

Nerstrand Elementary School
 Board of Directors Meeting
 September 9, 2024; 3:30pm
 Nerstrand Media Center

Mission: Nerstrand Elementary School will empower students to be self-directed lifelong learners by providing a nurturing multi-age environment which fosters cooperation and character development.

- 1.0 Call to Order
 - 1.1 Roll Call
- 2.0 Approve Agenda
- 3.0 Opportunity to Report any Board Conflicts of Interest
- 4.0 Approve Meeting Minutes
 - 4.1 Approve August 19, 2024 Minutes
- 5.0 Community Comment
- 6.0 Reports
 - 6.1 Director's Report
 - a) Student Achievement
 - b) NEO update including ties to Contract Goals
 - c) Director's Performance
 - 6.2 Enrollment for 24-25;

K	1	2	3	4	5	Total
21	18	19	20	11	14	103

K = 21 1 = 18 2-3 = 19 & 20 4-5 = 25

- 6.3 Finance Report
 - a) Monthly Financial Update; Traci

- b) Vote on donations over \$500 per policy from Aug 19-Sept 3;
None
- c) Abdo Presents 23-24 Audit (On-going Financial Training);
Tyler See & Robbie Smith

7.0 Policy

- a) Staff Handbook - Vote
- b) Fall COVID Protocol - Vote
- c) Policy 522 - Title IX - Vote
- d) Policy 515 - Pupil Records - Vote
- e) Policy 608 - SPED Instruction - Vote
- f) Policy 609 - Religion - Vote
- g) Policy 524a - Cell Phones - Vote (incidental changes)
- h) By Laws Review - First Look
- i) Policy 425 Staff Development - First Look
- j) Policy 503 Student Attendance - First Look
- k) Policy 412 Expense Reimbursement - First Look
- l) Policy 516 Student Medications - First Look
- m) Policy 509 Student Admissions & Enrollment - First Look
- n) Policy 426 Nepotism - First Look

8.0 New Business

8.1 Review staffing;

- a) Cara Waddell resignation as SPED Paraprofessional,
effective September 30, 2024
- b) Carrie Turi hire as SPED Paraprofessional, \$18.52/hour,
effective October 1, 2024

8.2 Review NEO's observation feedback from August's board meeting

9.0 Old Business

10.0 Other

- 10.1 Opportunity for BOD member comments on meeting:
Did we stay on track?
Strategic vs. micro-manage?
Everyone able to participate?

10.2 Next Board of Directors meeting is October 7, 2024 at 3:30 in the Nerstrand Media Center

11.0 Adjournment



Nerstrand Elementary School
205 2nd St | PO Box 156
Nerstrand MN 55053

Board of Directors Meeting Minutes

Charter District #4055

August 19, 2024 | 3:30 p.m.

Nerstrand Elementary Media Center

Members Present	Members Absent	Staff Present	Other Attendees
Carmen Bonde	Ali Bossmann	Nicole Musolf	Tu Nguyen
Carissa Erickson		Traci LaFerriere	
Sarah Johnson			
Terri Neumann			
Paula Shroyer 3:32			
Tara Vondrasek			

1.0 Call to Order at 3:30 p.m.

1.1 Roll Call

2.0 Approve Agenda

Approved. First: Terri, Second: Carmen, Yay:5, Nay: 0, Abstentions: 0

3.0 Opportunity to Report any Board Conflicts of Interest

None noted

4.0 Approve Board Meeting Minutes

4.1 Approve June 10, 2024 Board Meeting Minutes

Approved. First: Terri, Second: Carmen, Yay: 6, Nay: 0, Abstentions: 0

4.2 Approve August 12, 2024 Board Meeting Minutes

Approved. First: Carmen, Second: Paula, Yay: 6, Nay: 0, Abstentions:0

Nerstrand Elementary Charter Authorizer is:
Novation Education Opportunities (NEO)
3432 Denmark Ave, Ste 130
Eagan, MN 55123



Nerstrand Elementary School
205 2nd St | PO Box 156
Nerstrand MN 55053

5.0 Community Comment

NEO rep Tu Nyuyen thanked the board for all their hard work and explained some changes that will be happening, shared a compliance check list as NEO is evaluated by state this year

6.0 Reports

6.1 Director Report

a) News

- Nerstrand is ready to kick off the 24-25 school year
- We welcome new 1st grade teacher, Innana Temple
- We welcome new custodian, Sjon Volden

b) Student Achievement

- MCA individual results will be available at back to school night
- School results are embargoed until the 29th and will be shared in September

c) NEO Update

- Contract Goals will be reviewed in September once MCA results are released

d) Director Performance

- For 24-25, the director will focus on Domain 4 Cooperation and Collaboration

6.2 Enrollment for 24-25

- Current enrollment for 2024-2025 is 103

Nerstrand Elementary Charter Authorizer is:
Novation Education Opportunities (NEO)
3432 Denmark Ave, Ste 130
Eagan, MN 55123



Nerstrand Elementary School
205 2nd St | PO Box 156
Nerstrand MN 55053

- Kindergarten:21, 1st: 18, 2nd:19, 3rd:20, 4th:11, 5th:14

6.3 Finance Report

- a) Monthly Financial Report by Traci LaFerriere
Motion to approve Monthly Financial Report
Motion approved. First: Sarah, Second: Paula,
Yay: 6, Nay: 0, Abstentions: 0
- b) Review and vote to approve donations over \$500
Motion to approve donations over \$500
Motion approved. First: Terri, Second: Tara, Yay: 6, Nay: 0,
Abstentions: 0

7.0 Policy

- a) First look at Staff Handbook
- b) First look at Fall COVID Protocol
- c) First look at Policy 522- Title IX
- d) First look at Policy 515- Pupil Records
- e) First look at Policy 608- SPED Instruction
- f) First look at Policy 609- Religion

8.0 New Business

- 8.1 Review Staffing
No change
- 8.2 Review new board training requirements

Nerstrand Elementary Charter Authorizer is:
Novation Education Opportunities (NEO)
3432 Denmark Ave, Ste 130
Eagan, MN 55123



Nerstrand Elementary School
205 2nd St | PO Box 156
Nerstrand MN 55053

- a) Before seated, board members have to take Board Roles/Responsibilities, Open Meeting Law & Data Practices Law. Check in with Board Member Johnson and Shroyer

- 8.3 Approve BOD Work Calendar 2024
Motion to approve BOD Work Calendar 2024
Motion Approved. First: Sarah, Second: Paula, Yay: 6, Nay: 0, Abstentions: 0

- 8.4 Approve Board Training 2024
Motion to approve Board Training 2024
Motion approved. First: Terri, Second: Carmen, Yay: 6, Nay: 0, Abstentions: 0

- 8.5 Approve Board On-Boarding Information 2024
Motion to approve Board On-Boarding Information 2024
Motion approved. First: Paula, Second: Tara, Yay: 6, Nay: 0, Abstentions: 0

- 8.6 Approve Board Roster 24-25
Motion to approve Board Roster 24-25
Motion approved. First: Tara, Second: Terri, Yay: 6, Nay: 0, Abstentions: 0

9.0 Old Business

- 9.1 Chair reminds new board members that they have 1 year to complete 3 required trainings (finance, governance and employment), but one training must be completed within the first 6 months. All members are complete.

Nerstrand Elementary Charter Authorizer is:
Novation Education Opportunities (NEO)
3432 Denmark Ave, Ste 130
Eagan, MN 55123



Nerstrand Elementary School
205 2nd St | PO Box 156
Nerstrand MN 55053

10.0 Other

10.1 Opportunity for BOD member comments on meeting:

Did we stay on track? Strategic vs. micro-manage? Everyone able to participate? Yes, the meeting went well, good discussion and passing of motions.

10.2 Next Board of Directors meeting – September 9, 2024 at 3:30pm, Nerstrand Media Center

11.0 Adjournment

Motion to adjourn at 3:54p.m.

Approved. First: Tara, Second: Paula, Yay: 6, Nay: 0, Abstentions: 0

Carissa Erickson, Chairperson of the Board

Tara Vondrasek, Clerk of the Board

Nerstrand Elementary Charter Authorizer is:
Novation Education Opportunities (NEO)
3432 Denmark Ave, Ste 130
Eagan, MN 55123

Director's Report:

School is off to a fast start. We have welcomed back 102 students. We are so excited to see them each and every day. We had a great turn out at Back to School night. It was nice to see families again. We are looking forward to a great year.

Student Achievement:

MCA Trends for Math

2019 - 58.7

2020 - NA

2021 - 60.7

2022 - 50.9

2023- 59.1

2024 - 72.7 (impressive)

MCA Reading

2019 - 50.7

2020 - NA

2021 - 58.9

2022 - 48.1

2023 - 43.2

2024 - 54.5 (great)

MCA Trends for Sci

2019 - 16.0

2020 - NA

2021 - 62.5

2022 - 42.9

2023 - 46.2

2024 - 38.5

WBWF Goal:

All Students in 3rd Grade are Reading at Grade Level. This is a multi-year goal, commencing in June of 2027

Goal: By June of 2027, NES will exceed the State proficiency rate combined

Spring 22 Data: State is 48.1 and NES is 56.3

Spring 23 Data: State is 47.4 and NES is 47.1

Spring 24 Data: State is 46.5 and NES is 57.1

Closing the Achievement Gap

Goal: By June 2027, NES will be 10 points above the State when comparing students in the free and reduced category on the math assessment

Spring 24 Data: State is 27 and NES is 73.3

NEO Update including Contract Goals:

NEO will update MCA results. Once we can see this, we can go over them. All other goals were discussed last spring, but we can review again this fall.

Director's Performance:

This year, with Domain 4, we will be focusing on Cooperation and Collaboration. Our focus will be on observing and discussing effective teaching practices. We will ensure that teachers have a formal role in decision-making regarding school initiatives. Teacher teams will meet regularly to discuss curriculum, instruction and assessment. Our teachers will be provided ways to provide input, as well as the students, parents, and community. As school gets underway, the Director will be building these initiatives into the day-to-day operations.

**Nerstrand Elementary School #4055
Financial Report to the School Board
August 2024**

Fiscal Year 2024

The fiscal year 2024 audit is complete.

Fiscal Year 2025

The following reports are provided for review: bank statements, journal entries listing, receipt listing, check listing, wire listing, bank reconciliation, outstanding payments listing, balance sheet and cashflow schedule.

The balance sheet shows the school has a \$602,531 cash balance that is sufficient to meet the school's expected obligations. Also, the school is still expecting \$89,580 from the state for the prior year. The school's fund balance has the following restrictions: \$2022 is restricted for school library expenses (another \$20,000 will be received in FY2025), \$20,000 is restricted for student support personnel expenses (another \$20,000 will be received in FY2025, of the combined \$40,000 only \$20,000 will carryforward to FY2026) and \$9472 is restricted for medical assistance expenses.

The cashflow schedule shows FY2024, July and August actual and September through June projected revenues and expenditures. The column to the right shows the projected end of year accruals which are primarily the 10% state aid holdback and payroll earned in FY2025 but paid after June 30. The actual column to the right shows expected variance from the budget.

The FY2025 budget is based on 100 adm. \$20,000 of new student support personnel aid has not been added to the actual column because \$20,000 was carried forward last year and there is a max \$20,000 limit, it must be paid back if not spent on allowable salaries and/or contracted services. Revenues and expenditures should be monitored to prevent actual from falling short of or exceeding budget.

The prior year general fund ending fund balance is \$88,252 more than the prior year revised budget at \$544,774. The FY2025 actual general fund ending fund balance is expected to be \$78,243 more than budget at \$442,724.

NERSTRAND ELEMENTARY SCHOOL #4055
FY2025 Cashflow / Income Statement

FY2024 Actual	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Accrual	FY2025 Actual	FY2025 Bdg't
GENERAL FUND REVENUES															
Fees From Patrons	7,751.86	0.00	409.19	409.19	409.19	409.19	409.19	409.19	409.19	409.19	409.19	409.19	0.00	7,851.94	7,851.94
Med Assist./F. Dept of HS	3,453.50	1,691.41	0.00	4,747.55	0.00	0.00	0.00	0.00	0.00	0.00	71.04	0.00	0.00	6,500.00	6,500.00
Interest Earnings	29,786.17	2,113.83	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	1,406.57	0.00	18,371.06	18,371.06
Gifts And Bequests	31,665.83	0.00	5,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	0.00	30,000.00	30,000.00
Peace Garden Gift	450.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Night Out Gift	7,800.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Misc Local Revenue	585.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fundraising Expense	-5,972.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-1,000.00	0.00	0.00	-5,000.00	-5,000.00
Fundraising Expense	-1,163.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fundraising Revenue	9,090.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,000.00	9,000.00
Fundraising Revenue	12,700.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Endow Fund Apportion	5,895.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
General Education Aid	749,893.75	107,185.33	58,157.82	2,833.83	2,833.83	2,833.83	2,833.83	2,833.83	2,833.83	2,833.83	2,833.83	2,833.83	0.00	781,996.00	781,996.00
State Literacy Aid	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,571.70	9,571.70
Facility Maintenance Revenue	12,955.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13,200.00	13,200.00
Literacy Incentive Aid	9,571.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
School Library Aid (Restricted)	20,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Building Lease Aid	128,968.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	131,400.00	131,400.00
Stmnt Support/Personnel Aid (Equal Exp)	20,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-18,000.00	0.00	0.00
Federal Aids & Grant	1,473.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Title II	524.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,800.00	1,800.00
Spec Ed Fed FlowThru	3,791.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Spec Ed Fed FlowThru	12,937.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	26,793.67	26,793.67
Spec Ed Fed FlowThru	8,398.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Federal Aids & Grant	627.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REAP Direct Fed Aid&Grant	307,784.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,030.97	4,030.97
State Special Education Aid	467,400.26	0.00	55,140.99	27,491.22	30,596.24	30,596.24	2,371.59	72,302.50	72,333.76	51,640.85	49,173.87	8,266.39	41,037.72	22,893.00	22,893.00
REVENUES TOTAL	1,509,238.54	110,980.57	124,250.38	74,456.25	179,595.20	85,536.76	78,994.01	143,924.92	173,390.03	123,679.83	119,867.33	124,124.72	116,640.87	410,377.23	410,377.23
														1,494,195.37	1,494,195.37
EXPENDITURES															
EDVISORS SALARY & BENEFIT TOTAL	941,231.90	0.00	2,576.69	80,277.03	80,277.03	80,277.03	80,277.03	111,841.03	80,277.03	80,277.03	80,277.03	80,277.03	120,904.87	957,015.83	957,015.83
FACILITY LEASE TOTAL	164,250.00	0.00	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	13,687.50	0.00	164,250.00	164,250.00
PURCHASED SERVICES	18,935.47	0.00	51.53	1,538.50	1,538.50	1,538.50	1,538.50	1,602.05	1,604.22	1,629.36	1,672.68	1,774.97	2,807.87	19,246.29	19,246.29
Consult Fees (Edvisors)	1,556.36	0.00	0.00	147.36	0.00	0.00	0.00	0.00	0.00	333.00	0.00	0.00	0.00	1,000.00	1,000.00
Marketing/Advert/Promo Fees	67,542.81	4,513.60	139.10	15,783.71	0.00	0.00	0.00	675.98	2,166.80	4,627.87	7,811.38	23.90	0.00	71,023.84	71,023.84
Business Consult Fees	5,495.03	481.20	462.47	443.82	563.02	239.00	382.48	886.30	686.30	684.85	610.79	0.00	0.00	5,660.98	5,660.98
Phone	3,774.17	0.00	21.93	16.98	33.91	35.55	875.01	875.01	1,755.92	136.00	0.00	304.00	0.00	3,200.00	3,200.00
Postage & Parcel Svc	1,224.77	0.00	0.00	267.68	222.08	115.48	111.92	88.83	26.55	8.89	392.27	0.00	0.00	0.00	0.00
Technology Svc	45,895.74	857.49	1,403.91	19,581.62	2,311.37	1,154.48	1,978.56	1,005.62	1,674.34	2,144.72	2,144.72	8,779.97	0.00	53,679.75	53,679.75
Utility Services	1,493.31	0.00	69.17	0.00	0.00	0.00	0.00	0.00	328.75	328.06	319.64	1,474.38	0.00	2,520.00	2,520.00
Maintenance	213.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	213.00	213.00
Maintenance	50.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50.00	50.00
Maintenance Peace Garden	73,561.16	0.00	0.00	6,266.15	6,114.19	6,114.19	6,114.19	6,116.70	6,114.56	6,114.56	6,114.55	14,328.87	0.00	75,679.09	75,679.09
Custodial Reimburse To Mn District	11,430.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13,582.76	13,582.76
Insurance	823.50	100.00	0.00	138.00	0.00	0.00	0.00	0.00	0.00	0.00	251.50	0.00	0.00	1,050.00	1,050.00
Elem non-student Consulting	3,643.30	0.00	0.00	0.00	295.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Field Trips, Lcubs, River Bend, admissions	1,014.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Field Trip Transportation	5,136.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00	5,000.00
Music Contract	500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,300.00	1,300.00
Title II - Prof Dev	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Title II - Prof Dev	27.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.00	27.00
3rd Ply Biller Fees	33,357.64	0.00	1,615.00	1,300.00	3,317.60	1,613.30	1,450.80	7,882.09	2,367.30	4,222.40	0.00	15,906.51	0.00	45,000.00	45,000.00
Contracted Speech Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phys Impaired	1,156.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,000.00	1,000.00
Trav/Convl/Conference	7,895.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	850.00	850.00
DHH Sp Ed Sal Pur F Other D	1,655.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,231.18	6,231.18
DHH Sp Ed Benis	405.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,833.96	1,833.96
OHD Contracted Services	358.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	405.00	405.00
Dev Delay Contracted Services	3,501.11	5,000.00	0.00	168.00	0.00	0.00	200.00	405.00	0.00	0.00	0.00	0.00	0.00	358.00	358.00
Fed Sub-contr under \$25k	7,002.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,037.50	9,037.50
Fed Sub-contract under \$25k	9,366.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,240.38	10,240.38
Fed Sub-contract under \$25k	4,430.76	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,508.36	5,508.36
Trans-Contract/Pub	55,096.60	0.00	0.00	3,056.00	4,844.00	3,844.00	6,592.00	9,850.80	5,724.00	6,704.00	4,712.00	4,317.20	0.00	55,430.00	55,430.00
Contracted SpEd Specialists, Psyc, OT	230.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	310.40	310.40
Trav/Convl/Conference	78.11	0.00	0.00	0.00	0.00										

NERSTRAND ELEMENTARY SCHOOL #4055
 FY2025 Cashflow / Income Statement

	FY2024 Actual	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Accrual	FY2025 Actual	FY2025 Bdg't
SUPPLIES																
Marketing Supplies	565.41	0.00	0.00	0.00	16.05	0.00	0.00	549.36	0.00	0.00	0.00	0.00	0.00	0.00	565.41	565.41
Sup/Mat Non-instr.	284.81	0.00	18.92	64.41	18.00	0.00	10.91	0.00	54.05	0.00	25.78	0.00	1,482.93	0.00	1,675.00	1,675.00
Software - JMC, RegionV	0.00	0.00	4,592.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,592.00	0.00
Tech Non Instr Software/License	1,618.37	0.00	0.00	0.00	1,618.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,618.37	1,618.37
Sup/Mat Non-instr.	482.69	0.00	0.00	0.00	912.45	31.50	0.00	36.49	0.00	0.00	3.74	250.82	0.00	0.00	1,235.00	1,235.00
Sup/Mat Non-instr.	40.78	0.00	0.00	0.00	1,000.00	58.04	135.12	34.11	0.00	-2.20	103.74	891.82	2.20	0.00	1,000.00	1,000.00
Sup/Mat Non-instr.	1,962.47	0.00	270.84	0.00	1,756.33	58.04	0.00	62.07	0.00	0.00	0.00	0.00	0.00	62.07	3,250.00	3,250.00
Peace Garden Supplies	92.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	92.07	92.07
Music Non-instruct supplies	106.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	106.00	106.00
Library Non-instruct supplies	98.13	0.00	393.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	393.56	393.56
Library Non-instruct software	0.00	1,212.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,212.49	1,212.49
Non-instruct software	378.40	0.00	0.00	0.00	378.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	378.40	378.40
Instructional software	3,423.60	0.00	2,362.28	0.00	1,063.32	0.00	326.58	44.97	787.37	632.06	230.62	6,731.11	0.00	0.00	3,423.60	3,423.60
Sup/Mat N-Indiv Inst.	6,498.00	0.00	487.53	324.77	2,147.12	240.27	326.58	44.97	787.37	632.06	230.62	6,731.11	0.00	0.00	10,000.00	10,000.00
Instruct Tech Supplies	49.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	49.75	49.75
Textbooks/Workbooks	1,669.60	0.00	96.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,403.10	0.00	0.00	3,500.00	3,500.00
Standardized Tests	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Purchase or S/Lease Tech Equip	2,162.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,162.86	2,162.86
Title II PD Supplies	24.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.00	24.00
PhysEd/Health Supplies	50.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50.87	50.87
Music Sup/Mat N-Indiv Inst	176.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176.32	0.00	0.00	176.32	176.32
Library/Aid Supplies Placeholder	351.93	0.00	0.00	0.00	0.00	0.00	0.00	0.00	270.18	0.00	0.00	0.00	0.00	0.00	270.18	270.18
SpEd Forms MA Software/Bill Fees	12,421.93	0.00	1,041.96	0.00	0.00	0.00	0.00	0.00	0.00	12,351.99	0.00	0.00	0.00	0.00	13,393.95	15,000.00
SpEd supplies	1,060.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,060.51	0.00	0.00	0.00	0.00	1,060.51	1,000.51
SpEd supplies	58.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	58.94	58.94
SpEd Forms Software	19.29	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.29	0.00	0.00	19.29	19.29
SpEd Instructional supplies	1,033.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,033.32	0.00	0.00	0.00	0.00	1,033.32	1,033.32
SpEd Sup/Mat N-Indiv Inst	4,882.77	0.00	0.00	0.00	4,882.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,882.77	4,882.77
Supplies TOTAL	1,175.65	0.00	9,233.99	388.18	11,860.41	329.81	472.61	1,308.15	1,111.60	15,015.68	363.88	13,346.80	1,608.04	0.00	56,252.64	51,670.64
CAPITAL EXPENDITURES																
Princ LT Tech Leases	1,065.70	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	0.00	2,557.68	2,557.68
CAPITAL EXPENDITURES TOTAL	1,065.70	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	213.14	0.00	2,557.68	2,557.68
OTHER EXPENDITURES																
BOD Fees to Authorizer	13,028.21	0.00	0.00	0.00	11,428.76	0.00	0.00	0.00	0.00	0.00	920.80	0.00	0.00	0.00	12,348.56	12,348.56
Dues/Membership - MSBA,MACS, RegionV	8,348.40	825.00	2,725.00	1,900.00	825.00	0.00	0.00	0.00	825.00	0.00	825.00	0.00	0.00	0.00	7,341.22	7,341.22
OTHER EXPENDITURES TOTAL	21,376.61	825.00	2,725.00	1,900.00	12,253.76	0.00	0.00	0.00	825.00	0.00	1,745.80	0.00	0.00	0.00	20,274.56	19,690.78
OTHER FINANCING USES																
Perm Interid Transf	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	654.00	0.00	654.00	2,586.00
OTHER FINANCING USES TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	654.00	0.00	654.00	2,586.00
EXPENDITURES TOTAL	1,534,686.53	27,995.68	62,150.08	129,373.74	153,202.30	116,928.81	118,280.13	114,827.80	167,787.33	150,807.73	123,221.06	132,110.97	175,946.55	123,712.74	1,596,244.89	1,596,244.89
NET INCOME	-25,447.99	82,984.89	62,100.30	-54,917.49	-116,647.77	62,666.39	-32,743.37	-35,833.79	-23,862.41	22,582.30	688.77	-12,243.64	-51,721.83	-5,071.87	-102,049.52	-92,040.36
BEGINNING BALANCE	570,221.59	544,773.60	627,758.49	689,858.79	634,941.30	518,293.53	580,959.92	548,216.55	512,382.76	488,520.35	511,102.65	511,761.41	499,517.77	447,795.95	544,773.60	456,521.92
ENDING BALANCE	544,773.60	627,758.49	689,858.79	634,941.30	518,293.53	580,959.92	548,216.55	512,382.76	488,520.35	511,102.65	511,761.41	499,517.77	447,795.95	442,724.08	384,481.56	22,98%
FUND BALANCE AS % OF EXPENDITURES	0.35	1,212.49	9,233.99	388.18	11,860.41	329.81	472.61	1,308.15	1,111.60	15,015.68	363.88	13,346.80	1,608.04	0.00	56,252.64	51,670.64
FUND 04																
REVENUES	7,473.00	-897.00	1,218.50	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	0.00	5,290.00	5,290.00
Fees From Patrons	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Perm Interid Transf	0.00	-897.00	1,218.50	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	0.00	5,290.00	5,290.00
REVENUES TOTAL	7,473.00	-897.00	1,218.50	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	496.85	0.00	5,944.00	7,876.00
EXPENDITURES	5,541.62	0.00	0.00	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	0.00	7,875.32	7,875.32
Exp/Visions Regnl Eagle Staff	5,541.62	0.00	0.00	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	787.53	0.00	7,875.32	7,875.32
EXPENDITURES TOTAL	1,931.38	-897.00	1,218.50	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	2,901.68	0.00	1,931.38	0.68
NET INCOME	0.00	1,931.38	1,034.38	2,252.88	1,962.20	1,671.52	1,380.83	1,090.15	789.47	508.79	218.11	-72.58	-363.26	0.06	1,931.38	0.68
BEGINNING BALANCE	0.00	1,034.38	2,252.88	1,962.20	1,671.52	1,380.83	1,090.15	789.47	508.79	218.11	-72.58	-363.26	0.06	0.06	0.00	0.00
ENDING BALANCE	1,931.38	1,034.38	2,252.88	1,962.20	1,671.52	1,380.83	1,090.15	789.47	508.79	218.11	-72.58	-363.26	0.06	0.06	0.00	0.00

Nerstrand Charter School #4055 Detail Payment Register By Vendor

Code	Rcd	Vendor Co	Bank	Check No	Pmt/Void Date	Pmt Type
1705 ABDO LLP						
		4055	USB	16991		Check
		E 01	005	110	000 000 305	audit
	PO#:	Voucher #:			Invoice No: 494484	8/29/2024
						\$9,500.00
						Paid Amt: \$9,500.00
						Check Amount: \$9,500.00
						Vendor Total: \$9,500.00
1738 E.O. JOHNSON CO. INC.						
		4055	USB	16992		Check
		E 01	010	203	000 000 560	7/25-8/24
		E 01	010	203	000 000 350	usage
	PO#:	Voucher #:			Invoice No: 37123900	8/29/2024
						\$213.14
						\$69.17
						Paid Amt: \$282.31
						Check Amount: \$282.31
						Vendor Total: \$282.31
1755 EVERGREEN THERAPY SOLUTIONS, LLC						
		4055	USB	16989		Check
		E 01	010	401	000 740 394	July SLP compensatory
	PO#:	Voucher #:			Invoice No: 1437	8/14/2024
						\$1,615.00
						Paid Amt: \$1,615.00
						Check Amount: \$1,615.00
						Vendor Total: \$1,615.00
1033 FARIBAULT TRANSPORTATION, INC						
		4055	USB	16993		Check
		E 01	010	420	000 723 360	7/15-25 ESY transpo
	PO#:	Voucher #:			Invoice No: 100722	8/29/2024
						\$5,508.36
						Paid Amt: \$5,508.36
						Check Amount: \$5,508.36
						Vendor Total: \$5,508.36
1133 INDEPENDENT SCHOOL DIST # 656						
		4055	USB	16994		Check
		E 01	005	850	000 348 570	July Rent
		E 01	005	810	000 000 391	July custodian
		E 01	005	630	000 000 305	July tech
	PO#:	Voucher #:			Invoice No: 42790	8/29/2024
						\$13,687.50
						\$6,186.94
						\$13.95
						Paid Amt: \$19,868.39
						Check Amount: \$19,868.39
						Vendor Total: \$19,868.39
1722 INDIGO EDUCATION						
		4055	USB	16995		Check
		E 01	010	420	000 419 303	FY25 Q1 Director
	PO#:	Voucher #:			Invoice No: 20929	8/29/2024
						\$4,037.50
						Paid Amt: \$4,037.50
						Check Amount: \$4,037.50
						Vendor Total: \$4,037.50

Nerstrand Charter School #4055
Detail Payment Register By Vendor

Code	Rcd	Vendor	Co	Bank	Check No	Pmt/Void Date	Pmt Type
1673		METRONET INC					
		4055	USB		16990		Check
			E 01 005 110 000 000 320			Phone	\$223.47
PO#:		Voucher #:	8594	Invoice	Invoice No: 1705956	8/14/2024	Paid Amt: \$223.47
			E 01 005 110 000 000 320			Phone	\$239.00
PO#:		Voucher #:	8595	Invoice	Invoice No: 1677211	8/14/2024	Paid Amt: \$239.00
							Check Amount: \$462.47
							Vendor Total: \$462.47
1728		SCHOOL DATEBOOKS, INC.					
		4055	USB		16996		Check
			E 01 010 203 000 000 430			stdnt planners	\$149.83
PO#:		Voucher #:	8601	Invoice	Invoice No: S24-0294110	8/29/2024	Paid Amt: \$149.83
							Check Amount: \$149.83
							Vendor Total: \$149.83
1703		TRACI LAFERRIERE					
		4055	USB		16997		Check
			E 01 005 110 000 000 305			August	\$4,500.00
PO#:		Voucher #:	8603	Invoice	Invoice No: 20240812	8/29/2024	Paid Amt: \$4,500.00
							Check Amount: \$4,500.00
							Vendor Total: \$4,500.00
							Report Total: \$45,923.86

Nerstrand Charter School #4055 Reconciliation Worksheet Report 08/31/2024

Audit No	Statement Date	Co	Bank Code	Bank Name/Description
1308	08/31/2024	4055	LCCB	Lake Country Community Bank
				Lake Country Community Bank

Worksheet has been Finalized

Statement Amount 110,734.89

Deposits in Transit 0.00

Outstanding Payments

Checks 0.00

Wires 0.00

SHR - Payments 0.00

SHR - Third Party 0.00

Cash 0.00

ACH 0.00

Adjustment Amount

0.00

Amount Per Bank 110,734.89

GL Account Balance 110,734.89

Difference 0.00

Adjustments
00/00/0000

Co L Fd Org Pro Crs Fin O/S
4055 B 01 101 003
F
TY

Nerstrand Charter School #4055
 Reconciliation Worksheet Report
 08/31/2024

Audit No	Statement Date	Co	Bank Code	Bank Name/Description
1309	08/31/2024	4055	USB	US BANK CHECKING ACCOUNT

Worksheet has been Finalized

Statement Amount	555,013.17
Deposits in Transit	0.00
<u>Outstanding Payments</u>	
Checks	63,216.65
Wires	0.00
SHR - Payments	0.00
SHR - Third Party	0.00
Cash	0.00
ACH	0.00
<u>Adjustment Amount</u>	<u>0.00</u>
Amount Per Bank	491,796.52
GL Account Balance	491,796.52
Difference	0.00

Adjustments
 00/00/0000

Co L Fd Org Pro Crs Fin O/S
 4055 B 01 101 000
 F TY

**NERSTRAND ELEMENTARY SCHOOL #4055
Balance Sheet Through August 2024**

<u>Fund</u>	<u>Community</u>	<u>Funds</u>
<u>General</u>	<u>Community</u>	<u>Total</u>
600,278.53	2,252.88	602,531.41
89,580.26	0.00	89,580.26
0.00	0.00	0.00
689,858.79	2,252.88	692,111.67
Assets		
Cash and Investments		
Due from governments		
Prepaid Items		
Total assets		
Liabilities		
Accounts payable		
Due to Other MN Districts		
Total liabilities		
Net Assets		
Unreserved		
Nonspendable		
Restricted Library Aid		
Restricted Student Support Aid		
Restricted		
Reserved for Med Assist		
Total liabilities and net assets		
648,331.94	0.00	648,331.94
10,032.56	0.00	10,032.56
2,021.87	0.00	2,021.87
20,000.00	0.00	20,000.00
0.00	0.00	0.00
2,252.88	2,252.88	2,252.88
9,472.42	0.00	9,472.42
689,858.79	2,252.88	692,111.67

Nerstrand Charter School #4055

Detail Payment Register By Vendor

Code	Rcd	Vendor Co	Bank	Check No	Pmt/Void Date	Pmt Type		
1732		CAPITAL ONE						
		4055	LCCB			Wire		
E	01	005	110	000	000	401	target ofc supplies	\$18.14
E	01	005	110	000	000	401	target rtn ofc supplies	(\$13.96)
E	01	010	203	000	000	430	target schi supplies	\$41.07
E	01	005	110	000	000	329	Nerstrand post ofc	\$8.95
E	01	005	110	000	000	329	Northfield post ofc	\$8.95
E	01	010	203	000	000	430	walmart schi supplies	\$20.29
E	01	010	203	000	000	401	sarns clud school supplies	\$270.84
E	01	010	620	000	343	401	walmart bins	\$28.84
E	01	010	620	000	343	401	walmart bins	\$67.13
E	01	010	620	000	343	401	walmart bins	\$48.18
E	01	010	620	000	343	401	walmart bins	\$38.36
E	01	010	620	000	343	401	walmart bins	\$38.36
E	01	010	620	000	343	401	walmart bins	\$38.36
E	01	010	620	000	343	401	walmart bins	\$19.18
E	01	010	620	000	343	401	walmart bins	\$38.36
E	01	010	620	000	343	401	walmart bins	\$19.05
E	01	010	203	000	000	430	target supplies	\$42.79
E	01	010	203	000	000	430	target supplies	\$35.42
E	01	005	110	000	000	401	target hersheys	\$14.74
E	01	010	203	000	000	430	target supplies	\$74.30
E	01	010	203	000	000	430	target supplies	\$103.83
E	01	010	620	000	343	470	amazon library book	\$14.12
E	01	010	620	000	343	470	amazon library book	\$77.20
E	01	010	620	000	343	401	amazon bins	\$32.20
E	01	010	620	000	343	401	amazon supplies	\$63.90
E	01	010	620	000	343	470	amazon library bks	\$18.24
E	01	010	620	000	343	470	amazon library bks	\$64.69
E	01	010	620	000	343	470	amazon library bks	\$867.71
E	01	005	110	000	000	329	usps	\$4.03
PO#: 8608 Invoice Invoice No: 20240820 Pmt/Void Date: 8/20/2024						Paid Amt:	\$2,064.91	
						Check Amount:	\$2,064.91	
						Vendor Total:	\$2,064.91	

Code	Rcd	Vendor Co	Bank	Check No	Pmt/Void Date	Pmt Type		
1373		SCHOLASTIC INC						
		4055	LCCB			Wire		
E	01	010	203	000	000	430	supplies	\$96.90
E	01	010	203	000	000	430	supplies	(\$96.90)

Nerstrand Charter School #4055
Detail Payment Register By Vendor

Code	Rcd	Vendor	Co	Bank	Check No	Pmt/Void Date	Pmt Type
1373		SCHOLASTIC INC	4055	LCCB			
					E 01 010 203 000 000 460	supplies	
PO#:		Voucher #:			8610 Invoice	Invoice No: 20240823	8/23/2024
							\$96.90
							Wire
							Paid Amt: \$96.90
							Check Amount: \$96.90
							Vendor Total: \$96.90
1756		SPARETIME	4055	LCCB			
					E 01 010 640 000 000 366	PD/learn bid	
PO#:		Voucher #:			8609 Invoice	Invoice No: 20240820	8/20/2024
							\$347.10
							Wire
							Paid Amt: \$347.10
							Check Amount: \$347.10
							Vendor Total: \$347.10
1700		USBANK	4055	USB			
					E 01 005 110 000 000 305	svc fee	
PO#:		Voucher #:			8611 Invoice	Invoice No: 20240814	8/14/2024
							\$15.90
							Wire
							Paid Amt: \$15.90
							Check Amount: \$15.90
							Vendor Total: \$15.90
1017		XCEL ENERGY	4055	USB			
					E 01 005 810 000 000 330	6/26-7/28	
PO#:		Voucher #:			8597 Invoice	Invoice No: 887570481	8/14/2024
							\$1,040.63
							Wire
							Paid Amt: \$1,040.63
							Check Amount: \$1,040.63
							Vendor Total: \$1,040.63
							Report Total: \$3,555.44

Receipt Listing Report with Detail by Deposit

Deposit Co	Bank	Batch	Rct No	Receipt Type	Receipt St	Receipt Date	Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount	
1918	4055	USB															
IDEAS			1942	Credit	A	08/31/24	4055 R 01 000 000 000	Wire	1	MDE							
										State Special Education Aid							
														55,140.99		0.00	
														<u>\$58,309.40</u>	<u>\$0.00</u>		
														Receipt Total:			
														Deposit Total:	\$58,309.40	\$0.00	
1919	4055	USB															
interest			1943	Credit	A	08/31/24	4055 R 01 000 000 000	Wire	1	M							
										Miscellaneous							
										Interest Earnings							
														1,806.75		0.00	
														<u>\$1,806.75</u>	<u>\$0.00</u>		
														Receipt Total:			
														Deposit Total:	\$1,806.75	\$0.00	
1920	4055	USB															
FY24 Fin 419			1944	Credit	A	08/22/24	4055 B 01 122 000	Wire	1	MDE							
										FY24 Fin419							
														13,002.17		0.00	
														<u>\$13,002.17</u>	<u>\$0.00</u>		
														Receipt Total:			
														Deposit Total:	\$13,002.17	\$0.00	
1921	4055	USB															
interest			1945	Credit	A	08/31/24	4055 R 01 000 000 000	Wire	1	M							
										Miscellaneous							
										Interest Earnings							
														384.82		0.00	
														<u>\$384.82</u>	<u>\$0.00</u>		
														Receipt Total:			
														Deposit Total:	\$384.82	\$0.00	
														Report Total:	\$141,639.46	\$0.00	

Nerstrand Charter School #4055 Outstanding Payments by Payment Date

Bank: USB
Acct#: 152100023570

8/31/2024

Co	Pmt No	Pmt Type	Grp Code	Vendor	Pmt Date	Check No	Amount	
4055	8530	Check	1 1734	NERSTRAND PTO	07/23/2024	16986	19,370.26	
	8542	Check	1 1705	ABDO LLP	08/29/2024	16991	9,500.00	
	8545	Check	1 1738	E.O. JOHNSON CO. INC.	08/29/2024	16992	282.31	
	8539	Check	1 1033	FARIBAULT TRANSPORTATION, I	08/29/2024	16993	5,508.36	
	8540	Check	1 1133	INDEPENDENT SCHOOL DIST # 6	08/29/2024	16994	19,868.39	
	8543	Check	1 1722	INDIGO EDUCATION	08/29/2024	16995	4,037.50	
	8544	Check	1 1728	SCHOOL DATEBOOKS, INC.	08/29/2024	16996	149.83	
	8541	Check	1 1703	TRACI LAFERRIERE	08/29/2024	16997	4,500.00	
						Bank	Total	63,216.65
							Total	\$63,216.65

Nerstrand Charter School #4055
Journal Entry Listing

JE Cd	Period	Date	St	Src	Ref	Description	Detail Desc	L	Fd	Org	Pro	Crs	Fin	O/S	Account Description	Debit Amount	Credit Amount
4354	202502	08/14/2024	P	JE	Aug	EdEdVisions Aug EFT	EdVisions (Fd1)	B	01	101	000				USB Cash	0.00	2,628.22
							EdVisions (Fd4)	B	04	101	000				USB Cash	0.00	0.00
							Musolf, Nicole	E	01	005	050	000	000	305	EdVisions School Administr	0.00	0.01
							EdVisions Pysl Srvice Fee	E	01	005	105	000	000	305	Consult Fees (EdVisions)	51.53	0.00
							Shroyer, Paula	E	01	010	201	000	000	394	EdVisions Kinder Staff	0.00	34.73
							Harris, Amy	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.00
							Huber, Margaret-GenEd Para	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.00
							Johson, Sarah	E	01	010	203	000	000	394	EdVisions General Staff	0.01	0.00
							McCorkell, Kate	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.00
							McCorkell, Kate	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.00
							McGregor, Kelly	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.00
							Peterson, Andrea	E	01	010	203	000	000	394	EdVisions General Staff	0.00	0.01
							Vondrasek, T	E	01	010	203	000	000	394	EdVisions General Staff	0.00	33.89
							Bonde, Carmen-PhyEd Tchr	E	01	010	240	000	000	394	EdVisions General Staff	0.00	34.72
							Bonde, Linda-PE Sub	E	01	010	240	000	000	394	EdVisions PhysEd Staff	0.02	0.00
							McBride, Philip	E	01	010	407	000	000	394	EdVisions PhysEd Staff	0.00	0.00
							McBride, Philip	E	01	010	407	000	740	396	EdVisions Sp Ed Sal Pur F r	0.00	0.00
							McBride, Philip-ESY	E	01	010	407	000	740	397	EdVisions Sp Ed Ben Pur F	0.00	8.01
							McBride, Philip-ESY	E	01	010	407	013	740	396	Sp Ed Sal Pur F Other D	2,016.00	0.00
							Schaefer, Nicole	E	01	010	411	000	740	396	Sp Ed Ben Pur F Other D	363.07	0.00
							Schaefer, Nicole	E	01	010	411	000	740	397	EdVisions Sp Ed Sal Pur F r	0.00	0.00
							Ades, Hudson-Sped Para	E	01	010	420	000	740	396	Sp Ed Ben Pur F Other D	0.00	0.00
							Bonde, Carmen-Sped Para	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Bonde, Riann-Sped Para	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Flom, Sara-Sped Para	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Houghten-Eitzman, Laura	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Huber, Margaret-GenEd Para	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							McCorkell, Kate	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Meyer, S	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Pepin Julie	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Reuvers, Suzanne	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Schweisthal	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Turi Carrie	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Waddell, Cara-Sped Para	E	01	010	420	000	740	396	EdVisions SpEd Staff	0.00	0.00
							Ades, Hudson-Sped Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
							Bonde, Carmen-Sped Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
							Bonde, Riann-Sped Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
							Flom, Sara-Sped Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00

Nerstrand Charter School #4055
Journal Entry Listing

JE Cd	Period	Date	St Src	Ref	Description	Detail Desc	L	Fd	Org	Pro	Crs	Fin	O/S	Account Description	Debit Amount	Credit Amount
4354	202502	08/14/2024	P	JE	Aug Ed	EdVisions Aug EFT	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Huber, Margaret-GenEd Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						McCorkell, Kate	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Meyer, S	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Pepin Julie	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Reuvers, Suzanne	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Schweisthal	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Turi Carrie	E	01	010	420	000	740	397	EdVisions SpEd Benefits	0.00	0.00
						Waddell, Cara-Sped Para	E	01	010	420	000	740	397	EdVisions SpEd Benefits	283.80	0.00
						Harris, Amy-Sped Para	E	01	010	420	013	740	396	ESY Para	25.15	0.00
						Harris, Amy-Sped Para	E	01	010	420	013	740	397	ESY Para Fringe	0.00	0.00
						McCorkell, Kate	E	01	010	422	000	425	303	CEIS para	0.01	0.00
						Jans, Dana	E	01	010	605	000	000	394	EdVisions InstructionalSupp	0.00	0.00
						Waddell, Cara-Media Para	E	01	010	620	000	343	396	Library Salary	0.00	0.00
						Waddell, Cara - Media Para	E	01	010	620	000	343	397	Library Benefits	0.00	0.00
						Gilmore, Greta-Regal Eagle Sut	E	04	005	570	000	000	394	EdVisions Regal Eagle Staff	0.00	0.00
						Turi, Carrie	E	04	005	570	000	000	394	EdVisions Regal Eagle Staff	0.00	0.00
4355	202502	08/14/2024	P	JE	Rev Ed	Rev Edv Aug	B	01	101	000				USB Cash	0.00	63,548.56
							B	01	206	000				Other Accts Payable	63,548.56	0.00
															\$2,739.59	\$2,739.59
															\$63,548.56	\$63,548.56

NES will follow the CDC Guidelines with respect to COVID.

The CDC recommends that individuals:

- Stay up to date on vaccines
- Stay home when ill
- Use air purifiers (ventilation)
- Wash hands/use hand sanitizer
- Cover coughs and sneezes to reduce spread
- Clean school thoroughly, daily
- We will monitor the county numbers
 - <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>
- Homework will be sent home with students upon request.
We are not offering distance learning at this time.
- <https://www.cdc.gov/media/releases/2024/p0301-respiratory-virus.html>

Nerstrand Elementary School Policy 522
Independent Charter School District #4055
Reviewed 9/12/2022
Reviewed 10/10/2022
Reviewed:

**522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE
PROCEDURE AND PROCESS**

I. GENERAL STATEMENT OF POLICY

A. The charter school does not discriminate on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, in any education program or activity that it operates, including in admission and employment. The charter school does not discriminate in such a manner in its implementing regulations. The charter school is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

B. Except as provided elsewhere under Title IX or its regulations, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the charter school.

C. The charter school prohibits sex-based discrimination or sexual harassment that occurs within its education programs and activities. The charter school shall promptly respond in a manner that is prompt and effective.

D. Except as provided therein, Title IX and its regulations apply to all sex discrimination occurring under a charter school's education program or activity in the United States. For the purpose of this paragraph, conduct that occurs under the charter school's education program or activity includes but is not limited to conduct that is subject to the charter school's disciplinary authority. The charter school has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing

to the hostile environment occurred outside the charter school's education program or activity or outside the United States.

E. The charter school has adopted, published, and implemented grievance procedures consistent with the requirements of 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the charter school's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or its regulations.

F. The charter school's obligation to comply with Title IX and its regulations is not obviated or alleviated by the Federal Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, or its implementing regulations, 34 Code of Federal Regulations, part 99, or any state law or local law. The obligation to comply is not obviated or alleviated by any rule or regulation of any organization, club, athletic or other league, or association which would render any applicant or student ineligible to participate or limit the eligibility or participation of any applicant or student, on the basis of sex, in any education program or activity operated by the charter school and which receives Federal financial assistance.

G. The charter school has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the charter school's education program or activity or outside the United States.

H. Nothing in Title IX or its regulations may be read in derogation of any legal right of a parent, guardian, or other authorized legal representative to act on behalf of a complainant, respondent, or other person, subject to Paragraph F of this section, including but not limited to making a complaint through the charter school's grievance procedures for complaints of sex discrimination.

I. In the limited circumstances in which Title IX or its regulations permits different treatment or separation on the basis of sex, the charter school must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than de minimis harm, except as permitted by 20 United States Code, section 1681(a)(1) through (9) and the corresponding regulations sections 106.12 through 106.15, 20 United States Code,

section 1686 and its corresponding regulation section 106.32(b)(1), or section 106.41(b). Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex.

J. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The charter school's Title IX Coordinator(s) is/are:

Dana Jans, Administrative Assistant
Dana@nerstrand.charter.k12.mn.us
507-333-6850

Inquiries about Title IX and its regulations may be referred to the Title IX Coordinator(s), the United States Department of Education's Office for Civil Rights, or both.

K. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to **Dana@nerstrand.charter.k12.mn.us**

L. The effective date of this policy is August 1, 2024, and applies to alleged violations of this policy occurring on or after August 1, 2024.

II. DEFINITIONS

A. "Admission" means selection for part-time, full-time, special, associate, transfer, exchange or any other enrollment, membership, or matriculation in or at an education program or activity operated by the charter school.

B. "Complainant" means

1. a student or employee of the charter school who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

2. a person other than a student or employee of the charter school who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in a charter school education program or activity at the time of the alleged sex discrimination.

C. “Complaint” means an oral or written request to the charter school that objectively can be understood as a request for the charter school to investigate and make a determination about alleged discrimination under Title IX or its regulations.

1. A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 Code of Federal Regulations, section 106.44(f)(1)(v).

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

- a. a complainant;
- b. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- c. the charter school’s Title IX Coordinator.

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

- a. any charter school student or employee; or
- b. any person other than a charter school student or employee who was participating or attempting to participate in a charter

school education program or activity at the time of the alleged sex discrimination.

D. “Confidential employee” means

1. A charter school employee whose communications are privileged or confidential under Federal or Minnesota law. The employee’s confidential status, for purposes of this part, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or

2. A charter school employee whom the charter school has designated as confidential under this part for the purpose of providing services to persons related to sex discrimination. If the employee also has a duty not associated with providing those services, the employee’s confidential status is only with respect to information received about sex discrimination in connection with providing those services.

E. “Day” or “days” means, unless expressly stated otherwise, business days (i.e. day(s) that the charter school office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

F. “Disciplinary sanctions” means consequences imposed on a respondent following a determination under Title IX that the respondent violated the charter school’s prohibition on sex discrimination.

G. “Parental status” as used in Title IX and its regulations means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:

1. A biological parent;
2. An adoptive parent;
3. A foster parent;
4. A stepparent;

5. A legal custodian or guardian;
 6. In loco parentis with respect to such a person; or
 7. Actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- H. “Party” means a complainant or respondent.
- I. “Peer retaliation” means retaliation by a student against another student.
- J. “Pregnancy or related conditions” means:
1. Pregnancy, childbirth, termination of pregnancy, or lactation;
 2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
 3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- K. “Program or activity” and “program” means all of the operations of a local education agency as defined in 20 United States Code, section 8801, a special purpose district, a system of vocational education, or other school system.
- L. “Relevant” means related to the allegations of sex discrimination under investigation as part of the grievance procedures under Title IX and 34 Code of Federal Regulations, section 106.44. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
- M. “Remedies” means measures provided, as appropriate, to a complainant or any other person the charter school identifies as having had their equal access to the charter school’s education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person’s access to the charter school’s education program or activity after a charter school determines that sex discrimination occurred.

N. “Respondent” means a person who is alleged to have violated the charter school’s prohibition on sex discrimination.

O. “Retaliation” means intimidation, threats, coercion, or discrimination against any person by the charter school, a student, or an employee or other person authorized by the charter school to provide aid, benefit, or service under the charter school’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

P. “Sex-based harassment” prohibited by Title IX and its regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. *Quid pro quo harassment.*

An employee, agent, or other person authorized by the charter school to provide an aid, benefit, or service under the charter school’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;

2. *Hostile environment harassment.*

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the charter school’s education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- a. The degree to which the conduct affected the complainant’s ability to access the charter school’s education program or activity;
- b. The type, frequency, and duration of the conduct;

c. The parties' ages, roles within the charter school's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;

d. The location of the conduct and the context in which the conduct occurred; and

e. Other sex-based harassment in the charter school's education program or activity; or

3. *Specific offenses.*

a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

b. Dating violence meaning violence committed by a person:

i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:

(a) The length of the relationship;

(b) The type of relationship; and

(c) The frequency of interaction between the persons involved in the relationship;

c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:

i. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of

the state of Minnesota, or a person similarly situated to a spouse of the victim;

ii. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

iii. shares a child in common with the victim; or

iv. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or

d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

i. Fear for the person's safety or the safety of others; or

ii. Suffer substantial emotional distress.

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

R. "Student with a disability" means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, or a child with a disability as defined in the Individuals with Disabilities Education Act.

S. "Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party's access to the charter school's education program or activity, including measures that are designed to protect the safety of the parties or the charter school's educational environment; or

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

The charter school will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the charter school's education program or activity or provide support during the charter school's Title IX grievance procedures or during the informal resolution process.

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

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

A. The charter school must designate and authorize at least one employee, referred to as a Title IX Coordinator, to coordinate its efforts to comply with its obligations under Title IX and its regulations. If a charter school has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over the responsibilities and ensure the charter school's consistent compliance with its responsibilities under Title IX and its regulations.

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

IV. PARENTAL, FAMILY, OR MARITAL STATUS; PREGNANCY OR RELATED CONDITIONS

A. Status Generally

The charter school must not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.

B. Pregnancy or Related Conditions

I. Nondiscrimination

The charter school must not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The charter school does not engage in prohibited discrimination when it allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity provided the charter school ensures that the

separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. Responsibility to Provide Title IX Coordinator Contact and Other Information

The charter school must ensure that when a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the charter school's education program or activity.

3. Specific Actions to Prevent Discrimination and Ensure Equal Access

The charter school must take specific actions below to promptly and effectively prevent sex discrimination and ensure equal access to the charter school's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions. The Title IX Coordinator must coordinate these actions.

a. Responsibility to provide information about charter school obligations.

The charter school must inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of the charter school's obligations under 34 Code of Federal Regulations, section 106.31, paragraphs (b)(1) through (5) and section 106.44(j) and provide the charter school's notice of nondiscrimination under section 106.8(c)(1)

b. Reasonable modifications

i. The charter school must make reasonable modifications to the charter school's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the r charter school's education program or activity. Each reasonable modification must be based on the student's individualized needs. In determining what modifications are required under this paragraph, the charter school must consult with the student. A modification that a charter school can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification.

ii. The student has discretion to accept or decline each reasonable modification offered by the charter school. If a student accepts the charter school's offered reasonable modification, the charter school must implement it.

iii. Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures.

c. Voluntary access to separate and comparable portion of program or activity

The charter school must allow the student to voluntarily access any separate and comparable portion of the charter school's education program or activity under Paragraph A. above.

d. Voluntary leaves of absence

The charter school must allow the student to voluntarily take a leave of absence from the charter school's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by the charter school that allows a greater period of time than the medically necessary period, the charter school must permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to the charter school's education program or activity, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

e. Lactation space

The charter school must ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

f. Limitation on supporting documentation

The charter school must not require supporting documentation under Paragraph B.3, subparagraphs b. through e. unless the documentation is necessary and reasonable for the charter school to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action under Paragraph C. subparagraphs 3 through 5 is obvious, such as when a student who is pregnant needs a bigger uniform; when the student has previously provided the charter school with sufficient supporting documentation; when the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to

eat, drink, or use the restroom; when the student has lactation needs; or when the specific action under Paragraph C. subparagraphs 3 through 5 is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

4. Comparable Treatment to Other Temporary Medical Conditions

To the extent consistent with Paragraph B.3 above, the charter school must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the charter school administers, operates, offers, or participates in with respect to students admitted to the charter school's education program or activity.

5. Certification to Participate

The charter school must not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the charter school's class, program, or extracurricular activity unless:

- a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- b. The charter school requires such certification of all students participating in the class, program, or extracurricular activity; and
- c. The information obtained is not used as a basis for discrimination prohibited by this part.

V. REPORTING PROHIBITED CONDUCT

A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

B. The charter school requires all employees who are not confidential employees to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations. This requirement does not apply to an employee who has personally been subject to conduct that reasonably may constitute sex discrimination under Title IX or its regulations.

C. Confidential Employee Requirements

1. The charter school must notify all participants in the charter school's education program or activity of how to contact its confidential employees, if any.

2. The charter school must require a confidential employee to explain to any person who informs the confidential employee of conduct that reasonably may constitute sex discrimination under Title IX or its regulations:

a. The employee's status as confidential for purposes of this part, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination;

b. How to contact the charter school's Title IX Coordinator and how to make a complaint of sex discrimination; and

c. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.

D. Any employee of the charter school who has experienced, has knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

E. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during nonbusiness hours, and may be made in person, by

mail, by telephone, or by email using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

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

VI. CHARTER SCHOOL'S RESPONSE TO SEXUAL HARASSMENT

A. General

Upon knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, the charter school must respond promptly and effectively. The charter school must also comply with 34 Code of Federal Regulations, section 106.44 to address sex discrimination in its education program or activity.

B. Barriers to Reporting

The charter school must require its Title IX Coordinator to:

1. Monitor the charter school's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations; and
2. Take steps reasonably calculated to address such barriers.

C. Title IX Coordinator Requirements

1. The Title IX Coordinator is responsible for coordinating the charter school's compliance with its obligations under Title IX and its regulations. The charter school must require its Title IX Coordinator, when notified of conduct that reasonably may constitute sex discrimination under Title IX or its regulations, to take the following actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects:

- a. Treat the complainant and respondent equitably;
- b. Offer and coordinate supportive measures, as appropriate, for the complainant. In addition, if the charter school has initiated grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;
- c. Notify the complainant or, if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and if applicable and the informal resolution process, if available and appropriate. If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate;
- d. In response to a complaint, initiate the grievance procedures or the informal resolution process, if available and appropriate and requested by all parties;
- e. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures.
 - i. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:
 - [a] The complainant's request not to proceed with initiation of a complaint;
 - [b] The complainant's reasonable safety concerns regarding initiation of a complaint;
 - [c] The risk that additional acts of sex discrimination would occur if a complaint is not initiated;

[d] The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;

[e] The age and relationship of the parties, including whether the respondent is an employee of the charter school;

[f] The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;

[g] The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and

[h] Whether the charter school could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

ii. If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the charter school from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint

f. If initiating a complaint under Subparagraph e. above, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures; and

g. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the charter school's education program or activity.

2. The Title IX Coordinator is not required to comply with Paragraph C.1, subparagraphs a. through g. above upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its regulations.

D. Supportive Measures

Under the *Title IX Coordinator Requirements* above, the charter school must offer and coordinate supportive measures, as appropriate, as described below. For allegations of sex discrimination other than sex-based harassment or retaliation, the charter school's provision of supportive measures does not require the charter school, its employee, or any other person authorized to provide aid, benefit, or service on the charter school's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

1. Supportive measures may vary depending on what the charter school deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

2. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or the charter school's educational environment, or to provide support during the charter school's grievance procedures, or during the informal resolution process.

The charter school must not impose such measures for punitive or disciplinary reasons.

3. The charter school may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or the charter school may continue them beyond that point.

4. The charter school must provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the charter school's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The charter school must also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

5. The charter school must not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 Code of Federal Regulations section 106.44(j)(1) through (5) applies.

6. The charter school must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 in the implementation of supportive measures.

E. Students with Disabilities

If a complainant or respondent is an elementary or secondary student with a disability, the charter school must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 throughout the charter school's implementation of grievance procedures under 34 Code of Federal Regulations, section 106.45.

F. Emergency Removal

Nothing in Title IX or its regulations precludes the charter school from removing a respondent from the charter school's education program or activity on an emergency basis, provided that the charter school undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

G. Administrative Leave

Nothing in Title IX or its regulations precludes the charter school from placing an employee respondent on administrative leave from employment responsibilities during the pendency of the charter school's grievance procedures. This provision must not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990.

H. Prohibited Disclosures of Personally Identifiable Information

The charter school must not disclose personally identifiable information obtained in the course of complying with this part, except in the following circumstances:

1. When the charter school has obtained prior written consent from a person with the legal right to consent to the disclosure;
2. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
3. To carry out the purposes of 34 Code of Federal Regulations, section 106, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the charter school's education program or activity;
4. As required by federal law, federal regulations, or the terms and conditions of a Federal award, including a grant award or
5. To the extent such disclosures are not otherwise in conflict with Title IX or its regulations, when required by Minnesota or local law or when permitted under FERPA or its implementing regulations.

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

A. General

The charter school's grievance procedures for the prompt and equitable resolution of complaints of sex discrimination must be in writing and include provisions that incorporate the requirements of this section. The requirements related to a respondent apply only to sex discrimination complaints alleging that a person violated the charter school's prohibition on sex discrimination. When a sex discrimination complaint alleges that a charter school's policy or practice discriminates on the basis of sex, the charter school is not considered a respondent.

B. Basic Requirements for Grievance Procedures

The charter school's grievance procedures must:

1. Treat complainants and respondents equitably;

2. Require that any person designated as a Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or investigator;

3. Include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the charter school's grievance procedures for complaints of sex discrimination;

4. Establish reasonably prompt timeframes for the major stages of the grievance procedures, including a process that allows for the reasonable extension of time frames on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Major stages include, for example, evaluation (i.e., the charter school's decision whether to dismiss or investigate a complaint of sex discrimination); investigation; determination; and appeal, if any;

a. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.

b. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the charter school within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.

c. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the charter school.

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

e. Although the charter school strives to adhere to the timelines described above, in each case, the charter school may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening charter school holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

f. The charter school has established the following process for reasonable extension of time frames on a case-by-case basis for good cause as set forth above. The process includes notice to the parties and the reason for the delay:

An additional 30 days will be granted for an exceptional circumstance.

5. Require the charter school to take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the charter school's grievance procedures, provided that the steps do not restrict the ability of the parties to: obtain and present evidence, including by speaking to witnesses, subject to the prohibition against retaliation; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures;

6. Require an objective evaluation of all evidence that is relevant, as defined in Article II, and not otherwise impermissible—including both inculpatory and exculpatory evidence—and provide that credibility determinations must not be based on a person's status as a complainant, respondent, or witness;

7. Exclude the following types of evidence, and questions seeking that evidence, as impermissible (i.e., must not be accessed or considered, except by the charter school to determine whether an exception in subparagraphs (a) through (c) applies; must not be disclosed; and must not otherwise be used), regardless of whether they are relevant:

a. Evidence that is protected under a privilege as recognized by federal or Minnesota law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

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

c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred; and

8. If the charter school adopts grievance procedures that apply to the resolution of some, but not all, complaints articulate consistent principles for how the charter school will determine which procedures apply.

C. Notice of Allegations

Upon initiation of the charter school's grievance procedures, the charter school must provide notice of the allegations to the parties whose identities are known.

1. The notice must include:

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

b. Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX or this part, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the charter school;

c. A statement that retaliation is prohibited; and

d. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if the charter school provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.

2. If, in the course of an investigation, the charter school decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice or that are included in a complaint that is consolidated, the charter school must provide notice of the additional allegations to the parties whose identities are known.

If, in the course of an investigation, the charter school decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the charter school will notify the parties of the additional allegations.

D. Consolidation

The charter school may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

E. Complaint Investigation

A. The charter school must provide for adequate, reliable, and impartial investigation of complaints. To do so, the charter school must:

1. Ensure that the burden is on the charter school – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;

2. Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;

3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, consistent with § 106.2 and with paragraph (b)(7) of this section; and

4. Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:

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

b. The charter school must provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and

c. The charter school must take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. For purposes of this paragraph,

disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

F. Questioning Parties and Witnesses to Aid in Evaluating Allegations and Assessing Credibility

The charter school must provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

G. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the charter school must:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred, unless the charter school uses the clear and convincing evidence standard of proof in all other comparable proceedings, including proceedings relating to other discrimination complaints, in which case the charter school may elect to use that standard of proof in determining whether sex discrimination occurred. Both standards of proof require the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness; if the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its regulations including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
3. If there is a determination that sex discrimination occurred, as appropriate, require the Title IX Coordinator to coordinate the provision and implementation of remedies to a complainant and other persons the charter school identifies as having had equal access to the charter school's

education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and require the Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the charter school's education program or activity. The charter school may not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the charter school's grievance procedures that the respondent engaged in prohibited sex discrimination;

4. Comply with 34 Code of Federal Regulations, section 106.45, before the imposition of any disciplinary sanctions against a respondent; and

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

I. Additional Provisions

If the charter school adopts additional provisions as part of its grievance procedures for handling complaints of sex discrimination, including sex-based harassment, such additional provisions must apply equally to the parties.

H. Informal Resolution

In lieu of resolving a complaint through the charter school's grievance procedures, the parties may instead elect to participate in an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) if provided by the charter school consistent with that paragraph.

I. Provisions Limited to Sex-Based Harassment Complaints

For complaints alleging sex-based harassment, the grievance procedures must:

1. Describe the range of supportive measures available to complainants and respondents; and

2. List, or describe the range of, the possible disciplinary sanctions that the charter school may impose and remedies that the charter school may provide following a determination that sex-based harassment occurred.

VIII. INFORMAL RESOLUTION OF A COMPLAINT

A. At any time prior to determining whether sex discrimination occurred, the charter school may offer to a complainant and respondent an informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student or such a process would conflict with federal, Minnesota, or local law. A charter school that provides the parties an informal resolution process must, to the extent necessary, also require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the charter school's education program or activity.

1. Subject to the limitations in Paragraph A. above, the charter school has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes.

2. In addition to the limitations in Paragraph A. above, circumstances when the charter school may decline to allow informal resolution include but are not limited to when the charter school determines that the alleged conduct would present a future risk of harm to others.

B. The charter school must not require or pressure the parties to participate in an informal resolution process. The charter school must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.

C. Before initiation of an informal resolution process, the charter school must provide to the parties notice that explains:

1. The allegations;
2. The requirements of the informal resolution process;
3. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the charter school's grievance procedures;
4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
6. What information the charter school will maintain and whether and how the charter school could disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.

D. The facilitator for the informal resolution process must not be the same person as the investigator or the decision maker in the charter school's grievance procedures. Any person designated by the charter school to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive training as provided under this policy.

E. Potential terms that may be included in an informal resolution agreement include but are not limited to:

1. Restrictions on contact; and
2. Restrictions on the respondent's participation in one or more of the charter school's programs or activities or attendance at specific events, including restrictions the charter school could have imposed as remedies or disciplinary sanctions had the charter school determined at the

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

IX. DISMISSAL OF A COMPLAINT

A. The charter school may dismiss a complaint of sex discrimination made through its grievance procedures under this policy for any of the following reasons:

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

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

3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the charter school determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or,

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

B. Upon dismissal, the charter school will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the charter school will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

C. The charter school must notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal occurs after the respondent has been notified of the allegations, then the charter school will also notify the respondent that the

dismissal may be appealed on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal is appealed, the charter school must:

1. Notify the parties of any appeal, including notice of the allegations consistent with paragraph (c) of this section if notice was not previously provided to the respondent;
2. Implement appeal procedures equally for the parties;
3. Ensure that the decision maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
4. Ensure that the decisionmaker for the appeal has been trained as set out in this policy;
5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
6. Notify the parties of the result of the appeal and the rationale for the result.

D. When the charter school dismisses a complaint, it must, at a minimum:

1. Offer supportive measures to the complainant as appropriate;
2. For dismissals under Paragraph A. 3 and 4 above in which the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate under 34 Code of Federal Regulations, section 106.44(g); and
3. Require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the charter school's education program or activity.

E. Dismissal of a formal complaint or a portion thereof does not preclude the charter school from addressing the underlying conduct in any manner that the charter school deems appropriate.

XI. APPEAL OF DETERMINATION

A. The charter school offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as the charter school offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

B. If notice of an appeal is timely received by the charter school, the charter school will notify the parties in writing of the receipt of the appeal, assign or designate the appellate decisionmaker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

C. After reviewing the parties' written statements, the appellate decisionmaker must issue a written decision describing the result of the appeal and the rationale for the result.

D. The written decision describing the result of the appeal must be provided simultaneously to the parties.

E. The decision of the appellate decisionmaker is final. No further review beyond the appeal is permitted.

XII. SANCTIONS AND REMEDIES

Following a determination that sex-based harassment occurred, the charter school may impose disciplinary sanctions, which may include **warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge**. The charter school may also provide remedies, which may include **counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, or monitoring of certain areas of the charter school buildings or property**.

xiii. RETALIATION

The charter school must prohibit retaliation, including peer retaliation, in its education program or activity. When the charter school has information about conduct that reasonably may constitute retaliation under Title IX or its regulations, the charter school

is obliged to comply with 34 Code of Federal Regulations, section 106.44. Upon receiving a complaint alleging retaliation, the charter school must initiate its grievance procedures or, as appropriate, an informal resolution process.

XIV. TRAINING

A. The charter school must ensure that the following persons receive training related to their duties under Title IX promptly upon hiring or change of positions that alters their duties under Title IX or its regulations, and annually thereafter. This training must not rely upon sex stereotypes.

1. *All employees* must be trained on:

a. The charter school's obligation to address sex discrimination in its education program or activity;

b. The scope of conduct that constitutes sex discrimination under Title IX and its regulations, including the definition of sex-based harassment; and

c. All applicable notification and information requirements under 34 Code of Federal Regulations, sections 106.40(b)(2) and 106.44.

2. *Investigators, decisionmakers, and other persons who are responsible for implementing the charter school's grievance procedures or have the authority to modify or terminate supportive measures.*

In addition to the training requirements for all employees described in Paragraphs 1 and 2 above, all investigators, decisionmakers, and other persons who are responsible for implementing the charter school's grievance procedures or have the authority to modify or terminate supportive measures under 34 Code of Federal Regulations, section 106.44(g)(4) must be trained on the following topics to the extent related to their responsibilities:

a. The charter school's obligations under 34 Code of Federal Regulations, section 106.44;

b. The charter school's grievance procedures under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46;

c. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and

d. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46.

3. *Facilitators of informal resolution process*

In addition to the training requirements for all employees described in Paragraph 1 above, all facilitators of an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) must be trained on the rules and practices associated with the charter school's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

4. *Title IX Coordinator and Title IX Personnel*

In addition to the training requirements in Paragraphs 1 through 3 above, the Title IX Coordinator and Title IX Personnel must be trained on their specific responsibilities under 34 Code of Federal Regulations, section 106.8(a), section 106.40(b)(3), section 106.44(f) and (g), the charter school's recordkeeping system and the requirements of 34 Code of Federal Regulations, section 106.8 (f), and any other training necessary to coordinate the charter school's compliance with Title IX. "Title IX Personnel" means any person who addresses, works on, or assists with the charter school's response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions.

XV. DISSEMINATION OF POLICY

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

B. The charter school shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.

C. Notice of Nondiscrimination

1. The charter school must provide notice of nondiscrimination to applicants for admission and employment, students, parents, guardians, or other authorized legal representatives of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the charter school.

2. Contents of Notice of Nondiscrimination

The notice of nondiscrimination must include the following elements:

a. A statement that the charter school does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment;

b. A statement that inquiries about the application of Title IX and its regulations to the charter school may be referred to the charter school's Title IX Coordinator, the federal Office for Civil Rights, or both;

c. The name or title, office address, email address, and telephone number of the Title IX Coordinator;

d. How to locate the charter school's nondiscrimination policy and the charter school's grievance procedures; and

e. How to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination under the regulations.

3. The charter school must prominently include all elements of its notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees.

4. If necessary, due to the format or size of any publication, the charter school may instead include in those publications the information covered in the following statement: “**Nerstrand Elementary School** prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <https://nerstrand.charter.k12.mn.us/>”

5. The charter school must not use or distribute a publication stating that the charter school treats applicants, students, or employees differently on the basis of sex, except as such treatment is permitted by Title IX or its regulations.

XVI. RECORDKEEPING

The charter school must create, and maintain for a period of seven years:

A. For each complaint of sex discrimination, records documenting the informal resolution process under 34 Code of Federal Regulations, section 106.44(k) or the grievance procedures under section 106.45, and if applicable section 106.46, and the resulting outcome.

B. For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations, including notifications under 34 Code of Federal Regulations, section 106.44(c)(1) or (2), records documenting the actions the charter school took to meet its obligations under section 106.44

C. All materials used to provide training under this policy. The charter school must make these training materials available upon request for inspection by members of the public.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)

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

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

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the charter school, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended the charter school, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at the charter school.

D. Directory Information

1. “Directory information”

a. Under federal law, "directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, the student’s name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student’s parent(s). Directory information does not include:

- (1) a student’s Social Security Number;
- (2) a student’s identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
- (3) a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student’s identity, such as a PIN, password, or other factor known or possessed only by the student;
- (4) personally identifiable data which references religion, race, color, social position, or nationality; or

(5) data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

2. **Under Minnesota law**, a charter school may not designate a student's home address, telephone number, email address, or other personal contact information as "directory information."

E. Education Records

1. What constitutes "education records." Education records means those records that are: (1) directly related to a student; and (2) maintained by the charter school or by a party acting for the charter school.

2. What does not constitute education records. The term "education records" does not include:

a. Records of instructional personnel that are:

- (1) kept in the sole possession of the maker of the record;
- (2) used only as a personal memory aid;
- (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
- (4) destroyed at the end of the school year.

b. Records of a law enforcement unit of the charter school, provided education records maintained by the charter school are not disclosed to the unit, and the law enforcement records are:

- (1) maintained separately from education records;
- (2) maintained solely for law enforcement purposes; and
- (3) disclosed only to law enforcement officials of the same jurisdiction.

c. Records relating to an individual, including a student, who is employed by the charter school which:

- (1) are made and maintained in the normal course of business;

(2) relate exclusively to the individual in that individual's capacity as an employee; and

(3) are not available for use for any other purpose.

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

d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:

(1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;

(2) made, maintained, or used only in connection with the provision of treatment to the student; and

(3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the charter school.

e. Records created or received by the charter school after an individual is no longer a student at the charter school and that are not directly related to the individual's attendance as a student.

f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

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

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

G. Eligible Student

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

H. Juvenile Justice System

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

I. Legitimate Educational Interest

“Legitimate educational interest” includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person’s need to know in order to:

1. Perform an administrative task required in the school or employee’s contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student’s education;
3. Perform a service or benefit for the student or the student’s family such as health care, counseling, student job placement, or student financial aid; or
4. Perform a task directly related to responding to a request for data.

J. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The charter school may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

K. Personally Identifiable

“Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the charter school reasonably believes knows the identity of the student to whom the education record relates.

L. Record

“Record” means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

M. Responsible Authority

“Responsible authority” means *[designate title and actual name of individual]*.

N. Student

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

O. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

P. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

Q. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

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

C. Students with a Disability

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

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The charter school shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.

2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:

- a. a specification of the records to be disclosed;
- b. the purpose or purposes of the disclosure;
- c. the party or class of parties to whom the disclosure may be made;
- d. the consequences of giving informed consent; and

- e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
- a. if the parent or eligible student so requests, the charter school shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the charter school shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
- a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
- a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and

g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or non cancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes, chapter 256B or Minnesota Care under Minnesota Statutes, chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a charter school that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the charter school whom the charter school determines have a legitimate educational interest in such records;

2. To a contractor, consultant, volunteer, or other party to whom the charter school has outsourced institutional services or functions provided that the outside party:

a. performs an institutional service or function for which the charter school would otherwise use employees;

b. is under the direct control of the charter school with respect to the use and maintenance of education records; and

c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;

3. To officials of other schools, charter schools, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code, section 7917, *[insert the following if the charter school has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the charter school will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;

5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:

- a. determine eligibility for the aid;
- b. determine the amount of the aid;
- c. determine conditions for the aid; or
- d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:

a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or

b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the charter school that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the charter school shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the charter school enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term,

“organizations,” includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the charter school to whom information is disclosed violates this provision, the charter school may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;

9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;

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

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or

other individuals. In making a determination whether to disclose information under this section, the charter school may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the charter school and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

13. Information the charter school has designated as “directory information” pursuant to Section VII. of this policy;

14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;

15. To the parent of a student who is not an eligible student or to the student himself or herself;

16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:

a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;

b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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

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

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

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

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the

county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the executive director of such action;

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or

22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code, section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

23. When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

- a. Minnesota Statutes, section 13.32, subdivision 5; and
- b. 20 United States Code, section 1232g, and 34 Code of Federal Regulations, section 99.37, which were in effect on January 3, 2012.

2. The charter school may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this section.

3. When requested, the charter school must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at

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

C. Present Students and Parents

The charter school may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein.

1. When conducting the directory information designation and notice process required by federal law, the charter school shall give parents and students notice of the right to refuse to let the charter school designate specified data about the student as directory information.

2. The charter school shall give annual notice by any means that are reasonably likely to inform the parents and eligible students of:

a. the types of personally identifiable information regarding students and/or parents that the charter school has designated as directory information;

b. the parent’s or eligible student’s right to refuse to let the charter school designate any or all of those types of information about the student and/or the parent as directory information; and

c. the period of time in which a parent or eligible student has to notify the charter school in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the charter school in writing that any or all of the information so designated should not be disclosed without the parent’s or eligible student’s prior written consent, except as provided in Section VI. of this policy.

3. A parent or eligible student may not opt out of the directory information disclosures to:

- a. prevent the charter school from disclosing or requiring the student to disclose the student's name, ID, or charter school e-mail address in a class in which the student is enrolled; or
- b. prevent the charter school from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the charter school as directory information.

4. The charter school shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the

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

B. Private Records Not Accessible to Parent

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

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

a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;

b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;

c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;

d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and

e. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes, sections 144.341-144.347, in which case the data may be released only if

the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

C. Investigative Data

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

1. The charter school may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the charter school determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the charter school.

3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other charter school students, charter school employees, and/or attorney data as defined in Minnesota Statutes, section 13.393.

4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:

a. a decision by the charter school, or by the chief attorney for the charter school, not to pursue the civil legal action. However, such investigation may subsequently become active if the charter school or its attorney decides to renew the civil legal action;

b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or

c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

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

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

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

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

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

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans’ education benefits, and other career and educational opportunities provided by the military;
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
3. copying fees shall not be imposed.

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
2. Home address;
3. Student's grade level;
4. School presently attended by student;
5. Parent's legal relationship to student, if applicable;
6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

D. Annually, the charter school will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

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

XII. LIMITS ON REDISCLOSURE

A. Redisdisclosure

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

B. Redisdisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the charter school from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the charter school provided:

- a. The disclosures meet the requirements of Section VI. of this policy; and
- b. The charter school has complied with the record-keeping requirements of Section XIII. of this policy.

2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section 14071. However, the charter school must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

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

D. Notification

The charter school shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to

court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 Code of Federal Regulations, section 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in section 99.31(a)(3), or a third party outside of the charter school improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the charter school may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:

- a. the parties who have requested or received personally identifiable information from the education records of the student;
- b. the legitimate interests these parties had in requesting or obtaining the information; and
- c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the charter school discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:

- a. the names of the additional parties to which the receiving party may disclose the information on behalf of the charter school;
- b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
- c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations, section 99.32 and to whom the charter school disclosed information from an education record. The charter school shall request a copy of the record of further disclosures from a state or local educational authority or federal

official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B) or an act of domestic or international terrorism.

4. The record of requests of disclosures may be inspected by:

- a. the parent of the student or the eligible student;
- b. the school official or his or her assistants who are responsible for the custody of the records; and
- c. the parties authorized by law to audit the record-keeping procedures of the charter school.

5. The charter school shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

- a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
- b. the parties to whom the charter school disclosed the information.

6. The record of requests and disclosures shall be maintained with the education records of the student as long as the charter school maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

Parents or eligible students shall submit to the charter school a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the

parent or eligible student wishes to inspect these records where they are maintained, the charter school shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The charter school shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the charter school shall consider the following:

- a. the cost of materials, including paper, used to provide the copies;
- b. the cost of the labor required to prepare the copies;
- c. any schedule of standard copying charges established by the charter school in its normal course of operations;
- d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and
- e. mailing costs.

2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.

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

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the charter school to make. The request shall be signed and dated by the requestor.

2. The charter school shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.

3. If the charter school decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the charter school refuses to amend the education records of a student, the charter school, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the charter school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

2. If, as a result of the hearing, the charter school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the charter school, or both.

3. Any statement placed in the education records of the student under Subdivision B. of this section shall:

a. be maintained by the charter school as part of the education records of the student so long as the record or contested portion thereof is maintained by the charter school; and

b. if the education records of the student or the contested portion thereof is disclosed by the charter school to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the charter school has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.

2. The hearing may be conducted by any individual, including an official of the charter school who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.

3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.

4. The charter school shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

B. Data practices compliance official means *[designate title and actual name of individual]*.

C. Any request by an individual with a disability for reasonable modifications of the charter school's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The charter school shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the charter school to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the charter school has determined to have legitimate educational interests; and
6. That the charter school forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The charter school shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The charter school shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the executive director's office.

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

Minn. Stat. § 13.32, Subd. 5 (Directory Information)

Minn. Stat. § 13.393 (Attorneys)

Minn. Stat. Ch. 14 (Administrative Procedures Act)

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

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

Minn. Stat. § 121A.75 (Receipt of Records; Sharing)

Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)

Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)

Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)

Minn. Stat. Ch. 256L (MinnesotaCare)

Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)

Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)

Minn. Stat. § 363A.42 (Public Records; Accessibility)

Minn. Stat. § 480.40 (Personal Information, Dissemination)

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

Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)

10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)

18 U.S.C. § 2331 (Definitions)

18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)

20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)

20 U.S.C. § 7908 (Armed Forces Recruiting Information)

20 U.S.C. § 7917 (Transfer of School Disciplinary Records)

25 U.S.C. § 5304 (Definitions – Tribal Organization)

26 U.S.C. §§ 151 and 152 (Internal Revenue Code)

42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)

42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)

34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

34 C.F.R. § 300.610-300.627 (Confidentiality of Information)

42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)

Gonzaga University v. Doe, 536 U.S. 273 309 (2002)

Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

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

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)

MSBA/MASA Model Policy 520 (Student Surveys)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 722 (Public Data Requests)

MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)

Nerstrand Elementary School Policy 608
Independent Charter School District #4055
Adopted

608 INSTRUCTIONAL SERVICES – SPECIAL EDUCATION

I. PURPOSE

The purpose of this policy is to set forth the position of the charter school board on the need to provide special educational services to some students in the charter school.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that some students need special education and further recognizes the importance of providing a free appropriate public education and delivery system for students in need of special education.

III. CHILDREN BIRTH THROUGH AGE SIX EXPERIENCING DEVELOPMENTAL DELAYS

A. "Child with a disability" means a child identified under federal and state special education law as deaf or hard-of-hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children. A licensed physician, an advanced practice registered nurse, a physician assistant, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability.

B. In addition to Paragraph A, every child under age three and, at local district discretion, every child from age three through age six, who needs special instruction and services, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children under age three and by the rules of the Commissioner of the Minnesota Department of

Education for children ages three through six, because the child has a substantial delay or has a diagnosed physical or mental condition or disorder with a high probability of resulting in developmental delay is a child with a disability.

C. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children, is not a child with a disability.

IV. RESPONSIBILITIES

A. The school board accepts its responsibility to identify, evaluate, and provide special education and related services for disabled children who are properly the responsibility of the charter school and who meet the criteria to qualify for special education and related services as set forth in Minnesota and federal law.

B. The charter school shall ensure that all qualified children with a disability are provided special education and related services that are appropriate to their educational needs.

C. When such services require or result from interagency cooperation, the charter school shall participate in such interagency activities in compliance with applicable federal and state law.

D. The school may conduct an assessment for developmental adapted physical education, as defined in Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in Minnesota Statutes, section 125A.091, subdivision 3a. A parent or guardian may request that the school conduct a comprehensive evaluation of the parent's or guardian's student.

Legal References: Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124E.03 (Applicable Law)
Minn. Stat. § 124E.10 (Charter Contract)
Minn. Stat. § 124E.21 (Special Education Aid)
Minn. Stat. Ch. 125A (Special Education and Special Services)
Minn. Rules 3525.0210, Subp. 15 (Definitions)

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

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

Nerstrand Elementary School Policy 609
Independent Charter School District #4055
Adopted

609 RELIGION AND RELIGIOUS AND CULTURAL OBSERVANCES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

III. RESPONSIBILITY

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

1. The proposed activity must have a secular purpose.
2. The primary objective of the activity must be one that neither advances nor inhibits religion.
3. The activity must not foster excessive governmental relationships with religion.
4. Notwithstanding the foregoing guidelines, reasonable efforts must be made to accommodate any student who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. The charter school must provide annual notice to parents of this policy.

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

Legal References: U. S. Const., amend. I
Minn. Stat. § 120A.22, Subd. 12(a) (Compulsory Instruction)
Minn. Stat. § 120A.35 (Absence from School for Religious and Cultural Observances)
Minn. Stat. § 121A.10 (Moment of Silence)
Minn. Stat. § 124E.03 (Applicable Law)
Good News Club v. Milford Central School, 533 U.S. 98(2001)
Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290 (2000)
Tangipahoa Parish Bd. of Educ. v. Freiler, 530 U.S. 1251 (2000)
Lemon v. Kurtzman, 403 U.S.602 (1971)
Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1, 690 F.3d 996 (8th Cir. 2012)
Wigg v. Sioux Falls Sch. Dist., 382 F.3d 807 (8th Cir. 2004)
Doe v. School Dist. of City of Norfolk, 340 F.3d 605 (8th Cir. 2003)
Stark v. Independent Sch. Dist. No. 640, 123 F.3d 1068 (8th Cir. 1997)

Florey v. Sioux Falls Sch. Dist. 49-5, 619 F.2d 1311 (8th Cir. 1980)
Roark v. South Iron R-1 Sch. Dist., 573 F.3d 556 (8th Cir. 2009)
Child Evangelism Fellowship v. Elk River Area Sch. Dist. No. 728, 599 F.Supp.2d 1136 (D. Minn. 2009)
LeVake v. Independent Sch. Dist. No. 656, 625 N.W.2d 502 (Minn. App. 2001)
Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)
Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)
Minn. Op. Atty. Gen. 63 (1940)
Minn. Op. Atty. Gen. 120 (1924)
Minn. Op. Atty. Gen. 121 (1924)

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

**Nerstrand Elementary School Policy 524a
Independent Charter School District #4055**

Adopted: 1/14/2014

Revised: 6/16/2021

**524a STUDENT USE OF CELLULAR PHONES, DIGITAL IMAGING DEVICES
AND OTHER PERSONAL ELECTRONIC DEVICES**

I. PURPOSE

The purpose of this policy is to set forth expectations for appropriate use of existing and emerging technologies which students may possess, including but not limited to cellular phones, digital picture/video cameras and/or camera phones, personal digital assistants (PDAs), iPods, MP3s, smart watches and other personal electronic devices capable of transmitting data or images.

II. GENERAL STATEMENT OF POLICY

The Nerstrand Elementary School holds high expectations for student behavior, academic integrity and responsible use of existing and emerging technologies, such as cellular phones, digital picture/video cameras and/or phones and other personal electronic devices capable of capturing and/or transmitting data or images. Students who possess and/or use such devices at school or school sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community. Nerstrand Elementary School is not responsible for the loss or damage of any electronic device.

**III. STANDARDS FOR RESPONSIBLE USE AT SCHOOL, ON BUSES OR AT
SCHOOL ACTIVITIES**

A. Respect for the educational environment

- a. Cellular phones and other personal electronic devices are not allowed and shall be turned off and kept out of sight during the school day.
- b. Students shall not use any electronic device that in any way disrupts or detracts from the educational environment.
- c. Use of cellular phones or other personal electronic devices is prohibited in classrooms during the school day, Media Center and testing centers, and during fine arts performances.
- d. Students will not be allowed to leave class in response to any electronic devices.
- e. Cellular phones and other devices may be used appropriately and respectfully before or after the school day.
- f. With prior approval of the school director, teachers may permit the purposeful use of personal electronic devices in support of curriculum learning objectives.

- g. In the case of medical necessity or emergency, a student shall be permitted to possess or use a cell phone or other personal electronic device provided the student receives advanced authorization from the school director.
- h. No electronic devices are allowed during testing, unless described in testing directions.

B. Respect for privacy rights:

- a. Students shall not photograph or videotape other individuals at school, on the bus, or at school sponsored activities without their knowledge and/or consent, except for activities considered to be in the public arena such as sporting events or public performances.
- b. Students shall not e-mail, post to the Internet, or otherwise electronically transmit images of other individuals taken at school or on the bus without their expressed written consent.
- c. Use of cellular phones or other personal electronic devices is strictly prohibited in locker rooms and restrooms.

C. Assuring academic integrity: Students shall not use cellular phones or other electronic devices in any way that may cause a teacher or staff member to question whether the student may be cheating on tests or academic work or violating copyright policy.

D. Compliance with Other District Policies: Use of cellular phones or other personal electronic devices must not violate any other District policies, including those regarding student privacy, copyright, cheating, plagiarism, civility, student code of conduct, electronic technologies acceptable use, or harassment. If a violation occurs involving more than one District policy, consequences for each policy will apply.

IV. VIOLATIONS OF THIS POLICY

A. First Infraction: An employee shall direct the student to turn off the device. The employee shall then confiscate the device and turn it into the school office where the student may retrieve it at the end of the school day. Parents will be notified.

B. Second Infraction: The second infraction shall result in confiscation of the device, which is to be turned in to the school office, notification of a parent or guardian, and a warning that the next infraction will result in the termination of the right to possess a cellular phone or any electronic device at school or on the bus for a period of 45 school days.

C. Third Infraction: The third infraction shall result in confiscation of the device, which is to be turned in to the school office, notification of a parent or guardian, and termination of the right to possess a cellular phone or any electronic device at school or on the bus for a period of 45 school days.

D. Repeated or Severe Infraction: Any violation of this policy may also, at the director's discretion, result in additional disciplinary action.

V. DISSEMINATION OF POLICY

This policy shall be included in the Student/Parent Handbook, posted to the School Website, and otherwise distributed upon request.

**Nerstrand Elementary School
Independent Charter School District #4055
Board of Directors
By-Laws**

ARTICLE I - Name

The name of this organization is the Nerstrand Elementary School Board of Directors. For convenience, it is referred to in these by-laws as the Board of Directors.

ARTICLE II – Minnesota Law Compliance

"The governance of the Corporation will at all times be in accord with the provisions of Minnesota Statutes, Chapter 124E (formerly sections 124D.10 and 124D.11) and such other provisions of Minnesota laws as are therein referenced, all other statutory requirements and in compliance with the Minnesota Open Meeting Law, Minnesota Statutes, Chapter 13D.01 et. seq. and Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.01 et.seq. In the event that there are conflicts between the provisions of Minnesota Statutes, Chapter 124E (the Charter School Law) and Minnesota Statutes, Chapter 317A, (the Non-Profit Corporation Act), the provisions of the Charter School Law shall govern. Likewise, the Open Meeting Law, Chapter 13D.01 takes precedent over any conflict surfacing from Minnesota Statutes, Chapter 317A, the Non-Profit Corporation Act."

ARTICLE III - Mission Statement

The mission of the Board of Directors is to ensure the quality of the educational program and the viability of the school through shared decision-making.

ARTICLE IV - Purpose

The Board of Directors' purpose is to focus on all dimensions of the school's operation, including, but not limited to:

1. School philosophy, goals and objectives
2. School policy
3. Budget
4. Curriculum and instructional direction
5. Staffing
6. Long range planning
7. Communication (home, community, sponsor)
8. School enrollment and organization

ARTICLE V – Corporate Membership

- A. Membership. There shall be one class of members. Members of the Corporation shall be the persons designated from time to time by the Board of Directors. Members shall not be required to pay a membership

fee or annual dues. Members vest decision making authority with the Board of Directors.

The Board of Directors may from time to time create additional classes of membership. The terms and conditions of such additional membership classes, if any, shall be determined by the Board of Directors.

- B. Membership Criteria. For classes of members other than Director/Members, membership criteria shall be adopted by the Board of Directors, and all membership approval, classification and reclassification shall be the responsibility of the Board of Directors. Members may be reclassified by an action of the Board of Directors or upon the request of a member, followed by the approval of the Board.
- C. Annual Meeting - The annual meeting of the Members of the Corporation shall be held at such time and location as determined by the Board of Directors. Notification shall be by electronic means consistent with Minnesota Statutes, Chapter 124E. Such notice shall contain the date, time and place of the meeting.
- D. The Board of Directors meet once monthly at a regularly scheduled time. Regularly scheduled and special meeting days and times are determined by the Board of Directors and publicly posted and announced to parents, staff, and community.
- E. Special and Emergency Meetings – Special and Emergency Meetings may be held at the request of the chairperson or three members of the Board of Directors.
- F. Decisions are made by consensus. If consensus cannot be reached and a vote is necessary, decisions will be determined by simple majority of those present and voting.
- G. A quorum is a simple majority of the members of the Board of Directors. When a quorum exists, a majority of those present may act, except in the case of amendments to the By-laws (see Article XIV).
- H. All meetings are open to the general public.
- I. There will be no proxy votes.
- J. The Board at its discretion may permit public comment including comments from students. Requests to be on the agenda must be submitted to the school office at least one week before the meeting. Members may amend the agenda at the beginning of the meeting.
- K. Students may address the Board of Directors.

ARTICLE VI – Board of Directors

- A. The Board of Directors consists of the following members:
1. Four Teacher Representatives (employed/under contract with a cooperative at the school). ~~The board structure is teacher majority.~~
 2. Two Parent Representatives (parents of enrolled students)
 3. One At-large Community Representative (at least one interested community member who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school)
 4. Seven Voting Members Total
 5. Three ex-officio nonvoting members - school director/chief administrator, administrative assistant, business manager/chief financial officer
- B. The members serve a three-year renewable term.
1. Every year, one (1) of the two Parents Representatives or At-large Community Representative terms expire.
 2. Every third year, two (2) teacher's terms expire; in each of the two years prior to third year, one (1) teacher's term expires.
 3. A representative may serve two (2) three-year consecutive terms, after which there must be a one-year hiatus before serving on the Board of Directors again.
- C. Termination of membership shall be considered if the Board of Directors member is absent from three consecutive meetings and/or one-half of the meetings in one school year. The Board of Directors shall determine by a simple majority vote that they shall or shall not retain their membership.
Members can also be removed by 2/3rds vote at any time for cause or no cause.
- D. If a vacancy occurs, every attempt will be made to select a replacement within one month's time. The replacement will fulfill the remainder of the vacated term.
- E. Conflict of Interest. 'Conflict' is defined through Minnesota Statutes, Chapter 124E.14 Conflict of Interest.
- (a) No member of the board of directors, employee, officer, or agent of a charter school shall participate in selecting, awarding, or administering a contract if a conflict of interest exists. No Board member may vote on any matter that could result in personal financial gain or loss. A conflict exists when:
- (1) the board member, employee, officer, or agent;

(2) the immediate family of the board member, employee, officer, or agent;

(3) the partner of the board member, employee, officer, or agent; or

(4) an organization that employs, or is about to employ any individual in clauses (1) to (3), ...has a financial or other interest in the entity with which the charter school is contracting. A violation of this prohibition renders the contract void.

(b) The conflict of interest provisions under this section do not apply to compensation paid to a teacher employed as a teacher by the charter school or a teacher who provides instructional services to the charter school through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

(c) A charter school board member, employee, or officer is a local official for purposes of section 471.895 with regard to receipt of gifts as defined under section 10A.071, subdivision 1, paragraph (b). A board member, employee, or officer must not receive compensation from a group health insurance provider.

F. Board of Directors Training – Board Members shall comply with Minnesota Statutes, Chapter 124E.07, Subd. 7 by completing basic training and continuing or annual training. If basic training is not begun within 6 months of being seated or not completed within 12 months of seating, the director is immediately removed from the board.

G. Committees of the Board. The Board of Directors may, by resolution passed by a majority of the Board of Directors, designate, define the authority of, set the number and determine the identity of, members of one or more committees. Committee members must be an individual human being, but need not be members of the Board of Directors. The Board may, by similar vote, designate one or more alternate members of any committee who may replace any absent or disqualified member at any meeting of the committee.

1. Authority of Committees. Committees shall have authority to consider assigned topics and to advise and make recommendations to the Board of Directors. No actions of a committee shall be binding on the Corporation absent Board ratification of any such recommendations.

2. Procedures for Conducting Meetings. The activities of all committees of this Corporation shall be conducted in such manner as will advance the best interest of the Corporation. Each committee shall fix its own rules of procedure and other regulations, which shall be consistent with the Articles of Incorporation, these Bylaws, and the policies of the Corporation. The Board Chair shall be an ex officio member of all committees, unless s/he serves as a member of such committee. The meetings of all committees shall be open and posted. Directors may participate in any such meeting but may not vote unless such director is a member of the committee.
3. Limitation on Authority of Committees. Each committee shall be under the direction and control of the Board. Each committee shall meet as provided by its rules or by resolution of the Board of Directors. When the Board has delegated decision making authority to a Committee, the Committee shall keep regular minutes of their proceedings, and all actions of each committee shall be reported to the Board of Directors and shall be subject to revision and alteration by the Board of Directors.

ARTICLE VII - Elections

- A. A selection committee of 3 or more members, appointed by the Board of Directors in the spring, oversees the selection procedures and submits names of candidates in the spring of the year. Elected members to be seated July 1st; board member terms must begin July 1. Terms must be no less than 2 years.
- B. In accordance with MN Statute 124E.07 sub. 5, staff members employed at the school, including teachers providing instruction under a contract with a cooperative, members of the board of directors, and all parents or legal guardians of children enrolled in the school are the voters eligible to elect the members of the school's board of directors. A charter school must notify eligible voters of the school board election dates at least 30 days before the election.
- C. The school will notify eligible voters of the school board election dates at least 30 calendar days before the election.

ARTICLE VIII – Elected Officers

- A. Nominations for the officers may come from the floor at the first meeting in July. They are elected by a majority vote through a secret ballot. Officers may be reelected after serving a one-year term.

- B. Duties of the officers:
 - 1. Chairperson.
The chairperson presides at all meetings of the Board of Directors. The Chairperson may call special meetings of the Board of Directors and must do so at the request of three Board of Directors members. (S)he collaborates with the building director to prepare the meeting agenda.

 - 2. Clerk.
S/he records the minutes of the meeting and issues a prepared copy to the Board of Directors at least one week prior to the subsequent meeting. Upon approval, meeting minutes will be available and posted on the school website and copies provided upon request.

 - 2. Treasurer.
The Treasurer shall chair the Finance Committee, assist in the preparation of the budget, help develop fund raising plans, support the audit process and ensure that school financial records are maintained and appropriate financial reports are filed with government agencies.

ARTICLE IX - Responsibilities

- A. The Board of Directors carries out the mission statement by providing direction for the school in accordance with school's policy, contractual agreements, and all state and federal requirements unless specific waivers have been granted.

- B. The Board of Directors serves as the primary communications link between the school and the community and provides a forum for discussion of school related issues.

- C. The Board of Directors monitors school operations through collaboration and guidance with the school director, teachers, paraprofessionals and support staff.

ARTICLE X - Task Forces

- A. Task Forces shall be established at the discretion of the Board of Directors for a specific purpose over a designated period of time.

- B. Task Force meetings will be held at the discretion of the committee members.
- C. The Task Force chairperson or members need not be Board of Directors members.

ARTICLE XI – Financial Matters

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and any such authority may be general or confined to specific instances. Unless so authorized by the Board of Directors or these Bylaws, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement, or to pledge its credit or to render it liable peculiarly for any purpose or to any amount.

Section 2. Loans and Pledges. No loans shall be contracted nor pledges or guarantees given on behalf of the Corporation unless specifically authorized by the Board of Directors and in compliance with Minnesota Statutes.

Section 3. Authorized Signatures. All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation shall be signed by such person or persons and in such manner as shall from time to time be determined by the Board of Directors or these Bylaws.

Section 4. Deposits. All funds of the Corporation shall be deposited to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may designate and shall be disbursed under such general rules and regulations as the Board of Directors may from time to time determine.

Section 5. Corporate Seal. The Corporation shall not have a corporate seal.

Section 6. Documents Kept at Registered Office. The Board of Directors shall cause to be kept at the registered office of this Corporation originals or copies of:

- 6.1. Records of all proceedings of the Board of Directors and all committees;
- 6.2. Records of all votes and actions of the members;
- 6.3. All financial statements of this Corporation; and,
- 6.4. Articles of Incorporation and Bylaws of this Corporation and all amendments and restatements thereof.

Section 7. Accounting System and Audit. The Board of Directors shall cause to be established and maintained, in accordance with generally accepted accounting principles applied on a consistent basis, an appropriate accounting and financial reporting system for the Corporation. The Board shall cause the records and books of account of the Corporation to be audited at least once each fiscal year and at such other times as it may deem necessary or appropriate, and may retain such person or firm for such purposes as it may deem appropriate, to the extent consistent with Minnesota Statutes, Chapter 124E and the Uniform Financial and Accounting Standards (UFARS) and audit references.

ARTICLE XII – Indemnification

Section 1. Indemnification. Each director, officer and employee of the Corporation, past or present, and each person who serves or may have served at the request of the Corporation as a director, officer, partner, trustee, employee, representative or agent of another organization or employee benefit plan, and the respective heirs, administrators and executors of such persons, shall be indemnified by the Corporation in accordance with, and to the fullest extent permitted by, Minnesota Statutes, Section 317A.521 except as prohibited by Minnesota Statutes, section 124E.07, subdivision 3(c). The Corporation shall not be obligated to indemnify any other person or entity, except to the extent such obligation shall be specifically approved by resolution of the Board of Directors. This Section is and shall be for the sole and exclusive benefit of the individuals designated herein and no individual, firm or entity shall have any rights under this Section by way of assignment, subrogation or otherwise, whether voluntarily, involuntarily or by operation of law.

Section 2. Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Corporation, against any liability asserted against and incurred by such person in his or her official capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify such person against liability under Minnesota Statutes, section 317A.521, the Articles of Incorporation or these Bylaws.

ARTICLE XIII – Distribution of Assets

Section 1. Right to Cease Operations and Distribute Assets. By a two-thirds (2/3) vote of all directors, the Board may resolve that the Corporation cease operations and voluntarily dissolve. Such resolution shall set forth the proposed dissolution and direct designated officers of the Corporation to perform all acts necessary to effect a dissolution. Written notice as required by these Bylaws shall be given to all voting members stating that the purpose of the meeting shall be to vote upon the dissolution of the Corporation. A resolution to dissolve the Corporation shall be approved only upon the affirmative vote of a two-thirds (2/3) of a quorum of voting members of the Corporation taken at a meeting during which the resolution is brought before the voting members. If

such cessation and distribution is called for, the Board shall set a date for commencement of the distribution.

Section 2. Cessation and Distribution. When cessation of operations and distribution of assets has been called for, the Board of Directors and the designated officers shall cause the Corporation to discontinue its regular business activities and operations as soon as practicable, and shall liquidate and distribute all the Corporation's assets to other entities in accordance with Minnesota Statutes, section 317A.735 and in accordance with the Articles of Incorporation and regulations administered by the Minnesota Department of Education. Notice of intent to dissolve shall be filed with the Secretary of State pursuant to Minnesota Statutes, section 317A.723.

ARTICLE XIV – By-laws Amendments

Amendments to these By-laws may be proposed at any regular Board of Directors meeting. A written notice of the proposed change and the date of the next regular meeting at which the proposed amendment will be discussed shall be posted in the school and sent to each Board of Directors member and to the school director at least ten (10) days prior to the date of the meeting. A favorable vote by five (5) out of seven (7) members is required for approval of any amendment to the By-laws.

Subject to the right of the Members to adopt, amend and repeal these Bylaws as set forth in Minnesota Statutes, section 317A.181, Subd. 2(b), the power to adopt, amend or repeal the Bylaws is vested in the Board of Directors.

The Board may amend its governance model, set forth in the bylaws;

- 1) By a majority vote of the board of directors and a majority vote of the licensed teachers employed by the school as teachers, including licensed teachers employed by the school as teachers, including licensed teachers providing instruction under a contract between the school and a cooperative; and 2) with the authorizer's approval (124E.07, Subd. 4)

Revised 10/10/2000
Revised 10/14/2002
Revised 12/13/2004
Revised 4/12/2010
Revised 11/13/2017
Revised 2/11/2019
Revised 11/11/19
Revised 11/16/20
Revised 10/11/21
Revised 5/18/23
Updated 7/27/23

Reviewed 9-11-23

Revised 9-9-24

Board Chair & Date

Executive Director & Date

425 STAFF DEVELOPMENT AND MENTORING

I. PURPOSE

The purpose of this policy is to establish a staff development program and structure to carry out planning and reporting on staff development that supports improved student learning.

II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS

A. The charter school board will establish an Advisory Staff Development Committee to develop a Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development Plan, and evaluate staff development efforts at the site level.

1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include non teaching staff, parents, and administrators.

2. Members of the Advisory Staff Development Committee shall be appointed by the charter school board. Committee members shall serve a two-year term* based upon nominations by board members, teachers, and paraprofessionals. The school board shall appoint replacement members of the Advisory Staff Development Committee as soon as possible following the resignation, death, serious illness, or removal of a member from the Committee.

B. The school board will establish the Site Professional Development Teams.

1. Members of the Site Professional Development Teams will be appointed by the school board. Team members shall serve a two-year term* based upon nominations by board members, teachers, and

paraprofessionals. The school board shall appoint replacement members of the Site Professional Development Teams as soon as possible following the resignation, death, serious illness, or removal of a member from the Team.

2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas, and special education.

III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE

A. The Advisory Staff Development Committee will develop a Staff Development Plan that will be reviewed and subject to approval by the school board twice a year.*

B. The Staff Development Plan must contain the following elements:

1. Staff development outcomes that are consistent with the education outcomes as may be determined periodically by the school board;

2. The means to achieve the Staff Development outcomes;

3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minnesota Statutes, section 122A.187;

4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:

a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;

b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;

c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the charter school's education diversity plan;

d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the charter school;

e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;

f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and

g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.

5. The Staff Development Plan also must:

a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;

b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;

c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minnesota Statutes section 120B.125;

d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and

e. Reinforce national and state standards of effective teaching practice.

6. Staff development activities must:

a. Focus on the school classroom and research-based strategies that improve student learning;

b. Provide opportunities for teachers to practice and improve their instructional skills over time;

c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;

d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;

e. Align with state and local academic standards;

f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;

g. Align with the plan, if any, of the charter school for an alternative teacher professional pay system;

h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and

i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and

postsecondary education, and training options, including career and technical education options.

7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.

8. The charter school may implement other staff development activities required by law and activities associated with professional teacher compensation models.

C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.

D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board on a quarterly basis⁵ the extent to which staff at the site have met the outcomes of the Staff Development Plan.

E. In addition to developing a Staff Development Plan, the Staff Development Advisory Committee also must develop teacher mentoring programs for teachers new to the profession or charter school, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching. Teacher mentoring programs must be included in or aligned with the charter school's teacher evaluation and peer review processes under Minnesota Statutes, sections 122A.40, subdivision 8 or 122A.41, subdivision 5.

F. The Advisory Staff Development Committee shall assist the charter school in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development or teacher mentoring including, but not limited to, the reports referenced in Section VII. below.

IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM

A. Each Site Professional Development Team shall develop a site plan, consistent with the goals of the Staff Development Plan. The charter school board will review the site plans for consistency with the Staff Development Plan twice a year.*

B. The Site Professional Development Team must demonstrate to the school board the extent to which staff at the site have met the outcomes of the Staff Development Plan. The actual reports to the school board can be made by the Advisory Staff Development Committee to avoid duplication of effort.

C. If the school board determines that staff development outcomes are not being met, it may withhold a portion of the initial allocation of revenue referenced in Section V. below.

V. STAFF DEVELOPMENT FUNDING

A. Unless the charter school is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school will reserve an amount equal to at least two percent of its basic revenue for: (1) teacher development and evaluation under Minnesota Statutes section 122A.40, subdivision 8 or 122A.41, subdivision 5; (2) principal development and evaluation under section 123B.147, subdivision. 3; (3) professional development under section 122A.60; (4) in-service education for programs under section 120B.22, subdivision 2; and (5) teacher mentorship under section 122A.70, subdivision 1. To the extent extra funds remain, staff development revenue may be used for development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, teacher's workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts. The charter school also may use the revenue reserved for staff development for grants to the charter school's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. To receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.

B. The charter school may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.

C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's

knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minnesota Statutes section 122A.61.

D. The charter school may use staff development revenue, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three (3) years and is not on an improvement plan. Other initiatives using such funds, or funds available under Minnesota Statutes sections 124D.861 and 124D.862, may include:

1. additional stipends as incentives to mentors of color or who are American Indian;
2. financial supports for professional learning community affinity groups across schools for teachers from underrepresented racial and ethnic groups to come together throughout the school year;
3. programs for induction aligned with the charter school or school mentorship program during the first three (3) years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
4. grants supporting licensed and unlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

To the extent the charter school receives a grant for any of the above purposes, it will negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school for at least five (5) years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS

A. On a yearly³ basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected

budget setting forth proposals for allocating staff development and mentoring funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.

B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or executive director for consistency with the Staff Development Plan on a quarterly basis.*

C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to charter school policy, staff procedures, contractual agreement, and the effect on charter school operations. Failure to timely submit such requests may be cause for denial of the request.

VII. PARAPROFESSIONALS, TITLE I AIDES, AND OTHER INSTRUCTIONAL SUPPORT STAFF

A. The charter school must provide a minimum of eight hours of paid orientation or professional development annually to all paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours must be completed before the first instructional day of the school year or within 30 days of hire. The charter school must consult the exclusive representative for employees receiving this training before creating or planning the training required under this section.

B. The orientation or professional development must be relevant to the employee's occupation and may include collaboration time with classroom teachers and planning for the school year.

C. For paraprofessionals who provide direct support to students, at least 50 percent of the professional development or orientation must be dedicated to meeting the requirements of this section. Professional development for paraprofessionals may also address the requirements of Minnesota Statutes, section 120B.363, subdivision 3.

D. A school administrator must provide an annual certification of compliance with this requirement to the MDE Commissioner.

E. For the 2024-2025 school year only, a school may reduce the hours of training required in paragraphs (b) to (e) to a minimum of six hours and must pay for paraprofessional test materials and testing fees for any paraprofessional employed by the school district during the 2023-2024 school year who has not yet successfully completed the paraprofessional assessment or met the requirements of the paraprofessional competency grid.

VIII. REPORTING

A. The charter school and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school's comprehensive achievement and civic readiness report.

1. The report must include assessment and evaluation data indicating progress toward school and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.

2. The report will provide a breakdown of expenditures for:

a. Curriculum development and curriculum training programs;

b. Staff development training models, workshops, and conferences; and

c. The cost of releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the school site level and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).

3. The report will be signed by the executive director and staff development chair.

B. To the extent the charter school receives a grant for mentorship activities described in Section V.D., by June 30 of each year after receiving a grant, the site staff development committee must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

Legal References: Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)

Minn. Stat. § 120A.415 (Extended School Calendar)

Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)

Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)

Minn. Stat. § 122A.187 (Expiration and Renewal)

Minn. Stat. § 122A.40, Subds. 7, 7a, and 8 (Employment; Contracts; Termination - Additional Staff Development and Salary)

Minn. Stat. § 122A.60 (Staff Development Program)

Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)

Minn. Stat. § 122A.70 (Teacher Mentorship and Retention of Effective Teachers)

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

Minn. Stat. § 124D.861 (Achievement and Integration for Minnesota)

Minn. Stat. § 124D.862 (Achievement and Integration Revenue)

Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)

Cross References: None

503 STUDENT ATTENDANCE

I. PURPOSE

A. The charter school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes section 120A.22, the students of the charter school are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and charter school standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the charter school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

a. A parent, guardian, or other person having control of a child may apply to a charter school to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

c. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

(1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

(a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth;

(b) family emergencies;

(c) the death or serious illness or funeral of an immediate family member;

(d) active duty in any military branch of the United States;

(e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or

(f) other exemptions included in this attendance policy.

(2) that the child has already completed state and charter school standards required for graduation from high school; or

(3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

c. Consequences of Excused Absences

(1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.

(2) Work missed because of absence must be made up within 2 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

(1) Truancy. An absence by a student which was not approved by the parent and/or the charter school.

(2) Any absence in which the student failed to comply with any reporting requirements of the charter school's attendance procedures.

(3) Work at home.

(4) Work at a business, except under a school-sponsored work release program.

(5) Vacations with family.

(6) Personal trips to schools or colleges.

(7) Absences resulting from accumulated unexcused tardies

(8) Any other absence not included under the attendance procedures set out in this policy.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

a. Students tardy at the start of school must report to the school office for an admission slip.

b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.

3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.

4. If a student is suspended from any class, he or she may not participate in any activity or program that day.

5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. RELIGIOUS AND CULTURAL OBSERVANCE ACCOMMODATION

Reasonable efforts will be made by the charter school to accommodate any student who wishes to be excused from a curricular activity for a religious or cultural observance as provided under Policy 609. Requests for accommodation should be directed to the building principal.

IV. DISSEMINATION OF POLICY

A. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

B. The charter school will provide annual notice to parents of the charter school's policy relating to a student's absence from school for religious observance.

V. REQUIRED REPORTING

A. Continuing Truant

Minnesota Statutes, section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes, section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes, section 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes, section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota Statutes, section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes, section 120A.34;
4. That this notification serves as the notification required by Minnesota Statutes, section 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes chapter 260C;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minnesota Statutes, section 260C.201; and

9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

2. A charter school attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

Legal References: Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 124E.03, Subd. 2(g) and (j) (Applicable Law)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565 (1975)
Slocum v. Holton Bd. of Educ., 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Bd. of Educ. of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. Sch. Dist. R-1, 585 P.2d 935 (Co. Ct. App. 1978)

Knight v. Bd. of Educ., 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

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

412 EXPENSE REIMBURSEMENT

I. PURPOSE

The purpose of this policy is to identify charter school business expenses that involve initial payment by an employee and qualify for reimbursement from the charter school, and to specify the manner by which the employee seeks reimbursement.

II. AUTHORIZATION

All charter school business expenses to be reimbursed must be approved by the supervising administrator. Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary charter school business-related expenses.

III. REIMBURSEMENT

A. Requests for reimbursement must be itemized on the official charter school form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.

B. Automobile travel shall be reimbursed at the mileage rate set by the school board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

IV. AIRLINE TRAVEL CREDIT

A. Employees utilizing charter school funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the charter school rather than the employee.

1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the charter school, the employee

shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.

2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be made until such documentation is provided.

B. Employees who have existing credits or benefits issued by an airline based upon previously reimbursed airline travel for charter school purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to charter school purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.

C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

V. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

The executive director shall develop a schedule of reimbursement rates for charter school business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The executive director shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

Legal References: Minn. Stat. § 15.435 (Airline Travel Credit)
Minn. Stat. § 471.665 (Mileage Allowances)
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)
Minn. Op. Atty. Gen. 161B-12 (Jan. 24, 1989) (Operating Expenses of Car)

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

516 STUDENT MEDICATION AND TELEHEALTH

I. PURPOSE

The purpose of this policy is to set forth the provisions regarding medicine and telehealth for students while at school.

II. GENERAL STATEMENT OF POLICY

The charter school acknowledges that some students may require prescribed drugs or medication or telehealth during the school day. The charter school's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and charter school procedures.

III. DRUG AND MEDICATION REQUIREMENTS

A. Administration of Drugs and Medicine

1. The administration of medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the charter school may rely on an oral request until a written request is received.

2. Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:

a. with a licensed nurse, in a school that employs a licensed nurse under Minnesota Statutes, section 148.171;

b. with a licensed school nurse, in a school that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;

c. with a public or private health-related organization, in a school that contracts with a public or private health or health-related organization, according to Minnesota Statutes, 121A.21; or

d. with the appropriate party, in a school that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, 121A.21.

3. Exclusions

The provisions on administration of drugs and medicine above do not apply to drugs or medicine that are:

a. purchased without a prescription;

b. used by a pupil who is 18 years old or older;

c. used in connection with services for which a minor may give effective consent;

d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;

e. used off the school grounds;

f. used in connection with athletics or extracurricular activities;

g. used in connection with activities that occur before or after the regular school day;

h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;

i. prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:

a. the school has received a written authorization each school year from the pupil's parent permitting the student to self-administer the medication;

b. the inhaler is properly labeled for that student; and

c. the parent has not requested school personnel to administer the medication to the student.

In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

j. epinephrine auto-injectors, consistent with Minnesota Statutes, section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that

a. the pupil may possess the epinephrine or

b. the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.

k. For the purposes of Minnesota Statutes, 121A.22, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrostomy feedings, do not constitute administration of drugs or medicine.

l. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy.

B. Prescription Medication

1. An “Administering Prescription Medications” form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes section 152.22, subdivision 6.

2. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.

3. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

4. Prescription medications are not to be carried by the student, but will be left with the appropriate charter school personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Paragraph III.A.3(i) above), and medications administered as noted in a written agreement between the charter school and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).

5. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student’s prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.

6. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated

person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

7. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

8. If the administration of a drug or medication described in this section requires the charter school to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the charter school as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

C. Nonprescription Medication

A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the charter school has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The charter school may revoke a student's privilege to possess and use nonprescription pain relievers if the charter school determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

D. Possession and Use of Epinephrine Auto-Injectors

At the start of each school year or at the time a student enrolls in school, whichever is

first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:

1. possess epinephrine auto-injectors; or
2. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

For the purposes of this policy, "instructional day" is defined as eight hours for each student contact day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's Section 504 plan.

Schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with Minnesota Statutes, section 121A.2207 is not the practice of medicine.

Effective July 1, 2024, registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

A school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced

prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

E. Sunscreen

A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

N. Procedure regarding unclaimed drugs or medications

1. The charter school has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the charter school shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the charter school.

2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes section 152.01, subdivision 4, or is an over-the-counter medication, the charter school will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the charter school.

3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, the charter school or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The charter school must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH

A. Beginning October 1, 2024, to the extent space is available, the school must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.

B. The space must provide a student privacy to receive mental health care.

C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the school policy governing acceptable use of the school-issued device.

D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.21 (Student Health Services)
Minn. Stat. § 121A.216 (Access to Space for Mental Health Care through Telehealth)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)

Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 148.171 (Definitions; Title)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.22 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Rule 8710.6100 (School Nurse)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Nerstrand Elementary School Policy 509
Independent Charter School District #4055

Adopted: 11/11/2013

Revised: 08/24/2020

~~Revised:~~

509 Admissions/Enrollment Policy

I. Purpose

To explain the application and enrollment process at Nerstrand Elementary School (NES) so that families will have information to make decisions regarding their childrens' school attendance.

II. III. ADMISSION LIMITATIONS

A. The charter school, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), may limit admission to:

1. pupils within an age group or grade level;
2. pupils who are eligible to participate in the graduation incentives program under Minnesota Statutes, section 124D.68; or
3. residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

B. The charter school shall comply with the Minnesota Human Rights Act, which prohibits educational institutions from discriminating against students based on a protected class including race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation or disability.

C. Charter schools must disseminate information about the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups. Targeted groups include low-income families and communities, students of color, students at risk of academic failure, and students underrepresented in the school's student body relative to Minnesota's population. The school must document its dissemination activities in the school's annual report. The school's dissemination activities must be a component of the authorizer's performance review of the school.

III. Application and Enrollment Procedures

A. The charter school, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its website, a lottery policy and process that it must use when accepting pupils by lot.

1. Interested families will submit applications up until the first Friday of March at 4:00 p.m. The board of directors may change any year's deadline by resolution without changing this policy.
2. NES will accept applications for admission to Grades K-5, for which up to 25 students will be accepted in Grade K and up to 26 students will be accepted in Grades 1-5. The board of directors may increase one or more grades' capacity by resolution and without changing this policy.
3. Formal recruitment of incoming students will begin before or during November of each year. NES will encourage families to meet with the faculty, staff and/or board members to discuss the value of NES, and its expectations of students and their families.
4. Once the application period is closed, if there are more applicants than spots available, all timely applicants will be placed on one of two lists by grade: (a) a preference list of students given preference by state law or this policy, and (b) all other applicants. An offer of enrollment will be made to students in the order in which they are listed for each grade until classes are full, first exhausting the preference list, and then proceeding to the non-preference applicants.
 1. This lottery will be held no later than the second Friday in March after the student application deadline, sufficiently prior to the annual April 1 deadline for notifying the students' district of residence for transportation services.
 2. Notice of the lottery will be made public via website and parents will be notified of their status via U.S. mail.

B. Admission to a charter school must be free to any eligible pupil who resides within the state. A charter school must give enrollment preference to a Minnesota resident pupil over pupils that do not reside in Minnesota. A charter school must require a pupil who does not reside in Minnesota to annually apply to enroll in accordance with Minnesota Statutes, section 124E.11, paragraphs (a) to (f).

C. The charter school must give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot.

A staff member eligible for an enrollment preference for their child, including a foster child, must be an individual employed at the school whose employment is stipulated in advance to total at least 480 hours in a school calendar year.

D. A person may not be admitted to the charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its website a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs A and B.

E. Except as permitted in paragraphs D and I, the charter school, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

F. The charter school or any agent of the school must not distribute any services or goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

G. Once a student who resides in Minnesota is enrolled in the school in kindergarten through grade 12, or in the school's free preschool or prekindergarten program under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the student withdrawing the student, or the student is expelled

under the Pupil Fair Dismissal Act in Minnesota Statutes, sections 121A.40 to 121A.56.

H. A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under Minnesota Statutes, section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under 34 Code of Federal Regulations, section 300.324, subsection (2), clause (iv).

I. A charter school serving at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing may give enrollment preference to students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may not limit admission based on the student's eligibility for additional special education services.

IV. Lottery

- A. A “sibling” is defined as a student applicant who is related to an enrolled student with the same father and/or mother either (1) genetically, or (2) through legal process, i.e., adoption, guardianship, or foster parent. Sibling preference does not apply until one of the siblings is actually enrolled.
- B. Siblings of currently enrolled students will be given first priority. If there are more sibling applicants than spots for a particular grade, the sibling applicants will be placed on the waiting list before other applicants.
- C. Second priority will be given to children of NES staff. **A staff member eligible for an enrollment preference for their child, including a foster child, must be an individual employed at the school whose employment is stipulated in advance to total at least 480 hours in a school calendar year.** If a staff member’s employment is ended for any reason before the child is enrolled, the child moves to the end of the non-preferential waiting list.
- D. Once all sibling applicants and children of NES staff have been placed, other applicants will be offered enrollment in their order on the non-preferential applicant waiting list determined by lottery.
- E. If any student, whether enrolled or on the waiting list, cancels their application or withdraws from NES, they shall lose their place. If they later re-apply, they shall be treated as a new applicant.

- F. All applicants still on a waiting list at the beginning of the next enrollment period must submit a new application for enrollment and will be subject to the enrollment process described above. The waiting lists do not carry over from year to year.

V. Student Recruitment Activities

- A. NES shall market itself before and during the enrollment period to recruit students to meet its enrollment goals as set by the board of directors.
- B. In accordance with its marketing strategy, NES may use the measures below, among others, to recruit student applicants.
 - 1. Post flyers and notices on websites, in local newspapers and/or blogs and online newspapers.
 - 2. Post the admissions policy and application (available for download) on NES's website.
- C. NES will provide translation services, as necessary, for all promotional materials and any person-to-person interaction.

VI. Voluntary Withdrawal

- A. NES is a public charter school of choice for application and withdrawal. With their parents' permission, students may withdraw from NES at any time.
- B. NES personnel will offer to meet with the family and discuss the reasons for the desired withdrawal from NES, as well as to seek solutions to any problems that arise from these discussions. If a parent still wishes to transfer their child to another school, NES will ensure the timely transfer of any school records to the student's new school.

C. The student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

Legal References: Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 124E.11 (Admission Requirements and Enrollment)
Minn. Stat. § 124E.17 (Charter School Information)
Minn. Stat. § 363A.13 (Educational Institution)

Cross References: None

**Nerstrand Elementary School Policy 426
Independent Charter School District #4055**

Adopted: 12/9/2013

Revised:

426 NEPOTISM– CHARTER SCHOOLS

I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines and to prevent situations in which an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the charter school.

II. GENERAL STATEMENT OF POLICY

The charter school may employ family members of current employees. However, to be hired, transferred, or promoted, close family members may *not* be assigned to the following:

A. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or

B. Positions where one reports to, directs the work of, or otherwise has direct or indirect supervision of another close family member.

III. DEFINITIONS

A. Close Family Member

A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, stepmother, stepfather, stepsister and stepbrother, in-law relationships including father- and

mother-in-law, daughter- and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

B. Direct or Indirect Supervision

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

IV. APPLICATION TO BOARD MEMBERS

Board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved.

V. NEPOTISM

The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

VI. EXCEPTIONS; SPECIAL CIRCUMSTANCES

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by the charter school's chief administrator. Any direct or indirect supervision relationship approved by

the chief administrator shall be reported to the board of directors. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel or, if no other supervisory personnel exist, to the charter school's board of directors. Exceptions involving the charter school's chief administrator and a close family member of the chief administrator shall be approved in writing by the charter school's board of directors.

VII. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES

Any charter school employee involved in a direct or indirect supervision relationship with a close family member that existed *prior to* the original approval date of this policy or that arises *after* the adoption of this policy shall promptly notify the charter school's chief administrator of such relationship. The chief administrator shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the chief administrator under Section V. shall be reported to the board of directors. The chief administrator shall promptly notify the charter school's board of directors of any direct or indirect supervision relationship which arises concerning a close family member of the chief administrator. All such direct or indirect supervision relationships involving the chief administrator shall be resolved by the board of directors in accordance with this policy.

VIII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by the charter school.

Legal References: Minn. Stat. § 124E.07, Subd. 6 (Board of Directors)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act) 42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)

MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

School:	Nerstrand Elementary School	Date of Observation:	8/19/2024	Observer:	Tu Nguyen
Start Time:	3:00 PM	End Time:	3:54 PM	School Meeting Type:	Regular
Board Members Attending:	Tara Vondrasek, Carmen Bonde, Sarah Johnson, Terri Neumann, Paula Shroyer, Carissa Erickson				
Board Members Absent:	Ali Bossmann				
Staff/Public in Attendance (Include ex-officio members):	Nicole Musolf, Traci LaFerriere, Tu Nguyen				
Compliance Indicators					
Open Meeting Law (violations result in written infraction)					
Meeting is open to the public (board meeting time and location are published).	Code	Board meeting time and location including directions to meeting room was publicly posted (on website).			
At least one complete set of printed board materials is available for public inspection.	Y	Set of all board materials was available at the meeting.			
Meeting is conducted only with a quorum present (more than half of the board members).	Y	Meeting was conducted with a quorum present.			
Meeting is not conducted by phone or web unless it meets MN Stat 13D conditions.	Y	All members could see and hear each other (even member participating remotely).			
If a special or emergency meeting, meeting is conducted in accordance with MN Stat.13D.	N/A	Minutes for approval included record of votes.			
If closed, meeting is closed in accordance with MN Stat 13D.	N/A	Votes were taken by roll call.			
Votes are recorded in minutes and made accessible in accordance with MN Stat 13D- the vote of each member must be recorded on each appropriation of money, except for payments of judgements, claims, and amounts fixed by statute.	Y	Up to date and professional minutes are posted at the school's website.			
Meeting is conducted in accordance with the board's bylaws.	Y	There was no observed violation of board's bylaws.			
Continuous Improvement Indicators/BOARD MEETING ORGANIZATION					
Meeting is called to order on time.	Code	Meeting was started on time.			
An agenda is followed, after board approval.	Y	The board followed agenda after approving it.			
Appropriate materials are available to accompany agenda items.	Y	All items discussed had appropriate materials available for board members and public to reference.			
An orderly methodology guides the running of the meeting (e.g., Roberts Rules).	Y	Board conducted an orderly meeting (followed Roberts Rules).			
Continuous Improvement Indicators/BOARD MEETING ATMOSPHERE					
Board members are on time.	Code	All board members were on time.			
Board member conduct and meeting minutes are professional.	Y	Board minutes for approval and board conduct at the meeting appeared professional. Board members			
Board members receive materials 3-5 days in advance and appear prepared.	Y	appeared prepared. Board members received board materials at least five days in advance of the board meeting.			

Continuous Improvement Indicators/BOARD AGENDA	
	Code
Agenda is posted ahead, for example on the web or wall.	Y
If used, a consent agenda is properly executed.	N/A
The board explicitly verifies that there are no conflicts of interest with any agenda items.	Y
The agenda contains an item(s) on student performance (board reviews the school's academic performance).	N/A
The agenda contains an item(s) for board review of the school's finances.	Y
Finance reports tie budgeted Pupil Units/ADM to actual.	Y
Finance reports include check register, cash flow, budget to actual.	Y
The agenda includes an item for public comment and the board has a clear process in place to respond to the public comment.	Y
Continuous Improvement Indicators/BOARD CAPACITY	
	Code
The board has the expertise and the materials necessary to provide oversight of academic, financial and governance performance (see board member bios/resumes).	Y
The mission and vision guide decision making.	Y
The board monitors and evaluates school progress- references the strategic plan, continuous improvement plan, and goals (new schools- readiness to open checklist).	Y
The board leverages committees to engage board and community members in accomplishing board work and the committee reports are thorough and understandable.	Y
The board regularly develops and reviews procedures and policies.	Y
The board addresses general operation concerns without micromanaging.	Y
Vendors and other experts, if consulted, provide appropriate information to the board.	Y
The board evaluates the school leadership.	Y
The board shows evidence continuous improvement (uses feedback to improve work) and monitors board development and completion of training requirements on an ongoing basis.	Y
Narrative Section on Board Observation	
This board observation form is electronically delivered to the director and chair within 2 days of the board meeting.	

The board agenda was easy to follow and was posted so that the public had notice of the board business at hand in advance of the meeting. No potential conflict of interest was observed- agenda included a check for conflict of interest.

The board reviewed a complete set of financials. The financials included actual ADM and Pupil Units compared to budgeted, a record of transactions, cash flow modeled over the year, and actual revenue and expenditures compared to budgeted. There was an opportunity for public comment.

The mission and vision were reiterated and referenced throughout the meeting.

The board/school leadership referenced the contract goals and provided an update on progress toward them.

The board leverages committees to complete work and committee reports were clear.

The board reviewed policies as part of a cycle of review (first look of several policies and handbook change).

Board discussion seemed to remain at a strategic level of governance rather than micromanaging.

The school leader and board provided an update on the leadership evaluation. (Director will focus on Domain 4, cooperation and collaboration).

Vendors provided appropriate information to the board per board request.

The board reflected on its own performance at the end of the meeting in the spirit of continuous improvement.

Notes: Observations and Questions:

All staff are returning and the school will also be welcoming a new 1st grade teacher. Enrollment is 103 compared to budget of 100.

Items to share with other schools:

[1] Codes: (Y) There is clear evidence that the indicator exists. Emerging (EM) – There is some evidence of the indicator, but improvement is recommended. No(N) – The indicator was not observed. Not Applicable (NA) The indicator was not observed at this meeting, but over the course of year it is expected to be.