

1. Regular meeting called to order by Chair. Pledge of Allegiance.  
Roll call.
2. Adopt Agenda.
3. Consent Agenda:
  - a. Approve the minutes of the June 15th Regular and June 24th Special Board meetings.
  - b. Approve the July bills.
  - c. Review and accept the July Treasurer's report.
4. Acknowledgement of Donations or Contributions
5. Open Forum
6. Review Student Council Representative's report. - No report this month.
7. Review Elementary Principal's report.
8. Review Activities/Community Ed Director report.
9. Review High School Principal's report.
10. Review District Assessment Coordinator's report. - No report this month.
11. Superintendent's Report - No report this month.
12. School Board members' reports/updates.
13. Consider Personnel items.
14. Consider Central MN Educational Research and Development Council (CMERDC) membership renewal for 2015-2016
15. Consider 2015 Health and Safety Program Revenue Application.
16. Consider Health and Safety Policy EA as it currently exists.
17. Consider Indoor Air Quality Management Plan.
18. Consider membership renewal in Schools for Equity in Education (SEE) for 2015-16.
19. Consider CMERDC membership renewal for 2015-2016.
20. Consider VeriTime Services through FrontLine Technologies.
21. Consider Long-term Facilities Maintenance Revenue.
22. Consider acceptance of the 2015 Local Literacy Plan.
23. Consider FIRST reading of MSBA and district Policies for update and revision.
24. Consider second reading of MSBA or District Policies for update and revision.
25. Set a working school board meeting.
26. Reminder of the August School Board meeting.
27. Consider Interview questions for Superintendent interviews.
28. Adjourn.

ADDENDUM

Regular School Board Meeting  
Monday, July 20, 2015  
7 p.m. - BAHS - Community Room

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

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Roll Call.

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2. Adopt agenda.
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3. Consent Agenda.

- a. Approve the minutes of the June 15th Regular and the June 24th Special School Board meetings.

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

Regular School Board Meeting  
Monday, June 15, 2015  
7:00 pm – BAHS Community Room

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

Members present: Steve Eklund, Robert Hughes, Tony Cuda, Zane Braund, Angie Flowers, Allison Londgren, Mike Thompson, and Supt. Gregory Winter.

Members absent: None.

Motion by M. Thompson second by R. Hughes to adopt the agenda with additional items under Personnel #21, to delete item #27, and the need to close the regular board meeting at the end to discuss posting strategies. Carried

Motion by A. Londgren, second by A. Flowers to approve the minutes of the May 18th Regular and May 27th Special School Board meetings; approve the June bills, \$114,884.56; accept the June Treasurer’s report, and review the current enrollment analysis. Carried.

Under Open Forum - Nothing addressed.

Motion by R. Hughes, second by M. Thompson to acknowledge the June 2015 donations for the purposes requested: for T-shirts for DAPE students \$160 from Frandsen Bank & Trust; for greenhouse \$500 from Isanti-Kanabec Farm Bureau; for Supermileage \$100 trailer rental value from M5, \$300 truck rental value from Fire Trak, \$200 from Fire Trak, \$100 from Burt’s Auto Body and, \$100 from Braham Motors. Carried.

Elementary Principal Jeff Eklund reviewed his written report. The Extended School Year and Bomber Boost programs are up and running for the summer to give struggling students more help. He reviewed the 2015-16 Elementary Student Handbook changes which include: class lists to be displayed on the website and on the front doors in early August; guidelines for sending ill students home; and Kindergarten orientation will be 8/25, 26, and 27; all Kindergartners will start school on the first day of school 9/8/15; and, volunteers or chaperones will be required to have a background check on file with the district office. He also reviewed the 2015-16 Elementary Faculty Handbook changes which include: teachers updating in PowerSchool; faculty cell phone use; updates to Media Center guidelines; Parent-Teacher conference schedule; and, retention criteria, committee and procedures.

Motion by A. Flowers, second by A. Londgren to approve the changes to the Elementary Student Handbook as presented. Carried.

Motion by A. Londgren, second by M. Thompson to approve the changes to the Elementary Faculty Handbook as presented. Carried

Act Dir Shawn Kuhnke's written report was reviewed. It included updates on: the Fall Musical which will be Disney's "Beauty and the Beast" in early November; congratulations to Allison Anderson and Courtney Vanderport for advancing to State Girls golf tournament and to Grant Wilsey, Ryan Reising, Logan Leavey, Tom Warner and Brandon Wyganowski for advancing to Track & Field Sections competition. AD Kuhnke submitted his 2015-16 changes to the Fine Arts Handbook to cover the criteria to earn a varsity letter for participants in the Fall Musical, Spring Play or One-Act Play.

Motion by R. Hughes, second by Z. Braund to approve the changes to the Fine Arts Handbook. Carried.

HS Principal Matt Lattimore reviewed his written report. He expressed his appreciation to the senior class advisors, school board members and the custodial crew for helping make everything run smoothly. 8th grader went on an Energy field trip provided by East Central Energy. AD Kuhnke and Principal Lattimore will be working together to revamp the Academics Awards program for 2015-16. Mr. Lattimore submitted his HS Student Handbook Changes which included updates to the testing and graduation commencement ceremony requirements; a list of college credit classes offered at BAHS; and, academic field chaperones must have a completed background check on file. Principal Lattimore also provided his changes to the HS Faculty Handbook including all date and name changes and faculty cell phone use.

Motion by A. Londgren, second by A. Flowers to approve the 2015-16 HS Student Handbook changes. Carried.

Motion by M. Thompson, second by R. Hughes to approve the 2015-16 HS Faculty Handbook changes. Carried.

Sup't. Winter's report to the board included updates on recent meetings and conferences attended. He attended the SEE mtg in May. MDE Commissioner Cassellius will be submitting MN request for waiver from the Federal No Child Left Behind. Sup't Winter attended the ICCAB meeting in Isanti County. Tim MacMillian, Head of Isanti County probations, stated at that meeting that they have reviewed the number of police calls to Isanti County Schools. There have been few incidents requiring police. At the RRSEC meeting they stated there are still some special ed positions for speech and speech therapy, deaf/hard of hearing and visual teachers needed. The architects for the upcoming school projects met with instructors, principals and coaches to review the specific projects. In reality, very little construction will start before fall.

Board members reported on individual meetings and activities attended. Events attended included: baseball and volleyball games, policy review committee meeting, staff recognition breakfast, graduation, SEE meeting and the architect meetings.

Motion by R. Hughes, second by A. Londgren to accept the resolution relating to the release of Title One Para Brittany Abel. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by M. Thompson, second by T. Cuda to accept the resolution relating to the release of Title One Para Sarah Anderson. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by R. Hughes, second by A. Flowers to accept the resolution relating to the release of 1:1 Special Ed Para Melissa Banks. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by A. Flowers, second by A. Londgren to accept the resolution relating to the release of 1:1 Special Ed Para Julie Grell. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by R. Hughes, second by Z. Braund to accept the resolution relating to the release of 1:1 Special Ed Para Eric Jones. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by A. Londgren, second by T. Cuda to accept the resolution relating to the release of 1:1 Special Ed Para Echo Yerke. The resolution passed unanimously. A copy of said resolution will become part of the official minutes.

Motion by T. Cuda, second by M. Thompson to adopt the Resolution Discontinuing and Reducing Educational Programs and Positions as presented. Carried unanimously. A copy of said resolution shall be part of the official

minutes.

Motion by R. Hughes, second by A. Londgren to add two days in the fall and two days in the spring to the Allison Marcus' School Counselor contract, as was past practice, effective 2014-15 school year. Carried.

Motion by M. Thompson, second by T. Cuda to accept the letter of resignation from Ashley Hanson, 4th grade teacher effective the end of the 2014-15 school year. Carried.

Motion by R. Hughes, second by M. Thompson to approved the hiring recommendations of:  
Tammi Johnson as a 1.0 FTE HS Social Studies Teacher beginning fall 2015. Ms. Johnson will continue at MA+45, Step 11.  
Rebecca Swanson as a .9 FTE HS Social Studies teacher beginning fall 2015. Ms. Swanson will continue at MA, Step 11.  
Shawn Kuhnke as the Activities Director/Community Ed Director effective July 1, 2015. Carried

Motion by A. Londgren, second by R. Hughes to approve the hiring recommendations for ESY summer programs, Bomber Boost teachers, and High Potential Coordinator, and Math Corps Internal Coach:  
Roxanne Kirby, Lindsay Rasmussen, JeanAnn Mattson, Christina Moscho, and Shandell Harvey for 3.5 hours per day for 14 scheduled days summer 2015 as Bomber Boost teachers;  
Kelly Rud and Mariah Olson for 2 hours per day for 12 days this summer as ESY SpEd Teachers;  
Chris Thielen, Julie Grell, and Lucy Pinataro as 1:1 ESY Spec Ed Paras for 12 days at 3.5 hrs/day for summer 2015  
Jennifer Lundin as the High Potential Coordinator for the 2014-15 school year with a \$2,500 stipend; and,  
Emily Ludwig as the Math Corps Internal Coach for 2014-15 school year with a \$500 stipend. Carried.

Motion by A. Londgren, second by Z. Braund to reimburse Shawn Kuhnke all cost associated with attaining his Community Ed licensure. Carried

Motion by R. Hughes, second by M. Thompson to accept the resignations of:  
Tammi Johnson as the LINK Crew Advisor effective the end of the 2014-15 school year; and,  
Leah Palmer, HS Special Ed teacher effective the end of the 2014-15 school year. Carried

Motion by A. Londgren, second by M. Thompson to accept the resignation letter of Sup't Gregory Winter effective June 30, 2015. Carried.

Motion by R. Hughes, second by Z. Braund to approve:  
Jeff Eklund as the Head Boys Basketball Coach starting winter 2015. Mr. Eklund will be placed on Lane 12, Step 9 of the "C" Schedule; and,  
School Board member Mike Thompson as an on-call substitute teacher and test monitor for 2015-16 with income not to exceed \$8,000 as per M.S. 123B.195.  
Chair S. Eklund and Board Member M. Thompson abstained from the vote. Carried

Motion by A. Londgren, second by A. Flowers to approve the continuing collaborative contract in partnership with Isanti County and the Cambridge-Isanti School District for Chemical Health Professional Charity Allen. Carried.

Motion by M. Thompson, second by R. Hughes to approve the increase in Pre K - 12 breakfast from \$1 to \$1.25 and Pre K-4 lunch price from \$2.30 to \$2.40 for 2015-16. Carried.

Motion by A. Londgren, second by T. Cuda to approve the Joint Powers agreement with RRSEC. Carried.

Motion by T. Cuda, second by M. Thompson to adopt the Resolution Establishing Dates for Filing Affidavits of Candidacy for the School Board Member General Election. The period for filing will be July 28 through August 11, 2015 at 5:00 p.m. A copy of said resolution will become part of the official minutes. Carried.

Motion by R. Hughes, second by T. Cuda to approval the Final FY16 budget as presented. Carried

Motion by M. Thompson, second by R. Hughes to adopt the resolution Relating to the Financing of a Proposed Project as presented. A copy of said resolution shall become part of the official minutes. Carried.

The following policies were submitted for first reading: #410 - Family and Medical Leave, #509 - Non-resident Student Enrolment, #616 - School District System Accountability and, #806 - Crisis Management Policy. No action required at this time.

Motion by A. Londgren, second by T. Cuda to set a Special School Board meeting for Wednesday, June 24 at 7 p.m. in B100 - Community Room for the purpose of presenting the bond sale information.

Chair Eklund reminded all present of the July Regular School Board meeting set for Monday, July 20, 2015 at 7 p.m. in B100 - Community Room.

Motion by Z. Braund, second by A. Londgren for Chair Eklund to close the meeting for the purpose of discussing the transition strategies for conducting the Superintendent search pursuant to MN Statute 13D.05, Subd.3. The meeting will reopen to present and pass a resolution to determine the pathway for the Superintendent search process.

Chair Eklund re-opened the meeting at 7:53 p.m.

Motion by A. Londgren, second by T. Cuda to post the Superintendent position on Tuesday, June 16, 2015. Carried.

Motion by M. Thompson, second by R. Hughes to adopt a resolution for an MOU to be negotiated with Supt' Winter to continue to provide limited administrative support services to the district until July 27, 2015.

Motion by A. Flower, second by A. Londgren to adjourn the meeting.

Chair Eklund adjourned the meeting at 7:55 p.m.

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Zane Braund, Clerk

Attest: \_\_\_\_\_  
Steve Eklund, Chair

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

Special School Board Meeting  
Wednesday, June 24, 2015  
7 P.M. - BAHS Community Room

The Special meeting was called to order by Chair Steve Eklund at 7:00 p.m.  
The Pledge of Allegiance was given.

Members present: Steven Eklund, Robert Hughes, Zane Braund, Tony Cuda, Angie Flowers,  
Allison Londgren, Mike Thompson and Sup't. Gregory Winter.

Members absent: None

Motion by R. Hughes, second by M. Thompson to adopt the agenda as printed. Carried.

Greg Crowe from Ehlers, Inc., district financial consultants, presented a short sale day report explaining the bond sale information. A motion was made by A. Londgren, second by M. Thompson to adopt the Resolution Awarding the Sale, Prescribing the Form and Details, Authorizing the Execution, Delivery and Registration and Providing for the Payment of General Obligation School Building Bonds, Series 2015A. The bid was awarded to Stifel Nicolaus, Memphis, Tennessee. The true interest cost is 3.1242%. A roll call vote was taken and passed unanimously. A copy of said resolution shall become part of the official minutes.

Motion by R. Hughes, second by A. Londgren to adopt the Post-Issuance Debt Compliance Policy for tax-exempt and Tax-advantaged Governmental Bonds. The motion passed unanimously. A copy of said resolution shall become part of the official minutes.

Motion by M. Thompson, second by R. Hughes to adopted a Resolution Relating to the Release of Community Ed Early Childhood Parent Facilitator, Jodi Billstrom effective the end of the 2014-2015 school year.



- 53 students are registered.
2. **Title I Application Training**
    - On June 24 I attended this session put on by the state.
    - Updates on the application process.
    - Budget outlook for Title services.
  3. **NAESP Conference June 29 - July 2**
    - Thank you for allowing me to attend this conference
    - National Association of Elementary School Principal's Conference
    - Lots of GREAT networking.
    - Great sessions from leaders in the field NATIONWIDE!
      - Rti
      - Technology
        - Google, Twitter, Voxer, Periscope
        - Meet your parents where they are
        - Technology is an AMAZING professional development tool.
      - PreK-3
      - Erik Wahl
      - Darrell Scott
  4. **Interviews/Hirings**
    - Reading Corps Tutors have been hired
      - PreK Full Time - Sarah Anderson
      - PreK Half Time - Danika Dahlin
      - KG Tutor - Allyssa Mattson
      - 1-3 - Tammy Bierl
    - Hired 3rd & 4th grade teachers
    - First Step/Coordinator has been hired.
    - Interventionist hiring in process
  5. **Summer Building Updates**
    - Computer lab is moving.
    - ECSE is moving
    - Title & Interventionists are moving
  6. **Benches**
    - Thank you to Paul Knowles for the benches and picnic table by the elementary playground.
    - This was a part of his Eagle Scout project.
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8. Review Activities Director/Community Ed Director report.

**Activities/Community Ed. Director**

**School Board Report**

July 20, 2015

1. Thank you to Mr. Winter and all the School Board members for the opportunity to serve our school and community in this capacity.
2. Activities Night is scheduled for Tuesday, August 4, 2015 at 7:00 pm in the West Gym. This event has been strongly encouraged by the Minnesota State High School League and is a great way for parents and participants to meet their coaches or directors and gather more activity specific information.
3. Several Camps and Lessons taking place over this summer to further develop our students on their athletic and musical talents.

4. Community Education Summer Camp was held June 22 – 25. We had 23 campers and the week was very successful. A lot of fun had by the kids!

5. Myself and several other coaches, directors and stakeholders met with WOLD Architects and Engineers on Friday, July 17 for the second round of meetings regarding the approved bond referendum project.

Respectfully Submitted,  
Shawn Kuhnke

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9. Review High School Principal's report.

**School Board Report**

**July 2015**

**Matthew Lattimore, Principal**

**Awards Meeting:**

Shawn and I are still working on revamping the Awards Night program. We will continue to work on this program throughout the summer.

**MASSP Summer Conference:**

I attended the MASSP Summer Conference in June. I was able to attend a lot of great breakout sessions from the new testing requirements for this school year to analyzing current testing data. It was nice to hear what other schools have done in their 1:1 implementations and get ideas for ours this year.

**Hirings:**

I continue to work on staffing and getting back to fully staffed before August.

**Teacher Evaluation Updated:**

Held the meeting with BEA representatives. We discussed the teacher observation model that we used this last year and made some minor modifications to enhance the model for next school year.

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

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11. Superintendent's report. - **No report this month.**

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12. School Board members' reports/updates.

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13. Consider Personnel items.

**Letters of Resignation**

**Allison Marcus, School Counselor** has submitted her letter of resignation effective immediately. She has accepted a position closer to her home town. Ms. Marcus worked for the Braham Schools for one year 2014-15.

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**Employment Recommendation**

**Jenna (Naggatz) Grummons - Elementary Teacher**

Elementary Principal Jeff Eklund is recommending Jenna Naggatz Grummons be hired as a 1.0 FTE Elementary Teacher. Mrs. Grummons will begin teaching in the fall of 2015. Mrs. Grummons will start at BA Step 1/Lane 1 of the teacher contract.

**Lindsay Rasmussen - Pre-K Teacher/Early Childhood Coordinator**

Elementary Principal Jeff Eklund is recommending Lindsay Rasmussen be hired as an 8 hour per day Pre-K Teacher/Coordinator. Mrs. Rasmussen will begin teaching in the fall of 2015. Mrs. Rasmussen will start at BA Step 2 of the teacher contract. This is prorated to the hours/days she works under the Early Childhood Calendar.

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**Secretarial Realignment**

High School Principal Matt Lattimore is recommending that the Attendance/Activities and Community Education/Special Education Secretary position be realigned. The new positions that will be created due to administration realignment which will be Attendance/Special Education and Activities/Community Education secretaries.

**Michelle Becker Attendance/Special Education Secretary**

High School Principal Matt Lattimore is recommending that Michelle Becker be hired as the Attendance/Special Education Secretary. Ms. Becker has previous experience as a secretary in Braham Area Public Schools. Ms. Becker will be on a 201 Day contract at 40 hours a week. Ms. Becker will retain her current Step on the Secretary/Paraprofessional Contract.

**Sarah Golly Activities/Community Education Secretary**

High School Principal Matt Lattimore is recommending that Sarah Golly be hired as the Activities/Community Education Secretary. Ms. Golly has previous experience as a secretary in Braham Area Public Schools. Ms. Golly will be on a 201 day contract at 40 hours a week. Ms. Golly will retain her current Step on the Secretary/Paraprofessional Contract.

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**Lane Change Request**

**Jennifer Lundin, English Teacher,** has submitted a request for lane advancement from MA+15, Step 11 to MA+30, Step 11. Ms. Lundin has completed all necessary requirements to qualify for this lane advancement. Ms. Lundin's 2015-2016 salary will be based on MA+30, Step 11.

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**“C” Schedule Recommendations**

**Joe Lakeberg – Summer Weight Training**

AP / AD Shawn Kuhnke is recommending Joe Lakeberg to be hired as the Summer Weight Training Coach starting summer 2014 at a prorated amount and summer 2015 at the contractual amount. Mr. Lakeberg was placed on Lane Two, Step 5 as per the “C” Schedule Contract for 2014-15.

**Memorandums of Understanding**

**Gregory A. Winter, Superintendent**

Consider acceptance of Memorandum of Understanding outlining continued limited Superintendent Administrative Support. A copy of said MOU is in the signature file for review and signature.

**Activities/Community Education Director Position**

Consider acceptance of Memorandum of Understanding between the Braham Area School Board District #314 and the Braham Administration Association eliminating the Activities Director/Assistant Principal position and creating the Activities/Community Ed Director position. A copy of said MOU is in the signature file for review and signature.

- 14. Consider Central MN Educational Research and Development Council (CMERDC) membership renewal for 2015-2016

CMERDC provides services and programs in a variety of areas including staff development, gifted, curriculum, special education, educational effectiveness, grant assistance, the medical/Health Insurance Pool, etc. The base membership fee and the per pupil fee are combined for a total of \$1,134.00 for school year 2015-2016.

- 15. Consider 2015 Health and Safety Plan Attachment 10 Performance Criteria for submission MDE. The Performance Criteria has been uploaded in the Shared File for Board review.

- 16. Consider Health and Safety Policy EA as it currently exists.

**Policy EA**

**Health and Safety Levy Program**

**1. PURPOSE**

The purpose of this policy is to support the goal of providing a safe and healthy environment for students and staff to learn and work utilizing the Health and Safety Levy administered by the MN Department of Education to facilitate and fund compliance activities.

## 2. **GENERAL STATEMENT OF POLICY**

The policy of this district is to comply with the requirements of regulatory agencies, including MN Occupational Safety and Health Administration (MN OSHA), the Office of the State Fire Marshal (SFM), the MN Department of Health and others to provide the optimal learning environment for students. The school board supports staff training to achieve compliance with this policy and has approved and implemented a disciplinary process for compliance failures based on recommendations developed by the Administration.

The District Maintenance Supervisor is assigned as the designated person for this activity. In addition, the Board of Education approves the hiring of consulting professionals by the Superintendent to provide support to the District Maintenance Supervisor.

## 3. **HEALTH AND SAFETY PROGRAM**

The school board supports the development and implementation of the following management programs as part of the Health and Safety Levy Program qualifications:

1. Minnesota "A Workplace Accident and Injury Reduction" Program (AWAIR).
2. Bloodborne Pathogens.
3. Community Right-to-Know (CRTK).
4. Compressed Gas.
5. Confined Space Entry.
6. Electrical Safe Work Practices.
7. Employee Right-to-Know
8. Hazardous Waste.
9. Hoist, Lift & Jack.
10. Indoor Air Quality (IAQ).
11. Integrated Pest Management (IPM).
12. Chemical Hygiene.
13. Control of Hazardous Energy (LOTO).
14. Machine Guarding, but not Best Practices.
15. Personal Protective Equipment (PPE).
16. Radon.
17. Asbestos.
18. Respiratory Protection.
19. Welding/Cutting/Brazing.
20. Underground/Above Ground Storage Tanks (UST/AST)
21. Mock- OSHA Inspections (Management Assistance Program).

## 4. **FUNDING**

The school board will annually file a request with the MN Department of Education to apply for funding to support the Braham Area Schools Health and Safety Budget prepared by the Administration. In order to qualify for support of this request, the school board acknowledges it must have and support an active Health and Safety Levy Program as described in item III.

## 5. **REVIEW**

The school board will conduct an annual review of the sufficiency of the effectiveness of this program and make whatever modifications and changes to ensure compliance with the requirements of this program and to meet the health and safety needs of the district.

**Legal References:** Capital Expenditure: Health and Safety Revenue Application,  
Per Minnesota Statutes Section 123B.57

Adopted:  July 16, 2012

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

*Braham Area Schools ISD 314 – Policy  
Orig.2012*

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17. Consider Indoor Air Quality Management Plan (IAQMP).  
No changes to the IAQMP. Annual board approval requested.

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18. Consider membership renewal in Schools for Equity in Education (SEE) for 2015-16.

The school district has been a member of SEE for a number of years. This organization has been very instrumental in obtaining legislation providing equity funding for school districts in the state. This funding has been, and continues to be, very critical for the district. The cost of membership for 2015-2016 is \$2,057.02. The following resolution will serve this purpose:

*WHEREAS Braham, District #314, seeks professional assistance for the purpose of obtaining legislative information affecting schools and for legislative representative regarding legislative matters of interest to Braham,  
BE IT THEREFORE resolved that the Braham District #314 joins the Schools for Equity in Education (SEE) effective July 1, 2015 for the 2015-2016 membership year and authorize payment for the membership in the amount of \$2,057.02.*

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19. Consider Central MN Educational Research and Development Council (CMERDC) membership renewal for 2015-2016.

CMERDC provides a regional service for school districts in a number of areas including primarily purchasing and repair; as well as technical support for our financial personnel. The membership fee for 2015-2016 is \$1,134.

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20. Consider VeriTime Services through FrontLine Technologies.

VeriTime is a time clock system service for school district employees. The start-up fee for 2015-2016 is \$1,800 and the annual cost is \$2,000.

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\_\_\_\_\_,\_\_\_\_\_,\_\_\_\_\_

21. Consider Long-term Facilities Maintenance Revenue.

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

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22. Consider acceptance of the 2015 Local Literacy Plan.

The Literacy Plan components include Goals and Objectives, an Assessment Plan; Parent Notification and Involvement; Intervention and Staff Development for 2015. The complete plan will be sent in the board packet.

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

These policies are being presented for the first **reading**: #208 Development, Adoption, and Implementation of Policies replacing old policies BG, BGB, and BGBA and, #524 - Internet Acceptable Use and Safety Policy. These policies are being updated to meet the most current MN State requirements. No action is required at this time.

*Adopted: MSBA/MASA Model Policy 208  
Orig. 1995  
Revised: Rev.2014*

**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 school board and provide the means for it to continue to be an ongoing effort.

**II. GENERAL STATEMENT OF POLICY**

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

**III. DEVELOPMENT OF POLICY**

A. The school board has jurisdiction to legislate policy for the school district with the force and effect of law. School board policy provides the general direction as to what the school board wishes to accomplish while delegating implementation of policy to the administration.

B. The school board's written policies provide guidelines and goals to the school community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The school board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.

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

#### **IV. ADOPTION OF POLICY**

A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action.

B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school board at a subsequent meeting after the meetings at which public input was received. The policy will be effective on the later of the date of passage or the date stated in the motion.

C. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.

D. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.

#### **V. IMPLEMENTATION OF POLICY**

A. The superintendent shall be responsible for implementing school board policies and developing 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 access to this policy manual, and a copy shall be placed in the office of each school attendance center. Manuals shall be available in the central office and made available for reference purposes to other interested persons.

C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping the policy manuals current.

D. The school board shall review policies at least once every three years. The superintendent shall be responsible for developing a system of periodic review, addressing approximately one third of the policies annually. In addition, the school board shall review the following policies annually: 410 Family and Medical Leave Policy; 413 Harassment and Violence; 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse; 415 Mandated Reporting of Maltreatment of Vulnerable Adults; 506 Student Discipline; 514 Bullying Prohibition Policy; 522 Student

Sex Nondiscrimination; 524 Internet Acceptable Use and Safety Policy; 616 School District System Accountability; and 806 Crisis Management Policy.

E. When no school board policy exists to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the school district. Under such circumstances, the superintendent shall advise the school board of the need for a policy and present a recommended policy to the school board for approval.

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

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

**Braham Area Public Schools**

**Ind. School Dist. #314**

**Braham, MN 55006**

*Adopted:* March 15, 1999

*Revised:* **November 17, 2014**

**524 INTERNET ACCEPTABLE USE AND SAFETY POLICY**

**I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

**II. GENERAL STATEMENT OF POLICY**

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

**III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

**IV. USE OF SYSTEM IS A PRIVILEGE**

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access

privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

## V. UNACCEPTABLE USES

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
  - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
  - a. This paragraph does not prohibit the posting of employee contact information on school district web pages or communications between employees and other individuals when such



communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

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

(1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or

(2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as “MySpace” and “Facebook” or any other social media website currently present or developed in the future.

7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.

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

9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.

B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee’s immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In

certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

## **VI. FILTER**

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

1. Obscene;
2. Child pornography; or
3. Harmful to minors.

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

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

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

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

E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.

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

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

D. Parents have the right at any time to investigate or review the contents of their child’s files and email files. Parents have the right to request the termination of their child’s individual account at any time. Any request to review or terminate a student’s account shall be through the building principal in writing.

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

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

## **IX. INTERNET USE AGREEMENT**

A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.

B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

~~C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement. All students will be granted access to the schools interne. If a parent or guardian does not want their child to have access to the internet in school, they will have to notify the school district in writing so their account can be shut down.~~

## **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

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

## **XI. USER NOTIFICATION**

A. All users shall be notified of the school district policies relating to Internet use.

B. This notification shall include the following:

1. Notification that Internet use is subject to compliance with school district policies.
2. Disclaimers limiting the school district's liability relative to:
  - a. Information stored on school district diskettes, hard drives, or virtual servers.
  - b. Information retrieved through school district computers, networks, or online resources.
  - c. Personal property used to access school district computers, networks, or online resources.
  - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.

4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

## **XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system, school district devices, and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
  4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
  5. A statement that the school district's acceptable use policy is available for parental review.

## **XIII. IMPLEMENTATION; POLICY REVIEW**

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.

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

E. The school district reserves the right to monitor all activity of the school network without prior notification to student, parents, guardian or school district staff.

**Legal References:** 15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
20 U.S.C. § 6751 *et seq.* (Enhancing Education through Technology Act of 2001)  
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)  
Minn. Stat. § 125B.15 (Internet Access for Students)  
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)  
*Doninger v. Niehoff*, 527 F.3d 41 (2<sup>nd</sup> Cir. 2008)  
*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)  
*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)  
*S.J.W. v. Lee’s Summit R-7 Sch. Dist.*, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
*Kowalski v. Berkeley County Sch.*, 652 F.3d 656 (4<sup>th</sup> Cir. 2011)  
*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3<sup>rd</sup> Cir. 2011)  
*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)  
*J.S. v. Bethlehem Area Sch. Dist.*, 807 A.2d 847 (Pa. 2002)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Non-school-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Non-school Persons)

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24. Consider second reading of MSBA or District Policies for update and revision.

These policies are being presented for the second **reading**: #410 - Family and Medical Leave Policy; #509 - Non-resident Student Enrollment; #616 - School District System Accountability; and #806 - Crisis Management Policy. These policies are being updated to meet the most current MN State requirements. No action is required at this time.

*Adopted:* MSBA/MASA Model Policy 410  
*Orig. 1995*  
*Revised:* Rev. 2014

## **410 FAMILY AND MEDICAL LEAVE POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide for family and medical leave to school district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

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

The following procedures and policies regarding family and medical leave are adopted by the school district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

## **III. DEFINITIONS**

A. “Covered active duty” means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

B. “Covered servicemember” means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

C. “Eligible employee” means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee’s pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless the break is occasioned by the employee’s fulfillment of his or her USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school district’s intention to rehire the employee after the break in service.

D. “Military caregiver leave” means leave taken to care for a covered servicemember with a serious injury or illness.

E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered service member's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.

F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:

1. a military medical treatment facility as an outpatient; or
2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.

G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:

1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
2. to attend military events and related activities of a covered military member;
3. to address issues related to childcare and school activities of a covered military member's child;
4. to address financial and legal arrangements for a covered military member;
5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
7. to attend post-deployment activities related to a covered military member;
8. to address parental care needs; and
9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.

H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

1. inpatient care in a hospital, hospice, or residential medical care facility; or

2. continuing treatment by a health care provider.

I. "Veteran" has the meaning given in 38 U.S.C. § 101.

#### **IV. LEAVE ENTITLEMENT**

##### **A. Twelve-week Leave under Federal Law**

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:

- a. birth of the employee's child and to care for such child;
- b. placement of an adopted or foster child with the employee;
- c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
- d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
- e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.

2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.

3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.

4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.

5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:

- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of



duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:

(i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the service member's office, grade, rank, or rating; or

(ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or

(iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

(iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.

7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.

9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.

10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified

of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.

11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.

12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.

13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

The school district shall comply with written notice requirements as set forth in federal regulations.

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

#### B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed by the employer. The employee may qualify if he or she has worked for the school district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed by the employer, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must

give the employer reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The school district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

**V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES**

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:
  1. take leave for the entire period or periods of the planned medical treatment; or

2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.

C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.

1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.

2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.

3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, school district may require the employee to continue taking leave until the end of the semester.

D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

## VI. OTHER

A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.

B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

## VII. DISSEMINATION OF POLICY

A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.

B. This policy will be reviewed at least annually for compliance with state and federal law.

**Legal References:** Minn. Stat. §§ 181.940-181.944 (Parenting Leave)  
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)  
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)  
38 U.S.C. § 101 (Definitions)  
29 C.F.R. Part 825 (Family and Medical Leave Act)

**Cross References:** MSBA Service Manual, Chapter 13, School Law Bulletin "M" (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)

*Adopted:* MSBA/MASA Model Policy 509

## **509 ENROLLMENT OF NONRESIDENT STUDENTS**

### **I. PURPOSE**

The school district desires to participate in the Enrollment Options Program established by Minn. Stat. § 124D.03. The purpose of this policy is to set forth the application and exclusion procedures used by the school district in making said determination.

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

A. Eligibility. Applications for enrollment under the Enrollment Options (Open Enrollment) Law will be approved provided that acceptance of the application will not exceed the capacity of a program, excluding special education services; class; grade level; or school building as established by school board resolution and provided that:

1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minn. Stat. § 124D.03.
3. the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.

B. Standards that may be used for rejection of application. In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Minn. Stat. § 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;
3. selling or soliciting the sale of a controlled substance while at school or a school function; or
4. committing a third-degree assault involving assaulting another student or staff member and inflicting substantial bodily harm.

C. Standards that may not be used for rejection of application. The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:

1. previous academic achievement of a student;
2. athletic or extracurricular ability of a student;

3. disabling conditions of a student;
4. a student's proficiency in the English language;
5. the student's district of residence except where the district of residence is directly included in an enrollment options strategy included in an approved achievement and integration program; or
6. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section F. of this policy.

D. **Application.** The student and parent or guardian must complete and submit a School District Enrollment Options Program application developed by the Minnesota Department of Education (that enrollment form follows this policy).

E. **Lotteries.** If a school district has more applications than available seats at a specific grade level, it must hold an impartial lottery following the January 15 deadline to determine which students will receive seats. Siblings of currently enrolled students and applications related to an approved integration and achievement plan must receive priority in the lottery. The process for the school district lottery must be established by school board policy and posted on the school district's website.

F. **Exclusion**

1. **Administrator's initial determination.** If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.

2. **Superintendent's review.** The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

G. **Termination of Enrollment**

1. The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minn. Ch. 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

2. The school district may also terminate the enrollment of a nonresident student over 16 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

3. A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notice shall include the facts upon which the belief is based and notice to the parents of their opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.

H. Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, or who is placed in foster care in another school district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

I. Students that are open enrolling from another state while the parent continues to reside in that state may be charged tuition and other fees related to non-academic activities. If any state has or attains reciprocity with the state of Minnesota, all tuition and fees will be waived.

**Legal References:** Minn. Stat. § 120A.22, Subd. 3(e) (Residency Determined)  
Minn. Stat. § 120A.22, Subd. 8 (Withdrawal from School)  
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District)  
Minn. Stat. § 124D.68 (High School Graduation Incentives Program)  
Minn. Ch. 260A (Truancy)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
Minn. Op. Atty. Gen. 169-f (Aug. 13, 1986)  
*Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ.*, Co. No. A05-361, 2005 WL 3111963 (Minn. Ct. App. 2005) (unpublished)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 517 (Student Recruiting)  
MSBA Service Manual, Chapter 5, Various Educational Programs

**Adopted:** MSBA/MASA Model Policy 616  
**Orig. 1997**  
**Revised:** Rev. 2013

## **616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY**

### **I. PURPOSE**

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and the No Child Left Behind Act.

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

Implementation of the Minnesota Academic Standards and No Child Left Behind Act will require a new level of accountability for the school district. The school district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The school district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### **III. DEFINITIONS**

- A. "Credit" means a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the school district.
- B. "Graduation Standards" means the credit requirements and Profile of Learning content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. "Profile of Learning" means content standards formerly required for a high school diploma.
- D. "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

### **IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING**

#### **A. School District Goals**

1. The school board has established school district-wide goals which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and the No Child Left Behind Act. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement (Advisory Committee).

2. The improvement goals should address recommendations identified through the Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

B. System for Reviewing All Instruction and Curriculum. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5.

#### **C. Implementation of Graduation Requirements**

1. The school board shall appoint a Graduation Standards Implementation Committee which shall advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues.



Recommendations of this committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually. The Graduation Standards Implementation Committee will be comprised of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement.

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the Graduation Standards Implementation Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The Graduation Standards Implementation Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.

3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Advisory Committee for Comprehensive Continuous Improvement of Student Achievement

1. By October 1st of each year, the Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

2. The Advisory Committee, working in cooperation with other committees of the school district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:

- a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Graduation Standards;
- b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
- c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
- d. Advising the school board about development of the annual budget.

3. The Advisory Committee shall meet the following criteria:

- a. The Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
- b. The Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.

c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.

d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.

4. The Advisory Committee shall, when possible, be comprised of two-thirds community representatives and shall reflect the diversity of the community. Included in its membership should be:

- a. The Director of Curriculum (or similar educational leader)
- b. Principal
- c. School Board Member
- d. Student Representative
- e. One teacher from each building or instructional level
- f. Two parents from each building or instructional level
- g. Two residents without school-aged children, non-representative of local business or industry
- h. Two residents representative of local business or industry
- i. School District Test Administrator (if different from "a." above)

5. The Advisory Committee shall meet the following timeline each year:

Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.

Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.

Month(s): Review evaluation results and prepare recommendations.

Month: Present recommendations to the school board for its input and approval.

E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.

F. Educational Planning and Assessment System. The school district may elect to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT, Inc., to provide a longitudinal, systematic approach to student educational and career planning, assessment, instructional support, and evaluation.

G. Reporting. Consistent with Minn. Stat. § 120B.36, Subd. 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for

improving curriculum and instruction, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its summary report to the Commissioner.

**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)

Minn. Stat. § 120B.018 (Definitions)

Minn. Stat. § 120B.11 (School District Process)

Minn. Stat. § 120B.128 (Educational Planning and Assessment System (EPAS) Program)

Minn. Stat. § 120B.35 (Student Achievement Levels)

Minn. Stat. § 120B.36 (School Accountability; Appeals Process)

Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)

Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)

Minn. Stat. § 123B.04 (Site Decision Making Agreement)

Minn. Stat. § 123B.147, Subd. 3 (Principals)

Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)

Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)

Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)

Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

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

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

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

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

MSBA/MASA Model Policy 619 (Staff Development for Standards)

MSBA/MASA Model Policy 620 (Credit for Learning)

*Adopted:* MSBA/MASA Model Policy 806

*Orig. 1999*

*Revised:* Rev. 2014

## **806 CRISIS MANAGEMENT POLICY**

### **I. PURPOSE**

The purpose of this Model Crisis Management Policy is to act as a guide for school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. For purposes of this Policy, the term, "school districts," shall include charter schools. The step-by-step procedures suggested by this Policy will provide guidance to each school building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation. Each school district should develop tailored building-specific crisis management plans for each school building in the school district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis

management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis.

## **II. GENERAL INFORMATION**

### **A. The Policy and Plans**

The school district's Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building's specific situation and needs.

The school district's administration and/or the administration of each building shall present tailored building-specific crisis management plans to the school board for review and approval. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Upon approval by the school board, such crisis management plans shall be an addendum to this Crisis Management Policy. This Policy and the plans will be maintained and updated on an annual basis.

### **B. Elements of the District Crisis Management Policy**

1. **General Crisis Procedures.** The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in the development of building-specific crisis management plans.

All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

a. **Lock-Down Procedures.** Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.

b. **Evacuation Procedures.** Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building's crisis management plan will include procedures for transporting students and staff

a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

3. School Emergency Response Teams

a. Composition. The building administrator in each school building will select a school emergency response team that will be trained to respond to emergency situations. All school emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.

b. Leaders. The building administrator or his or her designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

### **III. PREPARATION BEFORE AN EMERGENCY**

#### **A. Communication**

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff

shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.

2. Students and Parents. Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

#### B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.

3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.

4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.

5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.

7. The school district will have prearranged sites for emergency sheltering and transportation as needed.

8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

#### C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

#### D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary location for single building school districts, and updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

#### E. Warning and Notification Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings. The school district should consider an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

#### F. Early School Closure Procedures

The superintendent will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

#### G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

#### H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

#### I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

1. Physical/structural recovery.
2. Fiscal recovery.
3. Academic recovery.
4. Social/emotional recovery.

### **IV. PROCEDURES TO BE INCLUDED IN THE SCHOOL DISTRICT'S PLAN**

The following various hazards/emergency procedures are to be part of the school district's adopted Crisis Management Plan:

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder
- H. Weapons
- I. Shooting
- J. Hostage



- K. Bomb Threat
- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats
- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation
- S. Media Procedures
- T. Post-Crisis Procedures
- U. School Emergency Response Team
- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

**V. MISCELLANEOUS PROCEDURES**

A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

B. Visitors

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites).

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

School districts within a 10 mile radius of the Monticello or Prairie Island nuclear power plants will implement crisis plans in the event of an accident or incident at the power plant.

Questions relative to the creation or implementation of such plans will be directed to the Minnesota Department of Public Safety.

- Legal References:**
- Minn. Stat. Ch. 12 (Emergency Management)
  - Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)
  - Minn. Stat. § 121A.035 (Crisis Management Policy)
  - Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
  - Minn. Stat. § 299F.30 (Fire Drill in School)
  - Minn. Stat. § 326B.02, Subd. 6 (Powers)
  - Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)
  - Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
  - Minn. Rules Ch. 7511 (Fire Safety)
  - 20 U.S.C. § 1681, *et seq.* (Title IX)
  - 20 U.S.C. § 6301, *et seq.* (No Child Left Behind)
  - 20 U.S.C. § 7912 (Unsafe School Choice Option)

42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)

MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>

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25. Set a working school board meeting.

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26. Reminder of the August Regular school board meeting.

The August Regular School Board meeting is set for Monday, August 17th, 7:00 pm,  
B100 – Community Room.

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27. Consider Interview questions for Superintendent interviews.

The interview questions used for the 2009 Sup't interviews will be in the board packet you receive by  
email to act as a starting point for this process.

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28. Adjourn.

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