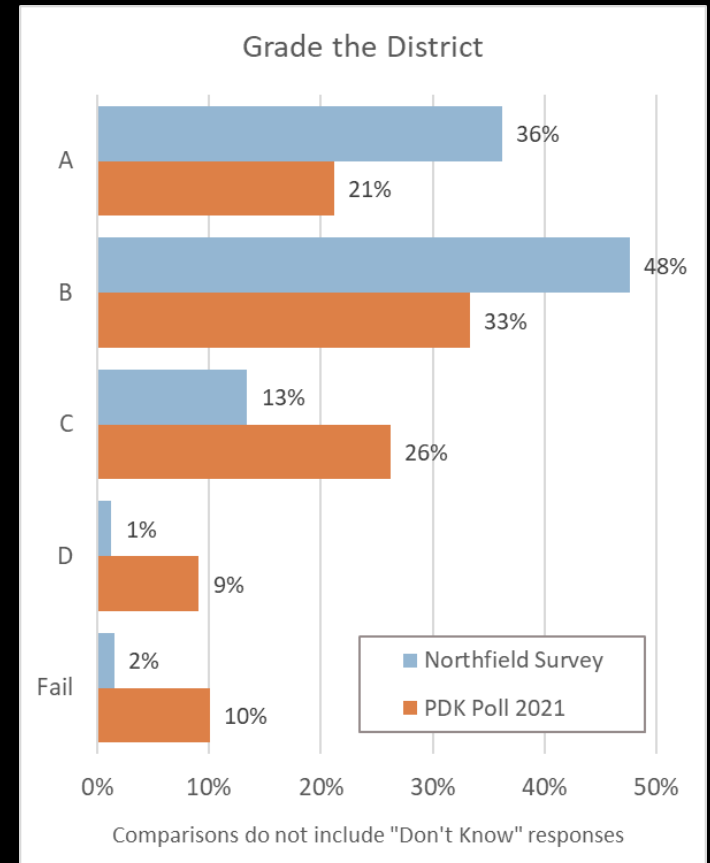


## Benchmark comparisons

- For reference, we compare the community's grades from the current survey against a national benchmark.
- National benchmark is the *PDK Poll of the Public's Attitudes Toward the Public Schools*, conducted in 2021.
- For purposes of comparison between surveys, we do not include "I Don't Know" responses.

## Benchmark comparisons *(cont.)*

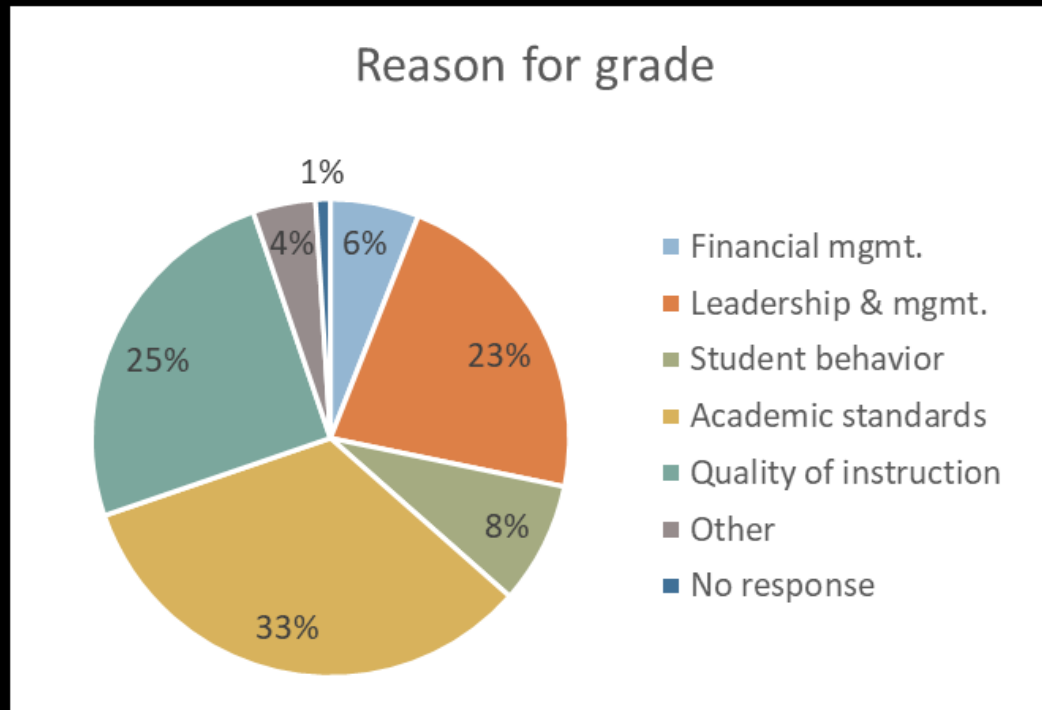
- Overall grades were considerably superior to national benchmark.
- Far more A and B grades given to Northfield; fewer C, D and Fail grades.



## Reasons for grades

“As you think about the grade you just gave,  
which of the following best describes the  
reasoning behind your decision?”

## Reason for grades *(cont.)*



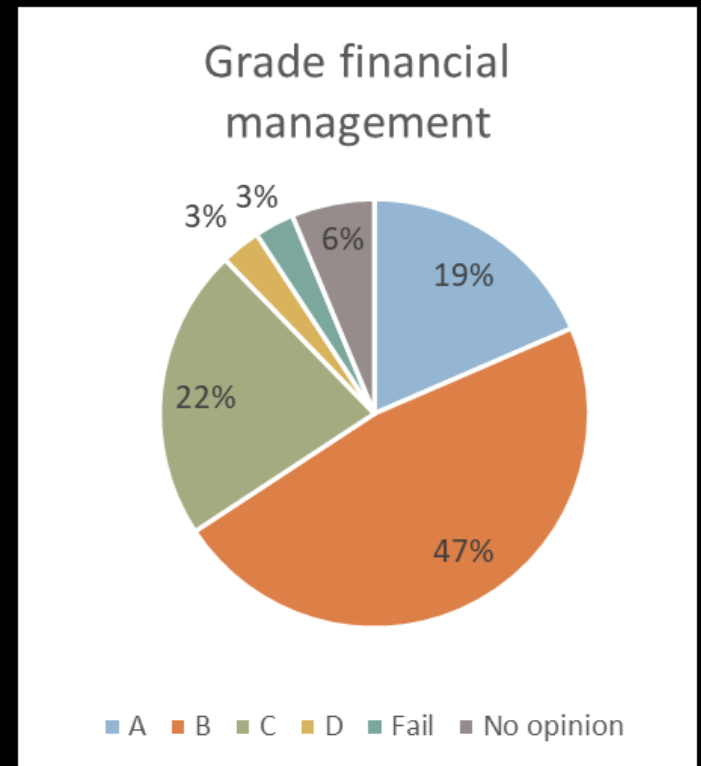
- “Other” responses included references to student support services, buildings & facilities, and variety of programs offered.

## **Grades for financial management**

- After the overall grade was given, participants were asked to grade the district's financial management.

## Grades for financial management *(cont.)*

- 66% gave A and B grades to the district's financial management.
- 6% gave D or Fail grades.
- 6% did not have an opinion to offer.

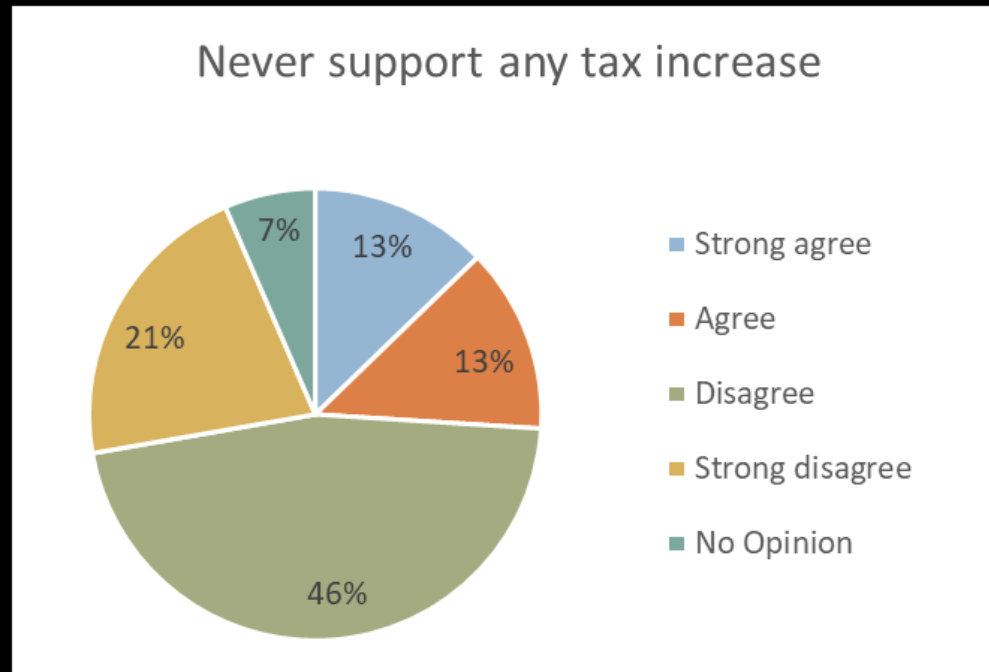


## **Tax aversion**

Participants were asked how much they agreed with the following statement:

“I would never vote for a tax increase,  
no matter what the amount or how the money  
raised would be used.”

## Tax aversion *(cont.)*



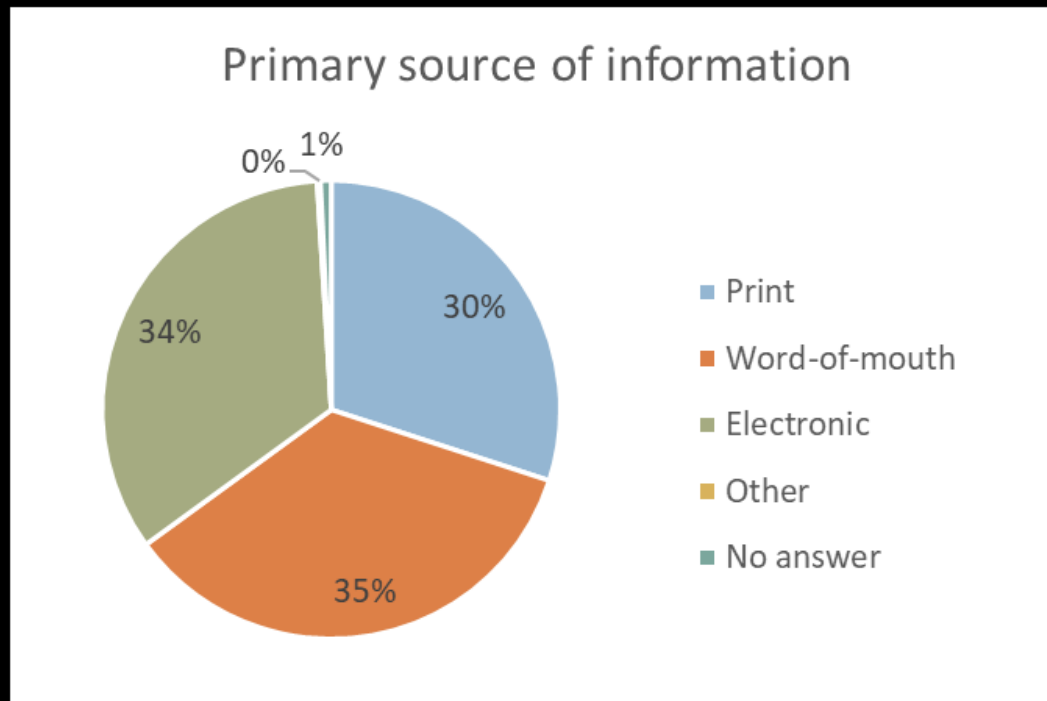
- Agree/strong agree of 26% is at the high end of the range we typically see in Minnesota school districts.

## **District communications**

- At the end of the survey, interviewers asked where respondents got most of their information about the school district.
- First question asked in broad terms: printed materials, word-of-mouth, or electronic sources.
  - Each group then chose from a list of specific examples in the appropriate category.

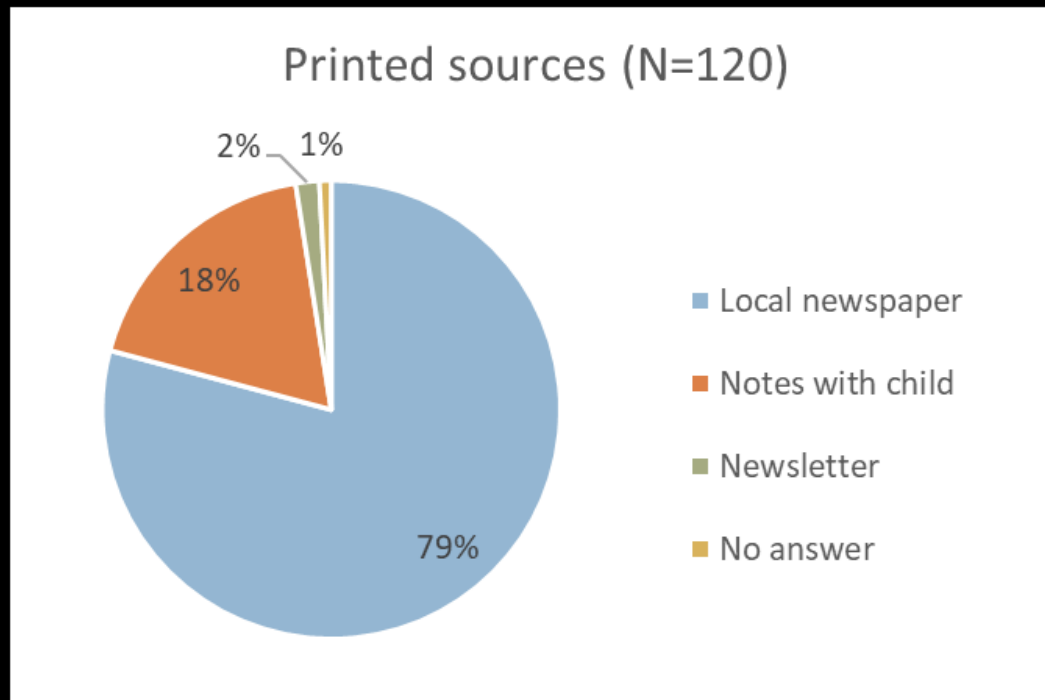
COMMUNICATION

## Primary information source – general



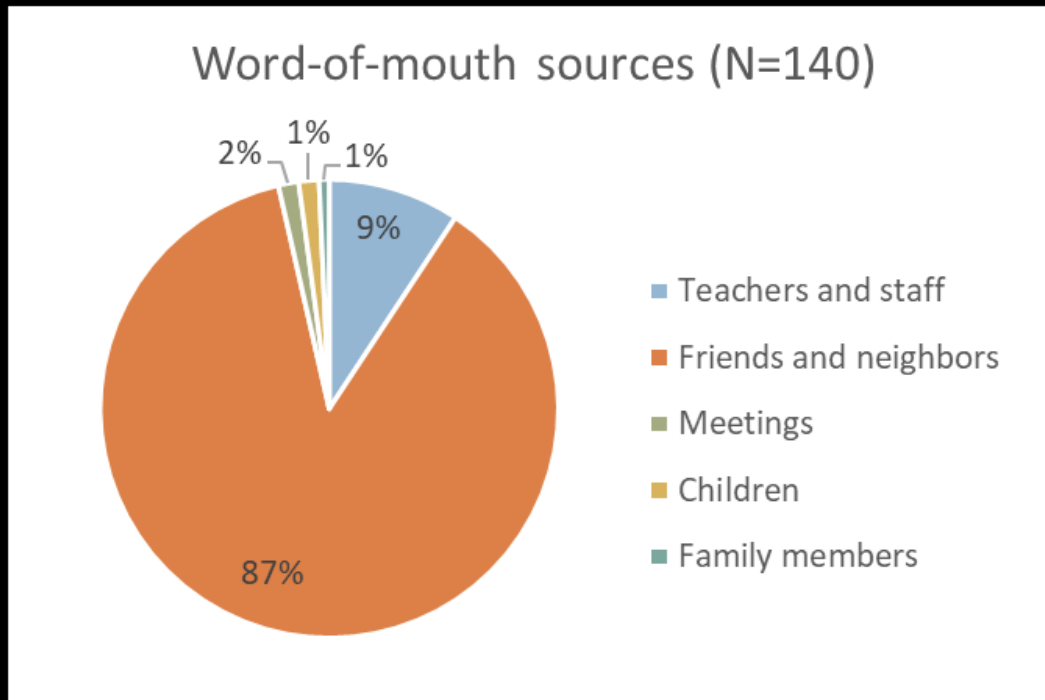
COMMUNICATION

## Primary information source – print sources



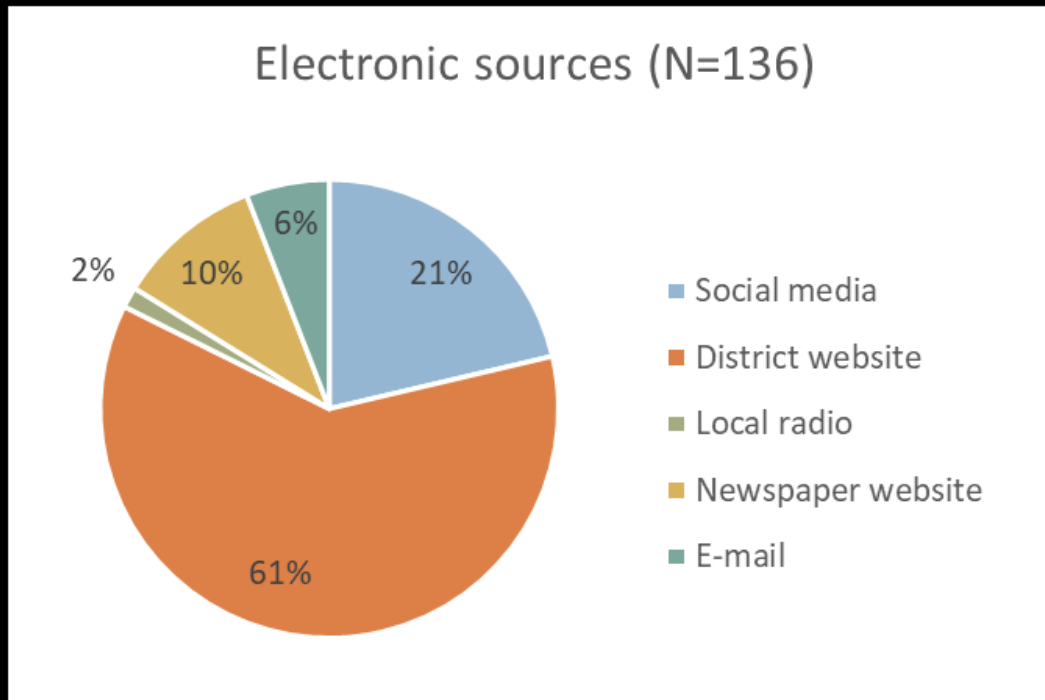
COMMUNICATION

## Primary information source – word-of-mouth



COMMUNICATION

## Primary information source – electronic





**SURVEY FINDINGS**

## **Findings: high school improvements**

- Initial support was 62.5%.
- Informed support was 67.3%.
- Information about the proposal increased support by 4.8 percentage points, which is not statistically significant.



SURVEY FINDINGS

## **Findings: high school improvements** *(cont.)*

- Greatest positive impact seen from enhanced programs for real-world experience and career exploration.
- Relatively smaller positive impacts from demolishing and remodeling older portions of the high school and reference to task force recommendations.
- No significant difference in reactions to different versions of the energy efficiency improvements.



**SURVEY FINDINGS**

## **Findings: demographic support**

- Highest support for high school improvements comes from parents, voters 35-54 years of age, and very active voters.
- Lowest support from voters over 55 years of age, residents of Wards 1 and 2, and less active voters.



**SURVEY FINDINGS**

## **Findings: athletic improvements**

- Initial support was 54.8%.
- Informed support was 58.3%.
- Information about the proposal increased support by 3.5 percentage points, which is not statistically significant.



SURVEY FINDINGS

## **Findings: athletic improvements** *(cont.)*

- Greatest positive impact seen from adding walking track to fieldhouse.
- Relatively smaller positive impacts from artificial turf and adding track and field space.



**SURVEY FINDINGS**

## **Findings: demographic support**

- Highest support for improvements to athletic facilities comes from parents and voters 35-44 years of age.
- Lowest support from voters over 55 years of age, residents of Wards 1 and 2, and less active voters.



**SURVEY FINDINGS**

## **Findings: new ice arena**

- Initial support was 50.8%.
- Informed support was 48.8%.
- Information about the proposal decreased support by 2.0 percentage points, which is not statistically significant.



SURVEY FINDINGS

## **Findings: new ice arena** *(cont.)*

- Modest positive impact seen from sale of existing facilities offsetting costs of new arena.
- Smaller positive impact from relocating baseball and/or softball fields to City parks.



**SURVEY FINDINGS**

## **Findings: demographic support**

- Highest support comes from parents, voters 35-44 years of age, residents of Wards 3 and 4 and very active voters.
- Lowest support from residents of Wards 1 and 2, voters with household income of \$50,000 to \$75,000, and less active voters.



SURVEY FINDINGS

## **Findings: potential tax impacts**

- At the time of data collection, support levels rise above margin of error (55.2%) at an impact of \$125 per year.
- Looking at weighted turnout of Less Active, Active and Very Active voters, support again rises above margin of error at the \$135 impact level.
- Undecided voters were under 4% at each tax impact level.



## SURVEY FINDINGS

### **Findings: grading the district**

- 83% gave A and B grades to the district; only 3% gave D or fail grades.
- Grades were much better than national benchmark.
- Grades for financial management were also very positive, with combined A and B grades of 66%.



**SURVEY FINDINGS**

## **Findings: communications**

- Participants were evenly split between word of mouth, printed sources and electronic media for their information about the district.
  - District has limited control over accuracy and content of face-to-face communications.



**Thank you!**

The Morris Leatherman Company

612-920-0337

[morris-leatherman.com](http://morris-leatherman.com)

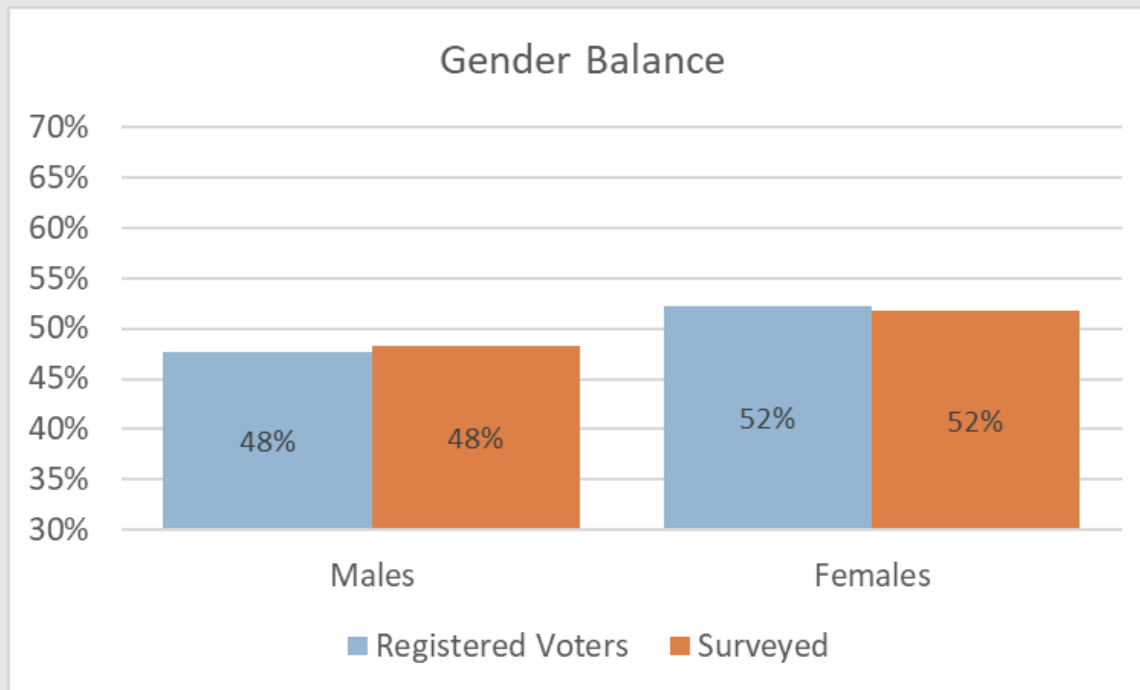


## Survey demographics

- The following slides show proportions of total interviews versus targets before any sample weighting was performed.
- After re-balancing, samples were each within 1% of targets.

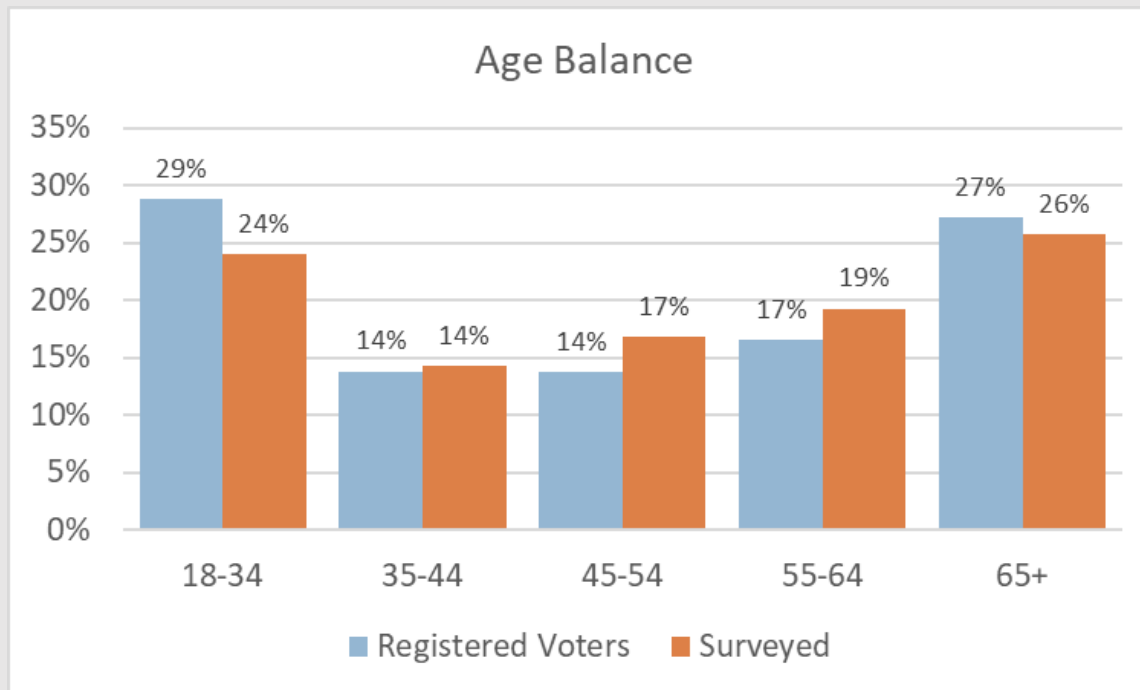
SURVEY DEMOGRAPHICS

## Demographic targets: Gender



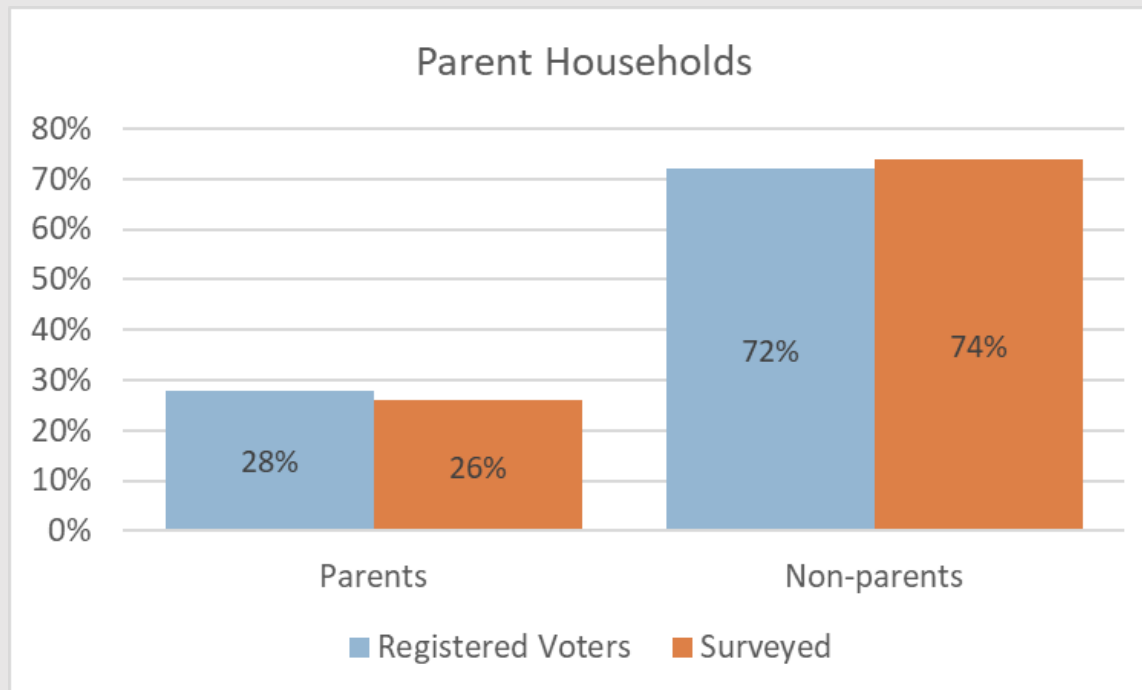
SURVEY DEMOGRAPHICS

## Demographic targets: Age



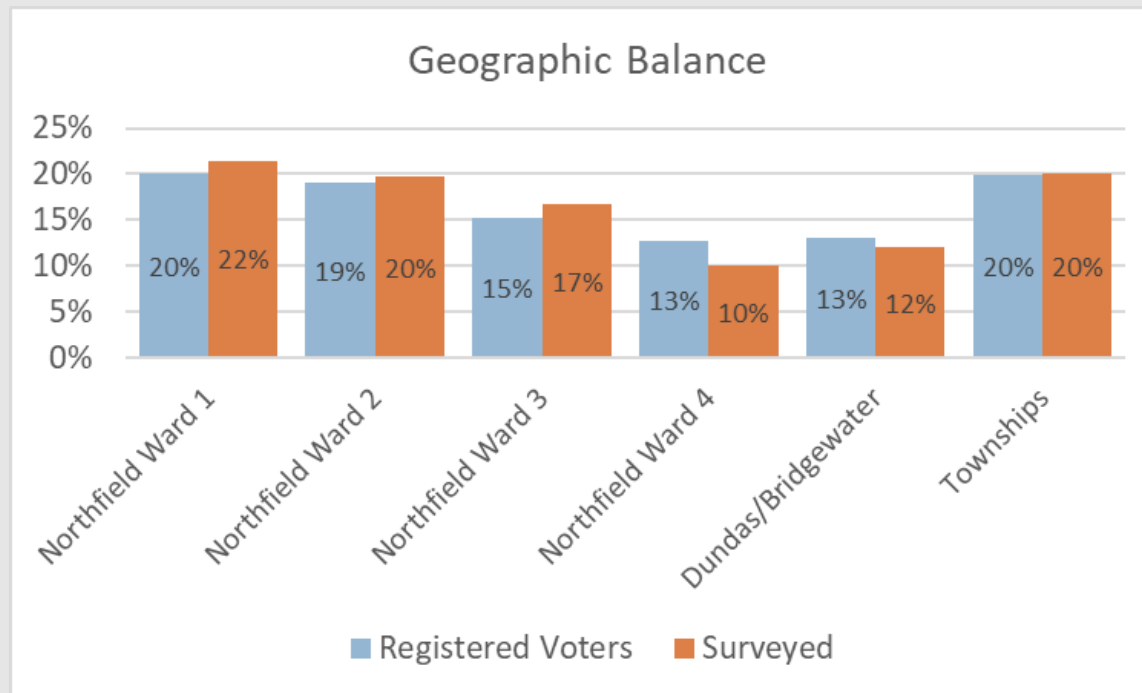
SURVEY DEMOGRAPHICS

## Demographic targets: Parent households



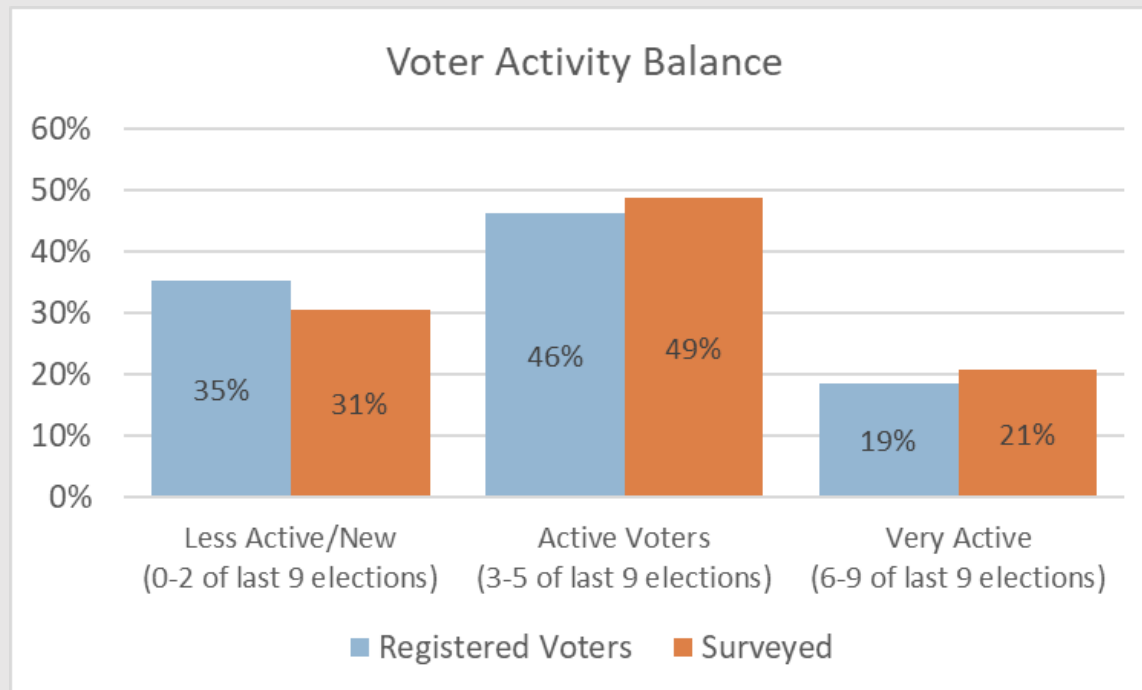
SURVEY DEMOGRAPHICS

## Supplementary demographics: Location



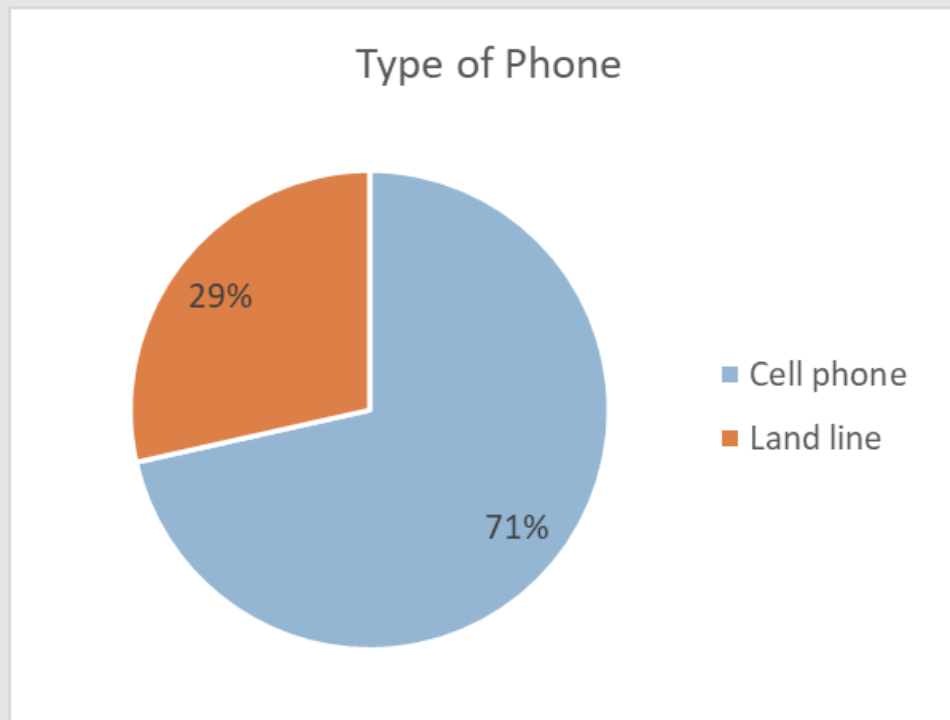
SURVEY DEMOGRAPHICS

## Demographic targets: Past voting activity



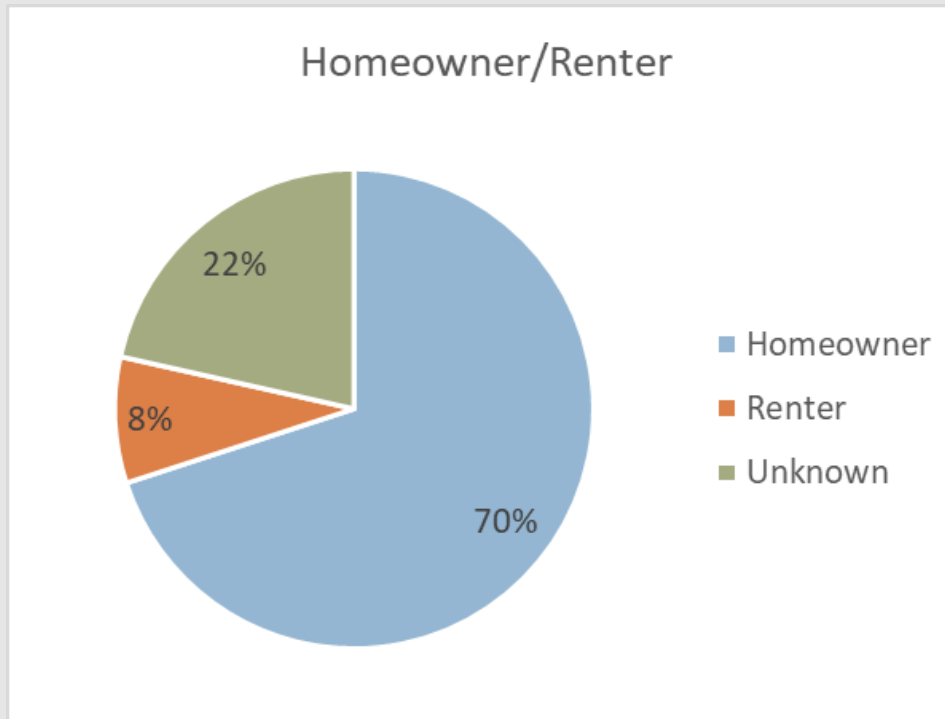
SURVEY DEMOGRAPHICS

## Supplementary demographics: Survey channel



SURVEY DEMOGRAPHICS

## Supplementary demographics: Homeowner/renter



**Executive Summary:** This report provides an overview of the district's operations, bright spots, anti-racism work, and progress toward the district's vision, commitments, and benchmarks outlined in the [2027 strategic plan](#).

### Jim Pasch retires after 40 years at Northfield Public Schools!

**strategic commitment highlights: people**

Maintenance coordinator Jim Pasch will retire on Oct. 31. Jim was hired as a custodian at Sibley/Northfield High School on Oct. 4, 1982. He was promoted to Sibley head custodian in 1995 and served in this capacity until 1997. He became the Bridgewater head custodian in 1997 and the high school head custodian in 1999. In February 2004, Jim was promoted to district maintenance coordinator, the position he currently holds until the end of this month!



We are grateful to Jim for the amazing behind-the-scenes work that has kept our facilities operational. Northfield Public Schools' students, staff, and administration are proud to recognize Jim for his 40 years of service to this community. Mr. Pasch is an exemplary public servant.

### Family engagement plan: next steps

**strategic commitment highlights: people, equity, stewardship, learner outcomes, communication**

Family engagement is critical to our success as a school district. Based on the feedback we have received in parent satisfaction surveys, we are taking a different approach to this important work this school year. We began the year with family conferences, rooted in our desire to establish quality relationships with you. As we move toward the end of the first quarter, I want to share our plans for connecting with families about their students' progress:

- Elementary school families will have greater flexibility in how they make connections with their child's classroom teacher. Based on a model piloted last school year, a conference connection "window" will be open for teachers to meet with families rather than two specific days on the calendar. We are providing greater flexibility in how parents and teachers can meet together — this can be in-person, via Zoom, or via telephone. This flexibility is an attempt to better meet family needs. Families let the school office know if they need an interpreter when connecting with their child's teacher.
- Middle, high school, and Area Learning Center families will receive updates about their child in a variety of ways — via phone call, postcard, email, or other school communication process. Parents should also receive digital newsletters about their students' classes. There will not be the traditional evening parent teacher conference event. The "why" beyond this new format is an attempt to engage more families than the traditional evening parent-teacher conferences allow. Reallocating the time dedicated from those conferences to more flexible, ongoing communication should provide greater opportunity for more frequent connections than the traditional parent-teacher conference method provides. Meeting face-to-face with teachers or via Zoom is always an option and is available upon request.
- Portage families will continue to connect with learning coaches and teachers as usual.
- Northfield Community Education Center's family engagement will vary by program. Parents will receive additional information from their child's teacher.



## Capital projects levy informational campaign update

**strategic commitment highlights: people, learner outcomes, stewardship, communication**



The district continues to provide information about the upcoming Nov. 8 capital projects levy vote. There have been two district mailings to residents, including the required notice of special election and a levy guide. Two public meetings have been held. I have provided presentations to the Chamber of Commerce (as part of the State of the District event), the Rotary Club, the Northfield Interfaith Association, the Spring Creek PTO, the Bridgewater Booster Club (PTO), and FiftyNorth. Upcoming scheduled presentations include the Greenvale Park PTO, and the Community Education Advisory Council. Additional presentations are still being scheduled. The district is also purchasing ads on KYMN radio to ensure the public is informed.

## Curriculum and instructional review cycle (CIRC) update

**strategic commitment highlights: learner outcomes, stewardship, equity**

The [Content and Instructional Review Cycle \(CIRC\)](#) was implemented in the 2021-2022 school year. The high school career and technical education (CTE), middle school science, and physical education/health teams completed the Phase I process to guide the adoption of new curricular materials and (for CTE) equipment. These teams will now move into Phase II of the CIRC cycle for the 2022-2023 school year.

The Grades 6-12 English/language arts team, music and family and consumer sciences (FACS)/business education teams are beginning Phase I of the cycle this year. In this phase, teams will examine new knowledge and evidenced-based instructional practices in their content area, review standards, identify, prioritize and code standards for difficulty, analyze student data and evaluate existing resources and materials.

## Prairie Creek staff present at a national convention

**strategic commitment highlights: partnerships**

Several staff members from Prairie Creek Community School were selected as presenters at the national Progressive Educators' Network Conference. Northfield Public Schools is the authorizer for Prairie Creek, a charter school located in Castle Rock. Prairie Creek staff delivered a presentation about their multi-age all-school book club. The multi-age book club is an opportunity for classroom "read alouds" across the school with a particular focus or theme. The themes so far have centered on confronting racism and environmental awareness. This practice allows Prairie Creek to use literature to emphasize a broader theme related to their school's mission.



## Committee Report

### *Board of Education*

**Name:** Julie Pritchard

**Committee:** Communications Advisory Committee

**Date Submitted:** 10/19/2022 11:28:12

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#### Purpose of the Committee:

To prioritize the district's message engaging stakeholder groups to inspire community action in support of our vision, advancing the District's local, statewide, and national image.

\*The work of this committee supports the district's strategic commitment of effective and transparent communication.

\*committee members communication noted a very nice increase in the amount and timing of communication from the district through a number of mediums.

\*The district launched the use of Smore; a digital newsletter that provides our schools the ability to create an engaging newsletter that includes embedded photos, videos and school themed graphics. Other key features includes the ability for readers to simply click on the text for translation and the ability to view readership.

\*provides a consistent look throughout the district.

\*District is reviewing the number of ways it is communicating with families, including email, Skyward, Schoology, Talking Points, and Seesaw to ensure each of their effectiveness in achieving the district's communication goals.

\*Review of district's social media metrics showed a significant increase in activity for the time period of May-October 2022 from the previous year.

\*Facebook page and profile visits went up 41.3%. Instagram visits increased by 141.7%

\*Facebook page reach increased significantly by just under 160%. This translates to over 36,000 users who have seen content from Northfield Public Schools.

\*these increases are likely the result of; an increase in the amount of page "likes", increased frequency of postings, increased amounts of people-centered stories.

\*District has implemented a process to achieve a more consistent flow of social media content from each of the district buildings. Each building has a "social media captain" responsible for providing one-two stories each month that will include photos.



## Committee Report

### *Board of Education*

**Name:** Amy Goerwitz  
Board

**Committee:** Cannon Valley Special Education Cooperative (CVSEC)

**Date Submitted:** 10/13/2022 11:41:39

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The CVSEC Board meets monthly in Faribault and includes a school board member from each of the following school districts: Northfield, Faribault, Medford, and Owatonna. CVSEC serves students Kindergarten through age 21, though most are in middle and high school. Currently there are 89 students enrolled in CVSEC; 19 of them are from the Northfield School District (11 in ALEX, 1 in SUN, 7 in STEP).

CVSEC is off to a great start for the school year. Students are excited to be back in the schedule and routine of the school. The new playground is well-used throughout the day.

Hiring enough educational assistants has been a challenge. CVSEC has open positions but is making the best use of the staff they have.

CVSEC started this academic year with the most enrolled students ever with more students in the pipeline coming from member districts. Some programs and grades are reaching their maximum limit.

CVSEC is a trauma-informed school with adult-managed spaces. The Behavior Interventionist teams problem-solve with students, assist students with self-regulating, and maintain the internal routines and management that make CVSEC a safe place for students to learn.



## Committee Report

*Board of Education*

**Name:** Amy Goerwitz      **Committee:** Wellness Committee

**Date Submitted:** 10/13/2022 11:10:18

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The Wellness Committee had its first meeting of the academic year on October 11, 2022. The Wellness Committee consists of 13 members representing the various schools in the district, including two high school students. We meet quarterly by Zoom to discuss how to maximize the wellness of students and staff. Stephany Stromme is the chair.

In April the Northfield News featured Healthy Ways, which is a component of the Greenvale Park Community School. Healthy Ways promotes physical activity and healthy eating and aims to reduce childhood obesity by working with children and families through whole school-community approaches. The article is titled, "St. Olaf kinesiology students volunteer at Northfield after school programs". If you haven't seen it yet, I encourage reading it.

The committee discussed talking to Carrie Duba and Hope Langston about the results from this year's Social/Emotional Survey being administered to students in October. Lower scores are being seen around the country and are expected in Northfield as well.

The committee also discussed learning more about the "Bring Change to Mind" flex-time opportunity at the high school offered by Carrie Duba to see if there is a way we can support it. We also want to know more about how the wellness of Portage students is supported and if we can do anything to help there.

Amy Goerwitz shared a link to a Guardian article titled, "30-minute class can improve teenagers' stress response, study finds". The committee was asked to read the article to discuss for the next meeting.

<https://www.theguardian.com/science/2022/jul/06/30-minute-class-can-improve-teenagers-stress-response-study-finds>

Link to the 30-minute intervention discussed in the article:

[https://utexas.qualtrics.com/jfe/form/SV\\_8kb5YL7uz91aTKi](https://utexas.qualtrics.com/jfe/form/SV_8kb5YL7uz91aTKi)

Our next meeting is on January 10, 2023.

# **NORTHFIELD PUBLIC SCHOOLS**

## **School Board Minutes**

October 10, 2022

District Office Boardroom

1. Call to Order

Board Chair Claudia Gonzalez-George called the Regular meeting of the Northfield Board of Education of Independent School District No. 659 to order at 6:00 p.m. Present: Baraniak, Butler, Goerwitz, Gonzalez-George, Pritchard, Quinnell and Stratmoen. Absent: None. This meeting was open to the public, live-streamed and recorded, and access to the recording was posted to the school district website.

2. Land Acknowledgement Statement

The meeting was held on Indigenous Peoples Day. The school board adopted Policy 950 which formalized a statement from the Northfield School District that recognizes and respects Indigenous peoples as traditional stewards of this land and the enduring relationship that exists between Indigenous peoples and their traditional territories. Northfield High School student and District Youth Council Equity and Inclusion Subcommittee Chair Maddie Bussmann read the land acknowledgement statement: "The Northfield School District recognizes that we reside on the homeland of the Wahpekute Tribe of the Dakota Nation. We acknowledge the wrongdoings, previous and ongoing, and strive to repair and strengthen our relations with Indigenous peoples."

3. Agenda Approval/Table File

On a motion by Quinnell, seconded by Goerwitz, the board unanimously approved the agenda.

4. Public Comment

There was no public comment.

5. Announcements and Recognitions

- We are proud to announce the following individuals and team were inducted into the Northfield High Athletic Hall of Fame. Congratulations to Morgan Zavel, Class of 2010; Bri Zabel, Class of 2007; Anthony Jacobs, Class of 2007; Girls Swim & Dive State Championship Team, Class of 1998: Megan Daymont Thomas, Leah Hausen, Sawra Maurer, Sonia Karimi Zechmann, Betsy Allen, Kristin England, Sarah Perrott, Doug Davis, Cindy Boyum; James Heinen, Class of 1987; Bubba Sullivan, Class of 1985; Rieber Paulson, Class of 1955.

6. Items for Discussion and Reports

- a. District Health Insurance Recommendation. Human Resources Director Molly Viesselman and Director of Finance Val Mertesdorf reviewed the district's health insurance renewal process and presented their recommendation to the board. George Vander Weit from OneDigital was available for questions.

The district has historically strived to maintain a contribution of approximately 80% of the total premium. Our recommendation is a Memorandum of Understanding to make the district contribution \$583.26 for single and \$1,774.40 for family (80% of the 2023 premium). In the spring of 2023 when the district negotiates with the NEA, we recommend using this level of district contribution as the base. This will be the district's new operating level for the foreseeable future.

Directors Mertesdorf and Viesselman indicated the strong opinion that the recommendation aligns with the district's strategic commitment to People. The health plan has been one of the district's strongest recruitment and retention tools. This proposal would cost an additional \$1.45 million over the 2021 rates (an additional \$450,000 over what was already authorized for one year). The estimated district contribution would increase from \$5.4 million in 2021 to \$7.5 million for 2023.

This will be an item for individual action at the next board meeting.

- b. Review and Comment. As required by Minnesota Statute 123B.71, subdivision 12, Superintendent Hillmann presented the Minnesota Department of Education's positive Review and Comment letter regarding the two question capital projects levy associated with the November 8, 2022 referendum.
- c. Policy Committee Recommendations. Dr. Hillmann presented the policy committee's recommendations on policies 630 and 646, and the recommendation to sunset policies 648, 649 and 650. This will be an item for individual action at the next board meeting. Dr. Hillmann shared with the board a procedure to expedite policy changes recommended by MSBA based on legislative changes, and shared a recommended policy style guide that will also allow expediting non-substantive policy updates.
- d. Superintendent Operations & Strategic Plan Update. Dr. Hillmann provided an update about district operations which included the community school expansion at Bridgewater and Spring Creek, district advisory committee work, the progress on the facility project survey, a capital projects levy update, and a recap of the Minnesota Association of School Administrators conference.

## 7. Consent Agenda

On a motion by Pritchard, seconded by Goerwitz, the board unanimously approved the consent agenda.

### a. Minutes

- Minutes of the Regular School Board meeting held on September 26, 2022

### b. Gift Agreements

- \$3,093.20 from Spring Creek PTO for BrainPOP subscription
- \$5,326.50 from Northfield Booster Club, Inc: \$3,326.50 for new ice machine in trainer room; \$2,000.00 for new volleyball standards
- \$6,000.00 from Dakota Electric Association to purchase equipment for the technology and engineering department's shops and classroom

### c. Financial Reports

Financial Report - March 2022. Director of Finance Val Mertesdorf requested the board approve paid bills totaling \$2,295,436.85, payroll checks totaling \$3,434,989.76, a wire transfer totaling \$550,000.00 from Frandsen General to Frandsen Sweep, a wire transfer totaling \$350,000.00 from Frandsen Sweep to Frandsen General, and the financial reports for March 2022. At the end of March 2022 total cash and investments amounted to \$24,075,358.87.

Financial Report - April 2022. Director of Finance Val Mertesdorf requested the board approve paid bills totaling \$2,005,132.83, payroll checks totaling \$3,710,745.81, a wire transfer totaling \$700,000.00 from Frandsen General to Frandsen Sweep, a wire transfer totaling \$450,000.00 from Frandsen Sweep to Frandsen General, and the financial reports for April 2022. At the end of April 2022 total cash and investments amounted to \$25,360,514.18.

Financial Report - May 2022. Director of Finance Val Mertesdorf requested the board approve paid bills totaling \$3,702,378.95, payroll checks totaling \$3,602,710.84, a wire transfer totaling \$550,000.00 from Frandsen General to Frandsen Sweep, a wire transfer totaling \$450,000.00 from Frandsen Sweep to Frandsen General, and the financial reports for May 2022. At the end of May 2022 total cash and investments amounted to \$29,454,400.96.

Financial Report - June 2022. Director of Finance Val Mertesdorf requested the board approve paid bills totaling \$2,164,502.59, payroll checks totaling \$3,445,475.35, a wire transfer totaling \$300,000.00 from Frandsen General to Frandsen Sweep, a wire transfer totaling \$200,000.00 from Frandsen Sweep to Frandsen

General, and the financial reports for June 2022. At the end of June 2022 total cash and investments amounted to \$32,522,500.96.

d. Personnel Items

i. Appointments

1. Dylan Belangeri, Child Nutrition Student Associate for up to 1 hour/day at the ALC, beginning 10/12/2022. \$10.33/hr.
2. Mary Davis, High School Accompanist, beginning 10/3/2022; \$30.00/hr. per direction from Director.
3. Kiera Hasan, Targeted Services MSYC Site Assistant for up to 2 hours/day Mon.- Thurs. at the Middle School, beginning 10/4/2022-5/26/2023; Step 1-\$14.50/hr.
4. Page Kassner, Community School After School Site Assistant for up to 2 hours/day Mon.- Thurs. at Greenvale Park, beginning 9/29/2022-5/26/2023; Step 1-\$14.50/hr.
5. Margarita Marcial, 1.0 FTE Night Custodian Tuesday-Saturday at the High School, beginning 10/18/2022. Step 1-\$19.00/hr.
6. Peter Maus, 1.0 FTE Long Term Substitute ALC Mathematics Teacher beginning on or about 2/13/2023-6/9/2023; MA, Step 10.
7. Allyson Bernstorff, 1.0 Office Specialist Class III at Spring Creek, beginning 10/10/2022; Class III, Step 3 - \$22.07/hr.
8. Mackenzie Closson, .7 Assistant Alpine Ski Coach at the High School, beginning 11/14/2022; 70% of \$4,570 stipend
9. Brooklyn Sexton, .5 Assistant Dance Team Coach at the High School, beginning 10/24/2022; .50 - \$2,285 Step 2
10. Liv Sorenson, Community School After School Site Assistant for up to 2 hours/day Mon.-Thurs. at Spring Creek, beginning 10/11/2022-5/26/2023; Step 1-\$14.50/hr.
11. Kelly Stanton-Nutt, .5 Assistant Dance Team Coach at the High School, beginning 10/24/2022; .50 - \$2,285
12. John Watkins, Program Site Supervisor/Scheduler with Community Ed Recreation, beginning 10/5/2022-5/31/2023; \$14.64/hr.

ii. Increase/Decrease/Change in Assignment

1. Janet Amundson, Special Ed EA at the Middle School, add Special Ed EA PCA Extra-curricular/non-academic activities for 1.75 hours/day Mon.-Thurs. with the District, effective 10/3/2022-6/9/2023.
2. Mairin Born, Teacher at Spring Creek, add Community School Teacher for up to 2 hours/day Mon.- Thurs. at Spring Creek, beginning 10/3/2022-6/9/2023; Yr. 1-\$27.11/hr.
3. Rachael Caspers, District Office Receptionist Class II, change to .60 FTE Administrative Support for Child Nutrition Class IV and .40 FTE District Office Receptionist Class II, effective 10/3/2022-4/5/2023.
4. Christina Chappius, Special Ed EA at Spring Creek, add Special Ed EA PCA Extra-curricular/non-academic activities for 1 hour/day Mon.-Thurs. with the District, effective 10/3/2022-6/9/2023.
5. Jan Ensrud, Teacher at the Middle School, add MSYC Teacher for up to 2 hours/day Mon.-Thurs at the Middle School, effective 10/10/2022-5/26/2023. Yr. 3-\$27.11/hr.
6. Brenda Hand, Community School Teacher for up to 2 hours/day on Wednesdays at Bridgewater, add Community School Club Leader for up to 2 hours/day Mon.-Thurs. after school at Bridgewater, effective 10/3/2022-5/25/2023. \$23.65/hr.
7. DeEtte Harris, 1.0 FTE Administrative Assistant at Spring Creek, change to Supervisory/Instructional Educational Assistant for 7 hours/day at Spring Creek, effective 10/3/2022; \$20.20/hr.
8. Sam Healy, Teacher at Spring Creek, add Community School Teacher for up to 2 hours/day Mon.- Thurs. at Spring Creek, beginning 10/3/2022-6/9/2023; Yr. 1-\$27.11/hr.
9. Kelly Hebzynski, Teacher at the Middle School, add Assistant Student Council Advisor - 50% stipend for 2021-2022 effective 9/7/2021.
10. Joanna McLees, Special Ed EA PCA for 20 hours/week NB program and 16 hours/week in ECSE at the NCEC, change to Special Ed EA PCA for 17.5 hours/week NB program and 16 hours/week in ECSE at the NCEC,, effective 9/27/2022.
11. Beth Momberg, Special Ed EA PCA for 20 hours/week NB program and 14 hours/week in ECSE at the NCEC, change to Special Ed EA PCA for 17.5 hours/week NB program and 14 hours/week in ECSE at the NCEC, effective 9/27/2022.
12. Sydney Rodgers, Teacher at Bridgewater, add Community School Teacher for up to 3 hours/day Thursdays at Bridgewater, beginning 10/3/2022-5/25/2023; Yr. 1-\$27.11/hr.
13. Deb Seitz, Teacher at the Middle School, add Assistant Student Council Advisor - 50% stipend for 2021-2022 effective 9/7/2021.
14. Bernard Selwan, Teacher at the High School, add Math League Advisor at the Middle School, effective 10/10/2022. \$3,047 stipend

15. Katrina Warner, Educational Assistant at Bridgewater, add Community School Club Leader for up to 2 hours/day Mon.-Thurs. after school at Bridgewater, effective 10/3/2022-5/25/2023. \$23.65/hr.
  16. Theresa Wilson, .7 Alpine Assistant Coach at the High School, change to .3 Alpine Assistant Coach at the High School, effective 11/14/2022.
  17. Updated: Rose Brison, CNA II for 6.25 hours/day at the High School, change to CNA II for 7.50 hours/day at the High School, effective 8/29/2022-10/25/2022.
  18. Jocelyn Giefer, 1.0 Assistant Dance Team Coach at the High School, change to .5 Assistant Dance Team Coach at the High School, effective 10/24/2022; \$2,285 stipend
  19. Updated: Noelle Gilomen, CNA I 3 hours/day at the High School, change to CNA I for 5.25 hours/day at the High School, effective 8/29/2022-10/25/2022.
  20. Leanne King, EA at Spring Creek, add Community School Club Leader for up to 2 hours/day Mon.-Thurs. at Spring Creek, effective 10/3/2022-5/26/2022; \$23.65/hr.
  21. Updated: Brenda Lau Toilolo, CNA I - 3.0 hours/day at the High School, change to CNA I for 3.75 hours/day at the High School, effective 8/29/2022-10/25/2022.
  22. Updated: SueAnn Lepinski, CNA II for 5.5 hours/day at the High School, change to CNA II for 7.25 hours/day at the High School, effective 8/29/2022-10/25/2022.
  23. Beth McClune, Special Ed EA PCA for 6.75 hours/day at the Middle School, change to Special Ed EA PCA for 7 hours/day at the Middle School, effective 9/12/2022-6/9/2023.
  24. Updated: Michelle Murphy, CNA I - 3 hours/day at the High School, change to CNA I for 5.25 hours/day at the High School, effective 8/29/2022-10/25/2022.
  25. John Sand, Teacher at the High School, add Event Worker at the High School, effective 10/4/2022.
  26. Bernard Selwan, Teacher at the High School, add Math League Advisor for the 2022-2023 school year at the Middle School, effective 10/10/2022; \$3,047 stipend
  27. Brooklyn Sexton, .5 Assistant Dance Team Coach at the High School, change to 1.0 Assistant Dance Team Coach at the High School, effective 10/24/2022. \$4,570 stipend
  28. John Watkins, Site Supervisor with Community Ed Recreation, add Event Worker with the High School, effective 10/12/2023.
  29. Updated: Dianne Wolbeck, CNA II for 7.25 hours/day at the High School, change to CNA II for 7.75 hours/day at the High School, effective 8/29/2022-10/25/2022.
- iii. Leave of Absence
1. Johan Ponciano Conde, Special Education PCA at the High School, leave of absence beginning on October 25, 2022 through November 7, 2022.
- iv. Retirements/Resignations/Terminations
1. Flavia Berg, Early Childhood Family Educator at the NCEC, resignation effective 9/15/2022.
  2. Denise Halvorson, Middle School Speech Coach, resignation effective 9/25/2022.
- v. TRA Part-Time Teacher Program
- The board is requested to authorize participation for the following teacher to participate in the TRA Part-Time Teacher Program, whereby the teacher who qualifies can personally purchase TRA service credit at no cost to the Northfield School District.
1. Brian Stevens

## 8. Items for Individual Action

## 9. Items for Information

- a. Enrollment Report. Superintendent Hillmann shared the October 2022 enrollment report.
- b. Farm-to-School Luncheon at Spring Creek. On Thursday, Oct. 27 Spring Creek Elementary Child Nutrition Department will be hosting state and local leaders along with farm to school advocates for lunch. The event will be held from 10:40 am—12 pm with lunch served at approximately 11 am. Board members are invited to attend. Please contact Stephany Stromme, Director of Child Nutrition, to RSVP.
- c. School Lunch Week is Oct. 10-14, 2022. The National School Lunch Program (NSLP) provides low-cost or free lunches to children and operates in nearly 100,000 public and nonprofit private schools (grades PreK–12) and residential child care institutions. In fiscal year 2019, before the Coronavirus pandemic, the program provided 4.9 billion lunches at a total cost of \$14.2 billion. We are grateful for Stephany Stromme, Director of Child Nutrition, and all of our child nutrition staff who serve our district students each and every day.
- d. School Bus Safety Week is Oct. 17-21, 2022. National School Bus Safety Week is a time for parents, students, teachers, motorists, school administrators, and other interested parties, to join forces and address the

importance of school bus safety. We are grateful to Benjamin Bus and all school bus operators who serve our district students every school day.

- e. Veteran Day Assembly at Bridgewater. Bridgewater will hold their Annual Veterans Day Assembly on Friday, Nov. 11 at 9:00 a.m. in the gymnasium. School board members are invited to attend.

10. Future Meetings

- a. Monday, October 24, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
- b. Monday, November 14, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
- c. Monday, November 28, 2022, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom

11. Adjournment

On a motion by Stratmoen, seconded by Baraniak, the board adjourned at 7:35 p.m.

Noel Stratmoen  
School Board Clerk

## NORTHFIELD SCHOOL DISTRICT GIFT AGREEMENT

This agreement made this 14<sup>th</sup> day of October, 2022, by and between The NHS class of 1955, hereinafter the "Donor", and Independent School District No. 659, Northfield, Minnesota, pursuant to the District's policy for receiving gifts and donations, as follows:

### TERMS

NHS class of 55 donated a check (#2053966) to the Northfield Public Schools Angel Fund (food service) in the amount of \$1,789.64 for the High School.

By: NHS class of 55 / presented by  
Donor Ivan Geffert, class  
treasurer

Approved by resolution of the School Board on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

INDEPENDENT SCHOOL DISTRICT No. 659

By: \_\_\_\_\_  
Clerk

## NORTHFIELD SCHOOL DISTRICT GIFT AGREEMENT

This agreement made this 22 day of September, 2022, by and between Bridgewater Booster Club, hereinafter the "Donor", and Independent School District No. 659, Northfield, Minnesota, pursuant to the District's policy for receiving gifts and donations, as follows:

### TERMS

Check #1149 in the amount of \$13,578.52 = Donation of \$18.52 per student for classroom teachers, as well as funds for specialists & SPED teachers

Bridgewater Booster Club  
Donor

By: Received by Jessie Huelsch-BW office

Approved by resolution of the School Board on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

INDEPENDENT SCHOOL DISTRICT No. 659

By: \_\_\_\_\_

Clerk

## NORTHFIELD SCHOOL DISTRICT GIFT AGREEMENT

This agreement made this 26<sup>th</sup> day of September, 2012, by and between Post Consumer Brands, hereinafter the "Donor", and Independent School District No. 659, Northfield, Minnesota, pursuant to the District's policy for receiving gifts and donations, as follows:

### TERMS

\$1,000.00 donation to the TORCH program.

Post Consumer Brands

Donor

By: Received via RevTrak payment in  
District's bank account.

Approved by resolution of the School Board on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

INDEPENDENT SCHOOL DISTRICT No. 659

By: \_\_\_\_\_

Clerk

## NORTHFIELD SCHOOL DISTRICT GIFT AGREEMENT

This agreement made this 26<sup>th</sup> day of September 2022, by and between Post Consumer Brands, hereinafter the "Donor", and Independent School District No. 659, Northfield, Minnesota, pursuant to the District's policy for receiving gifts and donations, as follows:

### TERMS

\$1,000.00 donation to the Robotics Club sponsorship.

Post Consumer Brands

Donor

By: Received via RevTrak payment in District's bank account.

Approved by resolution of the School Board on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

INDEPENDENT SCHOOL DISTRICT No. 659

By: \_\_\_\_\_

Clerk

## RESOLUTION ACCEPTING DONATIONS

The following resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**WHEREAS**, Minnesota Statutes 123B.02, Sub. 6 provides: “The board may 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, or for the benefit of pupils thereof, including trusts created to provide pupils of the district with advanced education after completion of high school, in the advancement of education.”; and

**WHEREAS**, Minnesota Statutes 465.03 provides: “Any city, county, school district or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Nothing herein shall authorize such acceptance or use for religious or sectarian purposes. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.”; and

**WHEREAS**, every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full;

**THEREFORE, BE IT RESOLVED**, that the School Board of Northfield Public Schools, ISD 659, gratefully accepts the following donations as identified below:

Donor	Item	Designated Purpose (if any)
NHS Class of 1955	\$1,789.64	NPS Angel Fund food service
Bridgewater Booster Club	\$13,578.52	\$18.52/student for classroom teachers, as well as specialists & SPED teachers
Post Consumer Brands	\$1,000.00	TORCH program
Post Consumer Brands	\$1,000.00	Robotics Club sponsorship

The vote on adoption of the Resolution was as follows:

Aye:

Nay:

Absent:

Whereupon, said Resolution was declared duly adopted.

By: Claudia Gonzalez-George, Chair

By: Noel Stratmoen, Clerk

## **Policy 208 DEVELOPMENT, ADOPTION AND IMPLEMENTATION OF POLICIES**

### **I. PURPOSE**

The purpose of this policy is to emphasize the importance of the policy-making role of the Northfield School District ~~Public School~~ Board of Education and provide the means for it 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 policies shall be maintained and modified as needed. Policies should define the desire and intent of the school board and should be in a form that is sufficiently explicit to guide administrative action.

### **III. DEVELOPMENT OF POLICY**

- A. The school board has jurisdiction to legislate policy with the force and effect of law for the school district. School district policy provides the school board's general direction for the school district while delegating implementation to the administration.
- B. The school district's policies provide guidelines and goals to the school community. The policies are the basis for guidelines and directives created 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 consideration.

### **IV. ADOPTION AND REVIEW 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.
- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school board. The policy will be effective on the latter of the date of passage or the date stated in the motion.
- C. In an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board in a single meeting. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The policy adopted in an emergency 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 AND ACCESS TO 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.
- B. Each school board member shall have online access to school district policies. Manuals shall be available online and printed copies available by request from the superintendent's office for reference purposes to other interested persons.
- C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping policies current.
- D. The school board shall review policies at least once every ~~four~~ five years. The superintendent shall be responsible for developing a system of periodic review, addressing approximately one quarter 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; 524.2 Use of Technology and Telecommunications Systems By Students; 616 School District System Accountability; 722 Public Data Requests;~~ 722 Public Data Requests, 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 mission, 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.

### **Policy 208 Development, Adoption & Implementation of Policies**

Adopted: 01.24.2005; Updated: 07.01.2019; Non-Substantive Update: 02.08.2022; Substantive Update: INSERT DATE  
HERE

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

**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)

## **Policy 209 CODE OF ETHICS**

### **I. PURPOSE**

The purpose of this policy is to assist the Northfield School District Board of Education ~~school board~~ members in understanding the role of individual school board members and the contribution that each 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. Listen to the opinions and views of others (including but not limited to, other school board members, administration, staff, students, and district residents).
2. Recognize the integrity of my predecessors and associates and appreciate the merit of their work.
3. Attend school board meetings and come prepared for discussion of the agenda items.
4. Be motivated by a desire to provide the best possible education for the students of my school district.
5. Inform myself about the proper duties and functions of a school board member.
6. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
7. Support the decision of the school board, even if my position concerning the issue was different.

#### **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 responsibility.
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 responsibility ~~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 federal and state 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.

## Policy 209 Code of Ethics

Adopted: 2004; Revised: 07.01.2019; Statutory Update: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

**Legal References:** Minn. Stat. § 123B.02, Subd. 1 (~~School District~~ General Powers of Independent School Districts)  
Minn. Stat. § 123B.09 (~~School Boards of Independent School Districts Powers~~)  
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

**Cross References:** ~~MSBA Service Manual, Chapter 1, School Board Member Code of Ethics~~ None

## **Policy 210 CONFLICT OF INTEREST – SCHOOL BOARD MEMBERS**

### **I. PURPOSE**

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in Northfield School District business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

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

It is the policy of the school board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the school board will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

### **III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS**

- A. A school board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.
- B. In the following circumstances, however, the school board may as an exception, by unanimous vote, contract for goods or services with a school board member of the school district:
  - 1. In the designation of a bank or savings association, in which a school board member is interested, as an authorized depository for school district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minnesota Statutes chapter 118A. Any school board member having said interest shall disclose that interest and the interest shall be entered upon the school board minutes. Disclosure shall be made when such bank or savings association is first designated as a depository or source of borrowing, or when such school board member is elected, whichever is later. Disclosure serves as notice of the interest and need only be made once;
  - 2. The designation of an official newspaper, or publication of official matters therein, in which the school board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;
  - 3. A contract with a cooperative association of which the school board member is a shareholder or stockholder but not an officer or manager;

4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:

- a. The school board shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
- b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
- c. Before a claim is paid, the interested school board member shall file with the clerk of the school board an affidavit stating:
  - (1) The name of the school board member and the office held;
  - (2) An itemization of the goods or services furnished;
  - (3) The contract price;
  - (4) The reasonable value;
  - (5) The interest of the school board member in the contract; and
  - (6) That to the best of the school board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.

5. A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.

C. In the following circumstances, the school board may as an exception, by majority vote at a meeting at which all school board members are present, contract for services with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee only if there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that school board member under that contract or employment relationship, will not exceed ~~\$8,000~~ \$20,000 in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in employment at a meeting at which all school board members are present, that employment is immediately terminated and that school board member has no further rights to employment while serving as a school board member in the school district.

D. The school board may contract with a class of school district employees, such as teachers or custodians, when the spouse of a school board member is a member of the class of employees contracting with the school board and the employee spouse

receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. For the school board to invoke this exception, it must have a majority of disinterested school board members vote to approve the contract, direct the school board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting in which the contract is approved.

#### **IV. LIMITATIONS ON RELATED EMPLOYEES**

- A. The school board must hire or dismiss teachers only at duly called meetings. When a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full school board.
- B. The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

#### **V. CONFLICTS PRIOR TO TAKING OFFICE**

A school board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the school board member took office and presents an actual or potential conflict of interest, shall immediately notify the school board of such interest. It shall thereafter be the responsibility of the school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the school board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

#### **VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS**

The determination as to whether a conflict of interest exists is to be made by the school board. Any school board member who has an actual or potential conflict shall notify the school board of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

#### **Policy 210 Conflict of Interest - School Board Members**

Adopted: 01.24.2005; Revised: 11.2015; Reviewed: 07.01.2019; Non-Substantive Update: 04.19.2022; Substantive Update:  
INSERT DATE HERE

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

***Legal References:*** Minn. Stat. § 122A.40, Subd. 3 (~~Teacher Hiring, Dismissal~~ Employment; Contracts; Termination)

Minn. Stat. § 123B.195 (Board Member's Right to Employment)

Minn. Stat. § 471.87 (Public Officers, Interest in Contract; Penalty)

Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)

Minn. Stat. § 471.89 (Contract, When Void)

Op. Atty. Gen. 437-A-4, March 15, 1935

Op. Atty. Gen. 90-C-5, July 30, 1940

Op. Atty. Gen. 90-A, August 14, 1957

***Cross References:*** MSBA/MASA Model Policy 101 (Legal Status of the School Board)

MSBA/MASA Model Policy 209 (Code of Ethics)

# **Policy 415     MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS**

## **I.        PURPOSE**

The purpose of this policy is to make clear the statutory requirements of Northfield School District ~~school~~ personnel to report suspected maltreatment of vulnerable adults.

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

- A. The policy of the school district is to comply fully with Minnesota Statutes section 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.
- B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

### **Policy 415 Mandated Reporting of Maltreatment of Vulnerable Adults**

Adopted: 2/28/05; Updated: 12.14.2020; Substantive Update: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

**Legal References:** Minn. Stat. § 13.02 (~~Collection, Security, and Dissemination of Records~~ Government Data Practices; Definitions)

Minn. Stat. Ch. 245A (Human Services Licensing)

Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)

Minn. Stat. § 609.221-609.224 (Assault)

Minn. Stat. § 609.23~~4~~2 (Crimes Against Vulnerable Adults: Definitions ~~the Person~~)

Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)

Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)

Minn. Stat. § 609.341 (Definitions)

Minn. Stat. § 609.342-609.3451 (Criminal Sexual Conduct)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

Minn. Stat. § 626.5572 (Definitions)

In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

**Cross References:** 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 403 (Dismissal of Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

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

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



## Policy 417     CHEMICAL USE AND ABUSE

### I.     PURPOSE

The Northfield School District Board of Education recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

### II.    GENERAL STATEMENT OF POLICY

- A.     Use or possession of controlled substances, medical cannabis, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited ~~in the school setting~~ in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School. Student medication, that does include prescription drugs, are governed under Policy 516.
- B.     ~~The policy of this school district is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.~~
- C.     The school district shall establish and maintain in every school a chemical abuse pre-assessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D.     The superintendent, or designee, with the advice of the school board, shall collaborate with community partners to establish an advisory team to address chemical abuse problems in the district.
- E.     The school district ~~shall establish and maintain a program to educate and assist employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces~~ shall establish a drug-free awareness program for its employees.

### III.   DEFINITIONS

- A.     “Chemical abuse” as applied to students means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and

causes socially dysfunctional or socially disordering behavior, to the extent that the ~~student's or employee's~~ minor's normal function in academic, school, or social activities is chronically impaired.

B. ~~"Chemicals" includes, but is not limited to, alcohol, toxic substances, medical cannabis, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes section 152.02 and "marijuana" as defined in Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.~~

C. ~~"Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.~~

D. ~~"School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.~~

#### IV. STUDENTS

A. ~~Instruction~~ Districtwide School Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.

1. ~~Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals,~~

~~state department staff, and members of the community in~~  
~~developing the curriculum. The school district shall develop,~~  
implement, and evaluate comprehensive programs and activities that foster safe,  
healthy, supportive, and drug-free environments that support student academic  
achievements. The programs and activities may include, among other programs  
and activities, drug prevention activities and programs that may be evidence  
based, including programs to educate students against the use of alcohol, tobacco,  
marijuana, smokeless tobacco products, and electronic cigarettes.

2. ~~Each school shall have age-appropriate and developmentally based~~  
~~activities that: As part of its drug-free programs, the school district~~  
may implement the drug abuse resistance education program (DARE) that enables  
peace officers to undergo the training to teach a curriculum on drug abuse  
resistance in schools.

~~a. address the consequences of violence and the illegal use of~~  
~~drugs, as appropriate;~~

~~b. promote a sense of individual responsibility;~~

~~c. teach students that most people do not illegally use drugs;~~

~~d. teach students to recognize social and peer pressure to use drugs~~  
~~illegally and the skills for resisting illegal drug use;~~

~~e. teach students about the dangers of emerging drugs;~~

~~f. engage students in the learning process; and~~

~~g. incorporate activities in secondary schools that reinforce~~  
~~prevention activities implemented in elementary schools.~~

3. ~~Each school shall have activities that involve families, community~~  
~~sectors (which may include appropriately trained seniors), and a~~  
~~variety of drug and violence prevention providers in setting clear~~  
~~expectations against violence and illegal use of drugs and~~  
~~appropriate consequences for violence and illegal use of drugs.~~

4. ~~Each school shall disseminate drug and violence prevention~~  
~~information within the school and to the community.~~

5. ~~Each school shall have professional development and training for,~~  
~~and involvement of, school personnel, student services personnel,~~  
~~parents, and interested community members in prevention,~~  
~~education, early identification and intervention, mentoring, or~~  
~~rehabilitation referral, as related to drug and violence prevention.~~

6. ~~Each school shall have drug and violence prevention activities that~~  
~~may include the following:~~

~~a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.~~

~~b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.~~

~~c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.~~

~~d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.~~

~~e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.~~

B. Reports of Chemical Use and Abuse Use, Possession, or Transfer of Alcohol or a Controlled Substance

1. A teacher in a nonpublic school participating in a school district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team, or staff member assigned duties similar to those of such a team, of this information.

~~In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing, or selling chemicals in a school location:~~

~~a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.~~

~~b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.~~

- ~~c. The administrator will notify law enforcement officials, the student's counselor, and the chemical pre-assessment team.~~
  - ~~d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.~~
  - ~~e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.~~
- ~~2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals:~~
  - ~~a. The employee shall notify the building administrator or a member of the student support team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.~~
  - ~~b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.~~
- ~~3.2~~ Students involved in the abuse, possession, transfer, distribution, or sale of chemicals ~~shall~~ may be suspended and proposed for ~~expulsion~~ in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56, and proposed for expulsion.
- ~~4.3~~ Searches by school district officials in connection with the use, ~~abuse,~~ possession, or transfer of alcohol or a controlled substance, ~~distribution, or sale of chemicals~~ will be conducted in accordance with school board policies related to search and seizure.
- ~~4.~~ Nothing paragraph IV.B.1. prevents a teacher of any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

C. Student Support Team (this team functions as a preassessment team)

1. Every school that participates in a school district chemical abuse program shall establish ~~have~~ a chemical abuse student support team designated by the superintendent or designee. The team ~~will~~ must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. ~~to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others. This student support team may be part of the scope of work of the school's student support team.~~ For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse ~~pursuant to Minn. Stat. 121A.26.~~

D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes section 13.32 and applicable federal law and regulations.
2. Destruction of Records
  - a. If the pre-assessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
  - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with ~~such~~ information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
  - c. ~~This section shall govern~~ Destruction of records identifying individual students shall be governed by paragraph IV.E.2.

notwithstanding ~~provisions of the Records Management Act,~~  
Minnesota Statutes section 138.163 (Preservation and Disposal of  
Public Records).

E. Consent

~~Any minor, per Minn. Stat. § 144.343 a minor would be an individual~~  
~~under the age of 18,~~ may give effective consent for medical, mental, and  
other health services to determine the presence of or to treat conditions  
associated with alcohol and other drug abuse, and the consent of no other  
person is required.

F. ~~School and Community Advisory Team~~

1. ~~The superintendent or designee, in collaboration with other~~  
~~community and county stakeholders, shall form an advisory team~~  
~~to address chemical abuse problems throughout the community.~~

~~The advisory team will be composed of representatives from the~~  
~~school student support teams to the extent possible, law~~  
~~enforcement agencies, county attorney's office, social service~~  
~~agencies, chemical abuse treatment programs, parents, other~~  
~~relevant stakeholders, and the business community.~~

2. ~~The advisory team shall:~~

a. ~~build awareness of the problem within the community, identify~~  
~~available treatment and counseling programs for students, and~~  
~~develop good working relationships and enhance communication~~  
~~between the schools and other community agencies; and~~

b. ~~develop a written procedure clarifying the notification process to~~  
~~be used by the chemical abuse student support team when a student~~  
~~is believed to be in possession of or under the influence of~~  
~~alcohol or a controlled substance. The procedure must include~~  
~~contact with the student and the student's parents or guardian in the~~  
~~case of a minor student.~~

V. EMPLOYEES

A. ~~The school district shall establish~~ superintendent or designee shall  
~~undertake and maintain a drug-free awareness and prevention program to~~  
inform employees; ~~students, and others~~ about:

1. The dangers of drug ~~and health risks of chemical~~ abuse in the  
workplace/~~school~~.

2. The school district's ~~drug-free workplace/drug-free school~~ policy of  
maintaining a drug-free workplace.

3. ~~Any available drug or alcohol counseling, treatment, rehabilitation, reentry, and/or assistance programs available to employees assistance programs, and/or students.~~

4. The penalties that may be imposed on employees for drug abuse violations.

- B. The ~~school district superintendent or designee~~ shall notify ~~any~~ federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice ~~from the employee or otherwise receiving actual notice of any criminal drug statute of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.~~

### Policy 417 - Chemical Use and Abuse

Adopted: 2/28/05; Updated: 02.08.2021; Substantive Update: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)  
Minn. Stat. § 126C.44 (Safe Schools Levy)  
Minn. Stat. § 138.163 (~~Records Management Act~~ Preservation and Disposal of Public Records)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 299A.33 (DARE Program)  
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. §§ 7101-7165 ~~22 (Safe and Drug-Free Schools and Communities Act)~~ Student Support and Academic Enrichment Grants)  
20 U.S.C. § 5812 (National Education Goals)  
20 U.S.C. § 7175 (Local Activities)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 418 Drug-Free Workplace/ Drug-Free School  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
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 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

## Policy 418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol ~~controlled substances~~, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products) and ~~alcohol~~ controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, ~~controlled substances~~ or medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume, ~~malt beverage, fortified wine, or other intoxicating liquor.~~
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

- €E. “Medical cannabis” means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of : (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) combustion with use of dried raw cannabis; or (5) any other method, excluding smoking, approved by the commissioner.
- E. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- F. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- G. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- ØH. “Toxic substances” includes (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the commissioner of health. or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- EI. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

#### IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such a person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician’s prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or

possession after the purchase from such a temporary license holder).

## **V. PROCEDURES**

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

## **VI. ENFORCEMENT**

- A. Students
  - 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids (including edible cannabinoid products).
  - 2. Students may be referred to drug or alcohol assistance or rehabilitation

programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counseling service, which may be provide by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

- 4.3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- ~~2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.~~

B. Employees

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

C. The Public

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

INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

- Legal References:** Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.22, subd. 6 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 609.684 (~~Sale of Toxic Substances to Children~~; Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
~~20 U.S.C. § 7101-716522 (Safe and Drug-Free Schools and Communities Act)~~ Student Support and Academic Enrichment Grants)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)
- Cross References:** MSBA/MASA Model Policy 403 (Dismissal of Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use/Abuse)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

## **Policy 515    PROTECTION AND PRIVACY OF PUPIL RECORDS**

### **I.      PURPOSE**

The purpose of this policy is to provide guidance to the Northfield School District in regard to the collection, maintenance and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

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

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 United States Code section 1232g, *et seq.*, (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and Minnesota Rules parts 1205.0100-1205.2000.

### **III.    DEFINITIONS**

- A.    “Authorized Representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.
- B.    “Biometric Record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).
- C.    “Dates of attendance” as referred to in “Directory Information” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. It does not include specific daily records of a student’s attendance at a school or schools in the school district.
- D.    “Directory information” means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes the student’s
  - Name
  - Address
  - Telephone listing
  - Electronic mail address
  - Photograph
  - Date and place of birth

- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (i.e. full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- Most recent educational agency or institution attended
- Name, address and telephone number of the student's parent(s).

Directory information does not include a student's:

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

E. "Education records" means those records that are directly related to a student and maintained by the school district or by a party acting for the school district.

1. "Education records" does not include:

- a. Records of instructional personnel that are:
  1. Kept in the sole possession of the maker of the records
  2. Used only as a personal memory aid
  3. Not accessible or revealed to any other individual except a temporary substitute, and
  4. Destroyed at the end of the school year.
- b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are
  1. Maintained separately from education records
  2. Maintained solely for law enforcement purposes, and
  3. Disclosed only to law enforcement officials of the same jurisdiction.
- c. Records relating to an individual, including a student, who is employed by the district which

1. Are made and maintained in the normal course of business
2. Relate exclusively to the individual in that individual's capacity as an employee, and
3. Are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are
  1. Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity
  2. Made, maintained or used only in connection with the provision of treatment to the student, and
  3. Disclosed only to individuals providing the treatment, provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities which are part of the program of instruction within the school district.
- e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

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

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

- G. "Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.
- H. "Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

- I. "Legitimate educational interest" includes an interest directly related to classroom instruction, teaching, student achievement and progress, student discipline, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to
1. Perform an administrative task required in the school or employee's contract or position description approved by the school board
  2. Perform a supervisory or instructional task directly related to the student's education
  3. Perform a service of benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid, or
  4. Perform a task directly related to responding to a request for data
- J. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights inherent in the applicable law and set out in this policy unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or custody, or a legally binding instrument which provides to the contrary.
- K. "Personally identifiable" means that the data or information includes, but is not limited to
1. A student's name
  2. The name of the student's parent or other family member
  3. The address of the student or student's family
  4. A personal identifier, such as the student's social security number or student number or biometric record
  5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
  6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, or
  7. Information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.
- L. "Record" means any information or data recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- M. "Responsible authority" means the superintendent of schools or their designee.
- N. "Student" includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains educational records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.
- O. "School official" includes a person
1. Duly elected to the school board

2. Employed by the school board in an administrative, supervisory, instructional, or other professional position
  3. Employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute, and
  4. Employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.
- P. "Summary data" means statistical records and reports derived from data on individuals, but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.
- Q. All other terms and phrases shall be defined in accordance with applicable law or ordinary custom and usage.

#### **IV. GENERAL CLASSIFICATION**

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

#### **V. STATEMENT OF RIGHTS**

##### **A. Rights of Parents and Eligible Students**

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

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

B. Eligible Students

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

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations section 300.610-300.617 with regard to the privacy, notice, access, recordkeeping and accuracy of information related to students with a disability.

**VI. DISCLOSURE OF EDUCATION RECORDS**

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
  - a. A specification of the records to be disclosed
  - b. The purpose or purposes of the disclosure
  - c. The party or class of parties to whom the disclosure may be made
  - d. The consequences of giving informed consent, and
  - e. If appropriate, a termination date for the consent
3. When a disclosure is made under this subdivision:
  - a. If the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed, and
  - b. If the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
  - a. Identifies and authenticates a particular person as the source of the electronic consent, and
  - b. Indicates such person’s approval of the information contained in the electronic consent.

5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:

- a. In plain language
- b. Dated
- c. Specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject
- d. Specific as to the nature of the information the subject is authorizing to be disclosed
- e. Specific as to the persons or agencies to whom the subject is authorizing information to be disclosed
- f. Specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. Specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for:
  - (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or
  - (ii) medical assistance under Minnesota Statutes chapter 256B or Minnesota Care under Minnesota Statutes chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records.
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party
  - a. Performs an institutional service or function for which the school district would otherwise use employees

- b. Is under the direct control of the school district with respect to the use and maintenance of education records, and
  - c. Will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
- 3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section Annual Notification of Rights), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code section 7917, and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes Section 260B.171, unless the data are required to be destroyed under Minnesota Statutes Section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with this policy.
- 4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law.
- 5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to
  - a. Determine eligibility for the aid
  - b. Determine the amount of the aid
  - c. Determine conditions for the aid, or
  - d. Enforce the terms and conditions of the aid.

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

- 6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted
  - a. Before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released, or

- b. After November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be or destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.
8. To accrediting organizations in order to carry out their accrediting functions.
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes.
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with

an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 United States Code section 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

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

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

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes Section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also

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

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

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1996 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that

- a) Any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary, and
  - b) Any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements. Or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

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

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

## **VII. RELEASE OF DIRECTORY INFORMATION**

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of
  - a. The types of personally identifiable information regarding students and/or parents that the school district has designated as directory information.
  - b. The parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information, and
  - c. The period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
  - a. Prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district email address in a class in which the student is enrolled, or
  - b. Prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

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

E. Duration

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

## **VIII. DISCLOSURE OF PRIVATE RECORDS**

A. Private Records

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

B. Private Records Not Accessible to Parent

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

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors, whether
  - a. The minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access.
  - b. The personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm.
  - c. There are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate.
  - d. The data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject, and
  - e. The data concerns medical, dental or other health services provided pursuant to Minnesota Statutes Sections 144.341 to 144.347, in which case the data

may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

**IX. DISCLOSURE OF CONFIDENTIAL RECORDS**

A. Confidential records are those records and data contained therein which are made not public by state or federal law and which are inaccessible to the student and his or her parent or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes Chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minnesota Statutes Chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes Chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential data pursuant to this subdivision accessible to any person, agency or

the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes Section 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events
  - a. A decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action.
  - b. The expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action, or
  - c. The exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative or arbitration proceedings.

**D. Chemical Abuse Records**

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

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

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

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

- A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officer only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.
- B. Data released to military recruiting officers under this provision
  - 1. May be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, other career and educational opportunities provided by the military.
  - 2. Cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces,
  - 3. Copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority, building principal, in writing each year. (See Appendices C and D.)
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

## **XII. LIMITS ON REDISCLOSURE**

### **A. Redislosure**

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

**B. Redisclosure Not Prohibited**

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

**C. Classification of Disclosed Data**

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

**D. Notification**

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

**XIII. RESPONSIBLE AUTHORITY, RECORD SECURITY; AND RECORD KEEPING**

- A. The responsible authority shall be responsible for the maintenance and security of student records and shall be the superintendent of schools or his or her designee.

B. Record Security

The principal of each school and the Director of Special Services, subject to the supervision and control of the superintendent, shall be the records manager of his or her school or program and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records. The Office of the Superintendent shall be the records manager for student records maintained in the district storage.

C. Record Keeping

1. The district shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student, that indicates
  - a. The parties who have requested or obtained personally identifiable information from the education records of the student.
  - b. The legitimate interests these parties had in requesting or obtaining the information.
  - c. The date of the request.
  - d. The names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
  - e. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.
2. Section C above does not apply to disclosures to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student when the consent is specific with respect to the party or parties to whom the disclosure is to be made, disclosures to school officials under Disclosure of Education Records or disclosures of directory information under Release of Directory Information.
3. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
  - a. The names of the additional parties to which the receiving party may disclose the information on behalf of the school district.
  - b. The legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information.
  - c. A copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a

request from a parent or eligible student to review the record of requests for disclosure.

4. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.
5. The record of requests of disclosures may be inspected by:
  - a. The parent of the student or the eligible student.
  - b. The school official or his or her assistants who are responsible for the custody of the records, and
  - c. The parties authorized by law to audit the record-keeping procedures of the school district.
6. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
  - a. The articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
  - b. the parties to whom the school district disclosed the information.
7. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

### **XIII. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS**

- A. The district shall permit the parent/guardian of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the district to inspect and review all education records of the student (except those records which are made confidential by state or federal law). A written request must be submitted in accordance with district procedure. All education records include education records kept by teachers, counselors and other school staff members, and education records kept in school offices and district-level records storage. The district shall comply with a request immediately, if possible, or within ten (10) working days of the date of that request, excluding Saturdays, Sundays and legal holidays.

B. The right to inspect and review education records includes

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

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

D. The school district shall charge a reasonable fee for providing copies of records. The cost of providing copies shall be borne by the parent or eligible student, except when to do so would impair the ability of the parent or the eligible student to exercise their right to inspect and review those records. Copying costs shall be waived for families eligible for free or reduced school lunch. Parents or eligible students shall request a fee waiver in writing.

E. Parents or eligible students shall submit to the district a written request to inspect education records which identify as precisely as possible the record or records they wish to inspect.

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

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

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

J. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
  - a. The cost of materials, including paper, used to provide the copies
  - b. The cost of the labor required to prepare the copies
  - c. Any schedule of standard copying charges established by the school district in its normal course of operations
  - d. Any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems, and
  - e. Mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

#### **XIV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA**

##### **A. Request to Amend Education Records**

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

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

##### **B. Right to a Hearing**

If the district refuses to amend the education records of a student, the district shall, on request, provide an opportunity for a hearing in order to challenge the content of a student's education records to insure that information in the education records of the student is not inaccurate, misleading, incomplete or otherwise in violation of the privacy or other rights of students. The hearing shall be conducted in accordance with Section C below.

1. If, as a result of the hearing, the district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why they disagree with the decision of the district, or both.
3. Any statement placed in the education records of the student based on the results of a hearing to amend that student's records shall:
  - a. Be maintained by the district as part of the education records of the student as long as the record or contested portion thereof is maintained by the district, and
  - b. If the education records of the student or the contested portion thereof is disclosed by the district to any party, the statement shall also be disclosed to that party.

#### C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
2. The hearing may be conducted by the superintendent or other designated representative of the school board who has no direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the district's position and to advise the superintendent or designated representative on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity at the hearing to present evidence relevant to the issues raised under sections A. and B. above and may be assisted by individuals of his or her choice at his or her own expense, including an attorney.
4. The decision shall be made in writing in a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

5. The decision of the superintendent or designated representative shall be the final decision of the district.

#### **D. Appeal**

The decision of the superintendent (responsible authority) or designated representative may be appealed in accordance with the applicable provisions of Minnesota Statutes chapter 14 relating to contested cases.

### **XVI. PROBLEMS ACCESSING DATA**

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means building principal.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

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

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue SW., Washington, D.C. 20202-8520. A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

### **XVIII. WAIVER**

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

### **XIX. ANNUAL NOTIFICATION OF RIGHTS**

#### **A. Contents of Notice**

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records.
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records.

3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent.
  4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder.
  5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests, and
  6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.
- B. Notification to Parents of Students Having a Primary Home Language Other Than English. The district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.
- C. Notification to Parents or Eligible Students Who are Disabled. The district shall provide for the need to effectively notify parents or eligible students identified as disabled.

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

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

## **XXI. COPIES OF POLICY**

This policy can be viewed on the district's website. Copies of this policy may be obtained by parents and eligible students at the superintendent's office.

### **Policy 515 Protection and Privacy of Pupil Records**

Adopted: 8/25/08; Updated 04.11, 05.14.12, 05.14.13, 12.13, 06.18; Revised: 12.02.19 (non-substantive changes);  
Updated: 02.14.2022

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

#### **Appendices:**

Appendix A – Statement of Rights  
Appendix B – Notice of Designation of Directory Information  
Appendix C – Denial of Release of Directory Information  
Appendix D – Notice to Parents/Guardians and Students Regarding the Release of Information to Military Recruiters

#### **Legal References:**

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.393 (Attorneys)  
Minn. Stat. Ch. 14 (Administrative Procedures Act)  
Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)  
 Minn. Stat. § 121A.75 (Receipt of Records; Sharing)  
 Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)  
 Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)  
 Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)  
 Minn. Stat. Ch. 256L (MinnesotaCare)  
 Minn. Stat. § 260B.171, subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)  
 Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
 Minn. Stat. § 363A.42 (Public Records; Accessibility)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
 Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
 10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)  
 18 U.S.C. § 2331 (Definitions)  
 18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)  
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
 20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)  
 20 U.S.C. § 7908 (Armed Forces Recruiting Information)  
 20 U.S.C. § 7917 (Transfer of School Disciplinary Records)  
 25 U.S.C. § 5304 (Definitions – Tribal Organization)  
 26 U.S.C. §§ 151 and 152 (Internal Revenue Code)  
 42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)  
 42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)  
 34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)  
 34 C.F.R. § 300.610-300.627 (Confidentiality of Information)  
 42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)  
*Gonzaga University v. Doe*, 536 U.S. 273, 309 (2002)  
Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

***Cross References:***

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

## Policy 708     TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

### I.     PURPOSE

The purpose of this policy is to address transportation rights of Northfield School District nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

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

The policy of the Northfield School District is to recognize the ~~transportation~~ rights of nonpublic school students and ~~to shall~~ provide equal transportation to those students as required by law.

### II.     ELIGIBILITY

- A.     The district shall provide equal transportation within the district for all students to any school when transportation is deemed necessary by the district because of distance or traffic conditions in like manner and form as provided in Minnesota Statutes sections 123B.88 and 123B.92 when applicable. ~~(Minn. Stat. § 123B.86, Subd. 1)~~
- B.     Upon the request of a parent or guardian, the district ~~shall~~ must provide school bus transportation to the school district boundary ~~of a~~ for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation ~~shall~~ must be provided whether ~~there is~~ or is not there is another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. ~~(Minn. Stat. § 123B.86, Subd. 2(a))~~
- C.     The ~~school~~ district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such transportation provided outside the school district boundaries. ~~(Minn. Stat. § 123B.86, Subd. 2(b))~~
- D.     The school district ~~shall~~ must provide the necessary transportation within school

district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services; if the school district elects to provide pupil support services at a site other than a nonpublic school. (~~Minn. Stat. § 123B.44, Subd. 1~~)

- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students, and any other matter relating thereto shall be within the sole discretion, control and management of the school district. A nonpublic or charter school student transported by the school district shall comply with school district student bus conduct and student bus discipline policies. (~~Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a~~)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district ~~where~~ when such services are provided in the discretion of the school district.

### **III. SPECIAL EDUCATION/DISABLED STUDENTS**

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district ~~shall~~ must provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district boundary. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (~~Minn. Stat. § 125A.18~~)
- B. Disabled students whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program, the student shall be entitled to special transportation at the expense of the school district. The school district shall determine the type of vehicle used to transport disabled students on the basis of the handicapping condition and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (~~Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600, Subd. 1~~)

- C. Each driver and aide assigned to a vehicle transporting students with a disability ~~will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700) must (1) be instructed in basic first aid and procedures for the students under their care; (2) within one month after the effective date of assignment, participate in a program of in-service training on the proper methods of dealing with the specific needs and problems of students with disabilities; (3) assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and (4) ensure that proper safety devices are in use and fastened properly.~~
- D. ~~Each driver and aide assigned to a vehicle transporting students with a disability shall have available to them the following information in hard copy or immediately accessible through a two-way communication system: (1) the student's name and address; (2) the nature of the student's disabilities; (3) emergency health care information; and (4) the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.~~
- ~~D. E.~~ E. Any parent of a ~~disabled~~ student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the ~~alternative dispute resolution and due process~~ procedures provided for in Minnesota Statutes chapter 125A. ~~(Minn. Rules Part 7470.1600, Subd. 2)~~

#### IV. APPLICATION OF GENERAL POLICY

The provisions of the district's policy on transportation of public school students shall apply to the transportation of nonpublic school students except as specifically provided herein.

##### Policy 708 Transportation of Nonpublic School Students

Adopted: 10.27.2008; Updated: 04.2011; Substantive Update: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

**Legal References:** Minn. Stat. § 123B.44 (Provision of Pupil Support Services)

Minn. Stat. § 123B.84 (Policy)

Minn. Stat. § 123B.86 (Equal Treatment)

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

Minn. Stat. § 123B.91, Subd. 1a (~~Compliance by Nonpublic and Charter School Students~~ School District Bus)

##### Safety Requirements

Minn. Stat. § 123B.92 (Transportation Aid Entitlement)

Minn. Stat. Ch. 125A (~~Children With a Disability~~ Special Education and Special Programs)

Minn. Stat. § 125A.18 (Special Instruction; Nonpublic Schools)

Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)  
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)  
*Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)  
*Eldredge v. Independent Sch. Dist. No. 625*, 422 N.W.2d 319 (Minn. Ct. App. 1988)  
*Healy v. Independent Sch. Dist. No. 625*, 962 F.2d 1304 (8th Cir. 1992)  
Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)  
Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)  
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Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)  
Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)  
Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

**Cross References:** MSBA/MASA Model Policy 707 (Transportation of Public School Students)  
MSBA/MASA Model Policy JFCC (Student Transportation Safety Policy)  
~~MSBA Service Manual, Chapter 2, Transportation~~

## **Policy 709     STUDENT TRANSPORTATION SAFETY POLICY**

### **I.     PURPOSE**

The purpose of this policy is to provide safe transportation for Northfield School District students and to educate students on safety issues and the responsibilities of school bus ridership.

### **II.    PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

#### **A.    School Bus Safety Week**

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

#### **B.    Student Training**

1.     The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
  - a.     transportation by school bus is a privilege, not a right;
  - b.     school district policies for student conduct and school bus safety;
  - c.     appropriate conduct while on the bus;
  - d.     the danger zones surrounding a school bus;
  - e.     procedures for safely boarding and leaving a school bus;
  - f.     procedures for safe vehicle lane crossing; and
  - g.     school bus evacuation and other emergency procedures.
2.     All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four weeks of their first day of attendance.
3.     The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4.     Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the

vicinity of a school bus as required by Minnesota Statutes section 169.446, subdivision 2~~and 3~~.

5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses; including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
  1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation or horseplay.
- j. No use of alcohol, tobacco or drugs.

3. Rules on the Bus

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs and belongings to yourself.
- f. No fighting, harassment, intimidation or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) Elementary (K-6)

- 1st offense – warning
- 2nd offense – 3 school-day suspension from riding the bus
- 3rd offense – 5 school-day suspension from riding the bus
- 4th offense – 10 school-day suspension from riding the bus/meeting with parent
- Further offenses – individually considered. Students may

be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

1st offense – warning

2nd offense – 5 school-day suspension from riding the bus

3rd offense – 10 school-day suspension from riding the bus

4th offense – 20 school-day suspension from riding the bus/meeting with parent

5th offense – suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to

students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, possession or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

#### IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

#### V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. ~~with a seating capacity of 10 or fewer persons used as a school bus, but not outwardly equipped or identified as a school bus as set forth in Section VII.B., below.~~ Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "Type A-I" school bus as set forth in Section VII.~~CD~~, below.

B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.

C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or

local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a “serious traffic violation” means a conviction of any of the following offenses:

1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
2. reckless driving;
3. improper or erratic traffic lane changes;
4. following the vehicle ahead too closely;
5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
6. driving a commercial vehicle without obtaining a commercial driver’s license or without having a commercial driver’s license in the driver’s possession;
7. driving a commercial vehicle without the proper class of commercial driver’s license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
8. a violation of a state or local law prohibiting texting while driving a commercial vehicle; and
9. a violation of a state or local law prohibiting the use of a hand-held mobile telephone while driving a commercial vehicle.

D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver’s license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person’s employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.

E. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver’s license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person’s employer of the suspension, revocation, cancellation, lost

privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.

F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### **A. Training**

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.
2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

### **B. Evaluation**

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of

- misconduct appropriately;
- 4. Know and understand relevant laws, rules of the road and local school bus safety policies;
- 5. Handle emergency situations; and
- 6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

## **VII. OPERATING RULES AND PROCEDURES**

### **A. General Operating Rules**

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

***[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]***

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in Minnesota Statutes section 169.011, subdivision 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of

the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A Type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a Type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The Type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "Type III school bus" and "Type III Head Start bus" must not be outwardly equipped and identified as a Type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on Type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any Type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any Type III vehicle used to transport students must not load or unload so that a pupil has to cross the road, except where not possible or impractical, then the driver or assistant must escort a pupil across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any Type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers

mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.

- c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as Type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a Type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of Type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a Type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type A-I "Activity" Buses Driven by Employees with Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a Type ~~A-I~~ III vehicle, described above, school bus or a Multifunctional School Activity Bus (MFSAB) under the following conditions:
  - a. The operator is an employee of the entity that owns, leases, or contracts ~~school district or an independent contractor with whom the school district contracts~~ for the school bus, which may include the school district, and is not solely hired to provide transportation services under this paragraph.
  - b. The operator's employer, which may include the school district has adopted and implemented a policy that provides for annual training and certification of the operator in ~~drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.~~

(1) safe operation of a type III vehicle;

(2) understanding student behavior, including issues relating to students with disabilities;

(3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;

(4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

(5) handling emergency situations;

(6) proper use of seat belts and child safety restraints;

(7) performance of pretrip vehicle inspections;

(8) safe loading and unloading of students, including, but not limited to:

(a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;

(b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;

(c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;

(d) placing the type III vehicle in “park” during loading and unloading;

(e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and

(9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.

- c. ~~The operator is prohibited from using the eight-light system if the vehicle is so equipped. A background check or background investigation of the operator has been conducted that meets the requirements under Minnesota Statutes section 122A.18,~~

subdivision 8, or Minnesota Statutes section 123B.03 for school district employees; Minnesota Statutes section 144.057 or Minnesota Statutes chapter 245C for day care employees; or Minnesota Statutes section 171.321, subdivision 3, for all other persons operating a type III vehicle under this section.

- d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2. Operators shall submit to a physical examination as required by Minnesota Statutes section 171.321, subdivision 2.
- e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j). The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minnesota Statutes section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
- f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Part VI., above. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minnesota Statutes section 171.321, subdivision 5.
- g. The bus has a gross vehicle weight of 10,000 pounds or less and is designed to transport 15 or fewer passengers, including the driver. a. A person who sustains a conviction, as defined under Minnesota Statutes 609.02, of violating Minnesota Statutes section 169A.25, 169A.26, 169A.27 (driving while impaired offenses), or 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minnesota Statutes sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
- h. A person who has ever been convicted of a disqualifying offense as defined in Minnesota Statutes section 171.321, subdivision 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
- i. A person who sustains a conviction, as defined under Minnesota Statutes section 609.02, of a moving offense in violation of

Minnesota Statutes chapter 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.

j. Students riding the type III vehicle must have training required under Minnesota Statutes section 123B.90, Subd. 2 (See Section II.B., above).

k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.

2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator. The type III vehicle must bear a current certificate of inspection issued under Minnesota Statutes section 169.451.

3. A school bus operated under this section must bear a current certificate of inspection. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

D. Type A-I "Activity" Buses Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:

a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.

b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.

c. The operator is prohibited from using the 8-light system if the



methods for dealing with the specific needs and problems of pupils with disabilities, assist pupils with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.

- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
1. the student's ~~pupil's~~ name and address;
  2. the nature of the student's ~~pupil's~~ disabilities;
  3. emergency health care information; and
  4. the names and telephone numbers of the student's ~~pupil's~~ physician, parents, guardians, or custodians, and some person other than the pupil's parents or custodians who can be contacted in case of an emergency.

## **IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

## **X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for pupil transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minnesota Statute section 171.321, subdivision 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a Type A, B, C, or D school bus, Type III vehicle, or MFSAB with the National Driver's Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and

telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

## **XI. PUPIL TRANSPORTATION SAFETY COMMITTEE**

The school board may establish a ~~pupil~~ student transportation safety committee. The chair of the pupil transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the pupil transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

### **Policy 709 Student Transportation Safety Policy (replaces JFCC)**

Adopted: Unknown; Updated: 05.2013, 07.2013, 12.2014; Substantive Updates: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

#### ***Legal References:*** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)

Minn. Stat. § 123B.03 (Background Check)

Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Material; Standard Tests)

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

Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)

Minn. Stat. § 123B.90 (School Bus Safety Training)

Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)

Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)

Minn. Stat. Ch. 169 (Traffic Regulations)

Minn. Stat. § 169.011, Subds. 15, 16 and 71 (Definitions)

Minn. Stat. § 169.02 (Scope)

Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)

Minn. Stat. § 169.446, Subds. 2 and 3 (~~Driver Training and Education Programs~~ Safety of School Children: Training and Education Rules)

Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)

Minn. Stat. § 169.454 (Type III Vehicle Standards)

Minn. Stat. § 169.4582 (Reportable Offense on School Buses)

Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)

Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)

Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)

Minn. Stat. § 171.02, Subd. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)

Minn. Stat. § 171.168 (Notice of Violation by Commercial Driver)

Minn. Stat. § 171.169 (Notice of Commercial License Suspension)

Minn. Stat. § 171.321 (Qualifications of a School Bus and Type III Vehicle Drivers)

Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)

Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)

Minn. Stat. Ch. 245C (Human Services Background Studies)

Minn. Stat. § 609.02 (Definitions)

Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)

49 C.F.R. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)

49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)

49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)

49 C.F.R. § 383.5 (Transportation Definitions)

49 C.F.R. § 383.51 (Disqualification of Drivers)

***Cross References:*** MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)

MSBA/MASA Model Policy 506 (Student Discipline)

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

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

MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)

MSBA/MASA Model Policy 710 (Extracurricular Transportation)

## **Policy 722 PUBLIC DATA AND DATA SUBJECT REQUESTS**

### **I. PURPOSE**

The Northfield School District recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

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

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13 (MGDPA), and Minnesota Rules parts 1205.0100-1205.2000 in responding to requests for public data.

### **III. DEFINITIONS**

#### **A. Confidential Data on Individuals**

Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.

#### **B. Data on Individuals**

All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

#### **C. Data Practices Compliance Officer**

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

#### **D. Government Data**

~~“Government data” means a~~ All data collected, recorded, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use. ~~recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.~~

#### **E. Individual**

“Individual” means a natural person. In the case of a minor or an incapacitated person as

defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

**B.F. Inspection**

"Inspection" means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.

**G. Not Public Data**

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

**H. Nonpublic Data**

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

**I. Private Data on Individuals**

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

**J. Protected Nonpublic Data**

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

**K. Public Data**

~~"Public data" means a~~All government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

**L. Public Data Not on Individuals**

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

D.N. Responsible Authority

~~“Responsible authority” means t~~The individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

E.Q. Summary Data

~~“Summary data” means s~~Statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

#### **IV. REQUESTS FOR PUBLIC DATA**

A. All requests for public data must be made in writing directed to the responsible authority using the [Policy 722 Public Data Request Form](#).

1. A request for public data must include the following information:
  - a. Date the request is made;
  - b. A clear description of the data requested;
  - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - d. Method to contact the requestor (such as phone number, address, or email address).
2. ~~A requestor is not required to explain the reason for the data request. Unless specifically authorized by statute, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.~~
3. The identity of the requestor is public, if provided, but cannot be required by the government entity.

4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- B. The responsible authority will respond to a data request at reasonable times and places as follows:
1. The responsible authority will notify the requestor in writing as follows:
    - a. The requested data does not exist; or
    - b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or
      - (1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.
      - (2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.
    - c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.
  2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.
  3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
  4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
  5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

## **V. REQUEST FOR SUMMARY DATA**

- A. A request for the preparation of summary data shall be made using the Policy 722 Data Request Form directed to the responsible authority.
1. A request for the preparation of summary data must include the following information:
    - a. Date the request is made;
    - b. A clear description of the data requested;
    - c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
    - d. Method to contact requestor (phone number, address, or email address).
- B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
1. The estimated costs of preparing the summary data, if any; and
  2. The summary data requested; or
  3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
  4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

## **VI. DATA BY AN INDIVIDUAL DATA SUBJECT**

- A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.
- B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.
- C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and

whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.

- D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.
- E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.
- F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.
- G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.
- H. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.
- I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.
- J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the commissioner of administration's order

issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

## **VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA**

- A. All requests for individual subject data must be made in writing directed to the responsible authority.
- B. A request for individual subject data must include the following information:
  - 1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
  - 2. Date the request is made;
  - 3. A clear description of the data requested;
  - 4. Proof that the individual is the data subject or the data subject's parent or guardian;
  - 5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - 6. Method to contact the requestor (such as phone number, address, or email address).
- C. The identity of the requestor of private data is private.
- D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

## **VIII. COSTS**

- A. Public Data
  - 1. The school district will charge for copies provided as follows:
    - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
    - b. ~~More than 100 pages or copies on~~ The process of making copies or other

materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.

- (1) The actual cost of making copies includes employee/vendor time, the cost of the materials onto which the data is copied, and mailing costs (if any).
- (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.

2. All charges must be paid for in cash in advance of receiving the copies.

#### B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.
2. The school district may assess costs associated with the preparation of summary data as follows:
  - a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;
  - b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

#### C. Data Belonging to an Individual Subject

1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

2. The school district may not charge a fee to search for or to retrieve educational

records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

## **IX. ANNUAL REVIEW AND POSTING**

- A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.
- B. Copies of the policies shall be easily available to the public by posting them on the school district's website.

### **Data Practices Contacts**

#### **Responsible Authority:**

Dr. Matthew Hillmann  
201 Orchard Street South, Northfield, MN 55057  
507.663.0629; mhillmann@northfieldschools.org

#### **Data Practices Compliance Official:**

Hope Langston  
201 Orchard Street South, Northfield, MN 55057  
507.663.0629; hlangston@northfieldschools.org

### **Policy 722 Public Data and Data Subject Requests**

Adopted: 07.01.2019; Non-substantive Update: 10.20.2021; Substantive Update: INSERT DATE HERE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

#### ***Legal References:***

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.01 (Government Data)  
Minn. Stat. § 13.02 (Definitions)  
Minn. Stat. § 13.025 (Government Entity Obligation)  
Minn. Stat. § 13.03 (Access to Government Data)  
Minn. Stat. § 13.04 (Rights of Subjects to Data)  
Minn. Stat. § 13.05 (Duties of Responsible Authority)  
Minn. Stat. § 13.32 (Educational Data)  
Minn. Rules Part 1205.0300 (Access to Public Data)  
Minn. Rules Part 1205.0400 (Access to Private Data)

#### ***Cross References:***

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

## Self-Funded Health Plan Update | October 10, 2022

Molly Viesselman, Director of Human Resources

Val Mertesdorf, Director of Finance

The district moved to the self-insurance model in September of 2011. Overall, this move has been a bright spot for our district. The self-funded health plan won the Government Innovation Award in 2018. The district was able to offer no increase in the premiums from 2013-2018, and actually decreased the premium in 2018. It is a stewardship story in every sense of the word.

### Claims

The past three to four years we have seen an increase in the number of high cost claims. This is not uncommon in health insurance, to see a few bad years with significant claims and then stabilize again. Unfortunately, this has not been the experience in Northfield. What we initially thought might be a tough year or two has become our new expected experience level. A small, but growing contingent of our health plan participants are dealing with some chronic, significant medical situations. While we are grateful that our staff have the resources and care they need, it is resulting in an unfortunate reality for our self-funded health plan.

Year	As of August 31st	YTD	Notes
2022	\$5,290,674	Est. \$8,679,351	New average claim experience
2021	\$5,297,615	\$8,170,950	
2020	\$4,265,691	\$6,799,327	Health services were restricted by Covid
2019	\$4,539,164	\$7,028,708	

The charts on slide 4 are comparing the number of high cost claimants (incurring more than \$50,000), as well as the number exceeding stop-loss (\$125,000). As a district we are responsible for the first \$125,000 in claims and Medica covers claims over that. We pay a fixed cost for our stop-loss insurance in our administrative costs.

Year	Claimants exceeding \$50,000	Stop-Loss Coverage	High Claimant Total as a % of Total Claims
2022 (thru 8/31)	16	\$226,443	34.58%
2021	25	\$1,196,641	31.50%
2020	23	\$906,743	33.66%
2019	18	\$307,789	25.95%

We have been reviewing aggregate data from our claims to help understand some of the medical trends we are seeing. Unfortunately, the analytics and data are clear that the increase in our claims is not primarily related to high cost single event medical needs such as a hip replacement. The analysis shows the high cost individuals have significant, on-going medical conditions or prescriptions. We have multiple individuals taking a prescription for a chronic condition that costs \$25,000 each time they refill it, which is typically monthly. In

addition, the healthcare market is experiencing the same wage and expenditure inflationary pressures we've seen locally and nationally.

## **Funding**

The revenue for our self-funded health is made up of premium revenue received from employees, the district and our retirees. Effective January 1, 2022, the self-funded insurance premiums were increased 25% in an attempt to ensure premium revenues were sufficient to cover expenditures. Further depletion of the fund balance would have put general fund dollars at risk. This increase has stabilized the self-funded health plan. In November of 2021, the Board authorized an additional \$1,000,000 of district contribution to reduce the impact on our employees participating in our health insurance program. Without this generous contribution, employees saw an average increase of \$87 per month rather than \$222 per month.

Below is a list of the strategies we have pursued over the past few year to control expenditures:

- HITA (Health Insurance Transparency Act) Bid Process, this is required every two years. We opted to use the bid process for 2023 even though we had completed this in 2022.
- Pharmacy carve out provision: we solicited bids that would have used grants/outside funding to support high cost prescriptions.
- Fully insured proposal.
- Increased plan deductibles
- Increased the cap on specialty drugs
- Implemented Omada program – targeted program to help prevent participants from becoming high risk

The Benefits Advisory Committee in consultation with One Digital thoroughly reviewed the HITA bids. It became apparent that staying self-funded through Medica was the financially responsible strategy. The Benefits Advisory Committee is recommending a 10.5% premium increase effective January 1, 2023. This is less than we originally anticipated, but not the outcome we had hoped for given some of the strategies we pursued.

## **Recommendation**

As we did last year, we have analyzed the impact this would have on our employees as well as the district. The district has historically strived to maintain a contribution of approximately 80% of the total premium. Our recommendation is an MOU to make the district contribution \$583.26 for single and \$1,774.40 for family (80% of the 2023 premium). In the spring of 2023 when the district negotiates with the NEA, we recommend using this level of district contribution as the base. As you can see with the data we have shared, this will be our new operating level for the foreseeable future.

We feel strongly that this recommendation aligns with our strategic commitment to People. Our health plan has been one of our strongest recruitment and retention tools. This proposal would cost an additional \$1.45 million over the 2021 rates (an additional \$450,000 over what was already authorized for one year). The estimated district contribution would increase from \$5.4 million in 2021 to \$7.5 million for 2023.

In a time when it has been challenging to hire needed staff, we appreciate the Board's consideration of this request to ensure we can continue to recruit and retain high quality employees to support our students. We understand the weight of this recommendation given the district's current budget constraints and want to ensure the Board knows our commitment to both the district and the employees throughout this process.

### ADDITIONAL INFORMATION FOR REFERENCE

	PER MONTH			
	2023 Recommended	2023 Contractual	2022 Actual	2021
<b>HRA - Single</b>	\$723.60	\$723.60	\$654.84	\$523.87
Board \$	\$499.93	\$444.67	\$444.51	\$396.36
EE \$	\$223.67	\$278.93	\$210.33	\$127.51
<b>HRA - Family</b>	\$2,199.99	\$2,199.99	\$1,990.94	\$1,592.75
Board \$	\$1,607.74	\$1,263.33	\$1,439.12	\$1,130.88
EE \$	\$592.25	\$936.66	\$551.82	\$461.87
<b>CMM - Single</b>	\$729.08	\$729.08	\$659.80	\$527.84
Board \$	\$583.26	\$528.00	\$527.84	\$479.69
EE \$	\$145.82	\$201.08	\$131.96	\$48.15
<b>CMM-Family</b>	\$2,218.00	\$2,218.00	\$2,007.24	\$1,605.79
Board \$	\$1,774.40	\$1,430.00	\$1,605.79	\$1,297.55
EE \$	\$443.60	\$788.00	\$401.45	\$308.24

	INCREASE PER MONTH		
	2023 Recommended	2023 Contractual	2022 Actual
<b>HRA - Single</b>	\$68.76	\$68.76	\$130.97
Board \$	\$55.42	\$0.16	\$48.15
EE \$	\$13.34	\$68.60	\$82.82
<b>HRA - Family</b>	\$209.05	\$209.05	\$398.19
Board \$	\$168.62	-\$175.79	\$308.24
EE \$	\$40.43	\$384.84	\$89.95
<b>CMM - Single</b>	\$69.28	\$69.28	\$131.96
Board \$	\$55.42	\$0.16	\$48.15
EE \$	\$13.86	\$69.12	\$83.81
<b>CMM-Family</b>	\$210.76	\$210.76	\$401.45
Board \$	\$168.61	-\$175.79	\$308.24
EE \$	\$42.15	\$386.55	\$93.21

<b>Pd Begin:</b> 09/16/2022	<b>Pd End:</b> 09/30/2022	<b>Ck Date:</b> 09/30/2022	<b>Calendar:</b> S202306-0	<b>Gross:</b> 1,348.64	<b>Net:</b> 868.20
EA_HR	68.76	1,217.06 DENTAL2FLX	27.35 DENTAL2R	36.77 FIT	0.00
XSTIPEND	0.00	131.58 HEALTH2FLX	229.40 HEALTH2R	917.59 MEDICARE	15.66
		PERA_EE	87.66 LIFER	3.14 OASDI	66.99
		ROTH403B02	37.50 LTD%R	2.49 SITMN	4.54
		VISION2FLX	11.34 PERA_ER	101.15	
			TSAMATCH9	37.50	
					992.89
					1,080.55
					992.89

## **Policy 630 ~~DISTRICT WEBPAGES~~ SITE**

### **I. PURPOSE**

This policy governs the publishing of Northfield School District ~~and/or School based~~ website.

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

~~The availability of internet access in all of the Northfield Public Schools provides an educational opportunity for students and staff to contribute to the Northfield School District's presence on the internet. The district's website provides a means of communication with the global community for the purpose of providing information about:~~

- Our schools and school activities
- Our curriculum and instruction
- ~~Specific~~ Teachers, classrooms or classes
- ~~Providing a means for students to research, create and present assignments~~
- District, policy and school board information
- Department procedures, protocols and forms
- Other information relevant to the district as determined by the superintendent or their designee

### **III. PUBLISHING PRIVILEGES**

Publishing privileges on the district website are provided by the superintendent or their designee to ~~all district~~ staff who need to familiarize themselves with, and practice, the ~~attached~~ procedures and responsibilities for content and technical standards before publishing the content in order to have their pages published. Directory structure will be determined by ~~the district's technology director or administration and the building person responsible for coordinating the school's web pages~~.

### **IV. OTHER WEB-BASED COMMUNICATION TOOLS**

~~In addition, this policy governs, but is not limited to, the content of other district web-based communication tools used by staff for the purposes of completing their job duties.~~

All subject matter on the ~~Northfield School District~~ district website and their links must relate to those items outlined in the general statement of policy. curriculum and instruction, school authorized activities, or information about the district or its mission. Staff may not publish personal home pages or provide links to their personal pages on ~~other the district website servers or district online services~~.

### **IV. PERSONAL VIEWS**

Information on employees' personal webpages, social media, or online accounts, reflects an individual's thoughts, interests and activities. Such information web pages does not, ~~in any way~~, represent individual schools or the district, nor are they endorsed or sanctioned by the individual school or the district. Concern about the content of any page created by students or staff should be directed to the building principal or the superintendent ~~the district's technology director~~.

Adopted: 08.13.2007; Updated: INSERT DATE HERE

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

**Policy 646     DUE PROCESS HEARING PROCEDURAL SAFEGUARDS FOR  
PARENTS/GUARDIANS OF ~~HANDICAPPED~~ CHILDREN WITH  
DISABILITIES**

**I.     PURPOSE~~Parent/Guardian Due Process~~**

This policy outlines the due process hearing procedural safeguards for Northfield Public School parents/guardians of children with disabilities.

**II.     GENERAL STATEMENT OF POLICY**

Parent/Guardian Due Process

The district will comply with due process procedures as stated in state and federal laws, rules, and regulations. Parent/guardian due process refers to the parental rights and responsibilities, according to state and federal laws, rules, and regulations, in all aspects of developing, planning, acquiring, and implementing special education and related services for students with disabilities.

**H.     Surrogate Parents**

- A.     The duty of the district under Mn Rule. 3525.2440 includes the appointment of an individual to act as a surrogate for the parent/guardian when the parent/guardian is unknown, the student is a ward of the state or the parent/guardian requests a surrogate in writing.
- B.     The district must have a procedure that includes a method for determining when a child needs a surrogate parent and for assigning a surrogate parent to the child.

**III.     DISPUTE RESOLUTION**

In resolving due process disputes with parents/guardians, the district will follow the procedures stated in Minnesota Statute 125A.09 subdivision 4.

Policy 646 Due Process Hearing Procedural Safeguards for Parents/Guardians of  
~~Handicapped~~ Children with Disabilities

Adopted: 04.28.2008; Updated: INSERT DATE HERE

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

**Legal References:** Parent Involvement - 34 C.F.R. § 300.500(a); M.S. § 125A.08(a)(3); Mn Rule 3525.0700  
Surrogate Parents - Mn Rule 3525.2440  
Notice to Parents - 34 C.F.R. § 300.503(c)  
Contents of Notice - Mn Rule 3525.3300; 34 C.F.R. § 300.503(b) (1,2,3,5,6,7)  
When Notice is Required- 34 C.F.R. § 300.503(a)  
Dispute Resolution - M.S. § 125A.09, subd. 4

## **Policy 648 - Instructional Programs**

### **I. Required Instructional Programs**

- A. Definition:  
Required Instructional Programs will include only those educational opportunities that are explicitly sponsored, planned, and implemented by the District.
- B. Each program will be developed in accordance with Policy 603 - Curriculum Development, Implementation, and Delivery.
- C. The District will, as a minimum, offer the following programs in each school as appropriate to the level (elementary or secondary):
  - 1. Reading / Language Arts
  - 2. Mathematics
  - 3. Science
  - 4. Social Studies
  - 5. Family and Consumer Science
  - 6. Physical Education / Health
  - 7. Art
  - 8. Music
  - 9. Computer Literacy
  - 10. Industrial Technology
  - 11. World Languages
  - 12. Media Technology
  - 13. Business Education
  - 14. Area Learning Center
- D. The District may offer additional programs that are not developed under Policy 603 - Curriculum Development, Implementation, and Delivery, but are governed by state and/or federal law or rule, including, but not limited to Federal Title programs.

### **II. Supplemental Instructional Programs**

Sites may develop and offer supplemental instructional programs that meet specific, identified needs of their student population. The Principal will submit a plan for such a program that identifies the need to be met, the manner of meeting the need, and how the effectiveness of the program will be evaluated. The plan is to be submitted for approval to the Superintendent. This plan may be incorporated into the Annual Site Improvement Plan. If the plan is not incorporated into the Annual Site Improvement Plan, the Principal will submit it separately to the Superintendent. Upon approval, the Superintendent will disseminate to the School Board as an information item.

Policy 648 Adopted: 9/27/04

Policy Revised:

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

*Cross References:*

Policy 603 - Curriculum Development, Implementation, and Delivery

## **Policy 649 - Dissemination of Information about Required Instructional Programs**

- I. Each Required Instructional Program (see Policy 648 - Instructional Programs), is required to produce the reports listed below as part of the Program Improvement Process (Policy 603 - Curriculum Development, Implementation, and Delivery). These reports will be presented to the School Board and kept on file for public inspection.
  - A. Assessment Report:
    - 1. Historical perspective / background of program area.
    - 2. Methodology / process for data collection.
    - 3. Findings and recommendations.
    - 4. Appendices of data collection tools and raw data.
  - B. Development Report:
    - 1. Curriculum guide.
    - 2. Implementation plan.
    - 3. Evaluation plan.
  - C. Measurement Report:
    - 1. Evaluation system summary.
    - 2. Data analysis
    - 3. Adjustment plan.
- II. The following information will also be available to the public. If required, copies will be sent to the State.
  - A. District educational policies.
  - B. Annual summary reports of District test results.
  - C. Program improvement plans.
- III. As required by M.S. 120B.11, the District will submit an annual report titled "Annual Report on Curriculum, Instruction and Student Performance" to the staff and District community.

Policy 649 Adopted: 9/27/04

Policy Revised:

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

### *Cross References:*

Policy 648 -Instructional Programs

Policy 603 - Curriculum Development

### *Legal Reference:*

M.S. 120B.11

## **Policy 650 - Community Involvement in Education Program Development: Site Councils**

- I. In accordance with Policy 616 - School District System Accountability and District required Site Improvement Planning, each school site is to establish a School Site Council.
- II. School Site Councils serve the following functions:
  - A. Assist the principal in the annual development and progress review of the Site Improvement Plan.
  - B. Serve as the site advisory team for school improvement efforts at the building level.
  - C. Provide opportunities for staff and parental involvement in the decision-making process about site instructional programs and services.
- III. Membership on School Site Councils should include:
  - A. Broad geographic and demographic representation of the attendance area, to the extent possible.
  - B. Parents/guardians, other members of the community, teachers, administrators, non-licensed staff, and students when appropriate.

Policy 650 Adopted: 9/27/04

Policy Revised:

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

*Cross Reference:*

Policy 616 - School District System Accountability

## **Northfield School District Policy Style Guide**

### **Approved by the Board of Education | Adopted XX.XX.XXXX**

#### Formatting:

- Headings & body: Times New Roman 12.
- Headings should be bold.
- All policies should have a purpose and should state, “The purpose of this policy ... for Northfield School District.
- One space between sentences.
- Dates should be DD.MO.YEAR (02.25.2022)
- Use Board of Education when referring to the board in the first instance. Use “the board” thereafter.

#### Additional details:

- They/them/their pronouns instead of him/her, she/he, etc. for simplicity.
- AP style is “adviser” and not advisor.
- The word “shall” is directive.
- Only capitalize superintendent, director, etc, when using title when in front of a name.
- District should not be capitalized and neither should be board, unless referring to Board of Education.
- After the first reference to school district, use only district and eliminate school.
- Use bullets and not numbers for lists, unless the order is pertinent and then numbering is appropriate.
- Use “parent/guardian/caregiver” instead of “parent”.

#### Include at the bottom of the last policy page:

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

#### Include at the bottom of the last procedures page:

Procedures ### TITLE OF POLICY  
NORTHFIELD SCHOOL DISTRICT NO. 659  
Northfield, Minnesota  
Updated: DATE

#### Months

Months are dependent on use. If the months are on their own (classes resume in September; winter break starts in January). If used by itself, it's always spelled out.

When used with a specific date, then months September through February are abbreviated (any months more than five letters). So, Sept., Oct., Nov., Dec., Jan., Feb. All with a period at the end. These are the rules for months used in general copy.

#### Links

Linking to digital content is encouraged when applicable. Apply the link to the actual text/copy as opposed to linking to phrases “click here”.

#### Bulleted lists and semicolons

The general rule now is to always start the line with a capitalized letter and to end it with a period if either a longer line or a complete sentence. If the list only contains short lines, the period can be omitted. Ensure consistency in the ending each item in the list content — if one line ends in a period, all should end in a period.

#### Clarity in unusual situations

The district will reference AP style when there is a question about proper styling of text in district policies that is not clearly addressed in this document.

#### Policy revisions will be denoted as substantive, non-substantive or updated.

##### Substantive policy revisions

Substantive changes or additions to existing policy are directly related to changes in federal or Minnesota law and recommended by the Minnesota School Boards Association. Because the district endeavors to have policy align with state and federal law it is recommended that the board adopt the substantive revisions in the consent grouping at a school board meeting as soon as possible. These policies will continue to be evaluated as scheduled in the board’s policy review cycle.

##### Non-substantive policy revisions

Non-substantive changes or additions to existing policy reflect a modification with minor changes that do not affect the substance of the policy. These updates generally restore consistency in policy references and ensure that each reference reflects current federal and Minnesota statutory titles. Similarly, old citations and text are deleted. The text updates in these policies do not change the meaning of the policy.

##### Updated policy revisions

Updated changes or additions to existing policy may or may not change the meaning of the policy and are generally recommended by the policy committee when the policy is evaluated during the board’s policy review cycle.

## FORM A

### RESOLUTION OF GOVERNING BOARD SUPPORTING FORM A APPLICATION TO MINNESOTA STATE HIGH SCHOOL LEAGUE FOUNDATION

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

WHEREAS, the Governing Board of Northfield H.S./Schools recognizes the value of student participation in extracurricular activities; and

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

THEREFORE, BE IT RESOLVED, that the Governing Board of Northfield H.S./Schools supports the school's application to the Minnesota State High School League Foundation for a FORM A grant to offset student activity fees.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Chair/Head of School

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Clerk – Treasurer/ Finance Director