

# THREE RIVERS MONTESSORI CHARTER SCHOOL

Regular Board Meeting Agenda

Tuesday, November 21st, 2023 at 6:00 p.m.

Meeting held at Three Rivers Montessori: 17267 Yale St NW, Elk River MN 55330

Sent to OW - 11/16/2023 | Placed on Website - 11/16/2023

## **I. CALL TO ORDER** by Chairperson:

## **II. ROLL CALL + DECLARATIONS OF CONFLICT OF INTEREST**

1. Board Members Present + Declarations:
2. Board Members Absent:
3. Other Attendees:

## **III. REVIEW OF TRM MISSION & VISION STATEMENTS**

**Mission:** Empowering students to reach their full potential through authentic Montessori learning.

**Vision:** Academic Excellence \* Community Engagement \* Environmental Stewardship

## **IV. APPROVAL OF MEETING AGENDA**

1. **ACTION ITEMS:**
  - a. APPROVAL: Tonight's Meeting Agenda

## **V. CONSENT AGENDA**

1. **ACTION ITEMS:**
  - a. APPROVAL: TRM Regular Board Meeting Minutes 10/16/23
  - b. APPROVAL: Accept resignation of Cassie Zezulka as a TRM board member
  - c. APPROVAL: Non-Discrimination Policy (Updated to include pregnancy language)
  - d. APPROVAL: Board Member Code of Ethics Policy (Updated to include core values language)
  - e. APPROVAL: Board Reflection Policy: (Updated to include core values language)

## **VI. PUBLIC COMMENTS**

## **VI. FINANCE COMMITTEE**

- a. October Month End Financials
  - i. **ACTION ITEM:** Approve Prior Month Financial Report
  - ii. **ACTION ITEM:** Approve Prior Month Expenditures

## **VII. INFORMATION ITEMS**

1. Montessori Training with Anna Nation
2. Enrollment Update
3. Staffing Update
4. Building Update including Fire Marshal Inspection Report and MDH Food Inspection Report
5. Fall Family Survey Results
6. Fall Staff Survey Results

## **IX. DISCUSSION ITEMS**

1. APPROVAL: Increase in line of credit from \$75,000.00 to \$200,000.00 with the Bank of Elk River
2. APPROVAL: CSDC Lease Amendment
3. OW Site Visit Report
4. OW Board Observation Feedback
5. Policy Reviews
  - a. Credit Card Policy (update)
  - b. Consent Agenda Policy (New Policy)
  - c. Use of Peace Officers and Crisis Teams to Remove Students With IEP's From School Grounds Policy Policy (New Policy, State Mandated; TRM's legal team at Ratwik, Roszak, & Maloney wrote this policy, should go unchanged)
  - d. Student Data Privacy Policy(New Policy, Authorizer Mandated; TRM's legal team at Ratwik, Roszak, & Maloney wrote this policy, should go unchanged)
  - e. Malicious and Sadistic Conduct Policy (New Policy, State Mandated; HR reviewed draft policy and as far as we know, no one has had this policy previously)

## **X. REVIEW OF NEXT MEETING DATE**

1. Date, Time, Location of Next Regular Board Meeting - Tuesday, December 21st, 2023 **6:00 p.m.** Location: At Three Rivers Montessori
2. Agenda Items Request or Send to Board Chair

## **XI. ADJOURNMENT**

- 1.

Board Approved:

# THREE RIVERS MONTESSORI CHARTER SCHOOL

Regular Board Meeting Agenda

Monday, October 16th, 2023 at 6:00 p.m.

Meeting held at Three Rivers Montessori: 17267 Yale St NW, Elk River MN 55330

Sent to OW - 10/11/2023 | Placed on Website - 10/11/2023

**I. CALL TO ORDER** by Chairperson: Call to order at 6:04pm Monday October 16th, welcome everybody

## **II. ROLL CALL + DECLARATIONS OF CONFLICT OF INTEREST**

1. Board Members Present + Declarations: Cassie Zezulka, no conflicts; Nikki Patterson, no conflicts; Brooke, no conflicts; Chris Castagneri, no conflicts; Josh Green, no conflicts
2. Board Members Absent: Lydia Skadberg, Tim Eilrich
3. Other Attendees: Antonio Kuklok, Ex-Officio; Tim, evaluator for Osprey Wilds, independent contractor; Anna Nation, Director of Teaching and Learning; Mindy Wachter, Bergan KDV

## **III. REVIEW OF TRM MISSION & VISION STATEMENTS**

**Mission:** Empowering students to reach their full potential through authentic Montessori learning.

**Vision:** Academic Excellence \* Community Engagement \* Environmental Stewardship

## **IV. APPROVAL OF MEETING AGENDA**

1. **ACTION ITEMS:**
  - a. APPROVAL: Tonight's Meeting Agenda
    - i. Motion to Approve: Brooke Blomker
    - ii. Motion Seconded: Josh Green
    - iii. Discussion: None
    - iv. Vote: Unanimous, Motion Carried

## **V. CONSENT AGENDA**

1. **ACTION ITEMS:**
  - a. APPROVAL: TRM Regular Board Meeting Minutes 09/19/23
    - i. Motion to Approve: Brooke Blomker
    - ii. Motion Seconded: Josh Green
    - iii. Discussion: None
    - iv. Vote: Unanimous, Motion Carried
  - b. APPROVAL: Attendance Policy
    - i. Motion to Approve: Brooke Blomker
    - ii. Motion Seconded: Josh Green
    - iii. Discussion: None
    - iv. Vote: Unanimous, Motion Carried
  - c. APPROVAL: Updated Non-Discrimination Policy
    - i. Motion to Approve:
    - ii. Motion Seconded:
    - iii. Discussion:
    - iv. Vote: Tabled, bring back in November after adding language about pregnant employees
  - d. APPROVAL: Updated Student Withdrawal Policy
    - i. Motion to Approve: Josh Green

- ii. Motion Seconded: Nikki Patterson
  - iii. Discussion: None
  - iv. Vote: Unanimous, Motion Carried
- e. APPROVAL: 2022-2023 Combined World's Best Workforce & Annual Report
- i. Motion to Approve: Brooke Blomker
  - ii. Motion Seconded: Cassie Zezulka
  - iii. Discussion: None
  - iv. Vote: Unanimous, motion carried

## VI. PUBLIC COMMENTS

None

## VI. FINANCE COMMITTEE

- a. September Month End Financials
  - i. **ACTION ITEM:** Approve Prior Month Financial Report
    - 1. Motion to Approve: Josh Green
    - 2. Motion Seconded: Brooke Blomker
    - 3. Discussion: None
    - 4. Vote: Unanimous vote, motion carried
  - ii. **ACTION ITEM:** Approve Prior Month Expenditures
    - 1. Motion to Approve: Brooke Blomker
    - 2. Motion Seconded: Josh Green
    - 3. Discussion: None
    - 4. Vote: Unanimous, motion carried
- b. Financial Audit Presentation
  - i. **ACTION ITEM:** Approve FY 23 Financial Audit
    - 1. Motion to Approve: Nikki Patterson
    - 2. Motion Seconded: Cassie Zezulka
    - 3. Discussion: None
    - 4. Vote: Unanimous, motion carried

## VII. INFORMATION ITEMS

1. Enrollment Update
2. Staffing Update
3. NWEA Map Fall Testing Update
4. Academic Update with Anna Nation

## IX. DISCUSSION ITEMS

1. Policy Reviews
  - a. Chemical Use and Abuse Policy - Add Brooke's notes and contact Kara regarding the process if we don't implement testing language
  - b. Board Member Code of Ethics Policy - Add in TRM Board values language
  - c. Board Reflection Policy - Add in TRM Board values language; change Audubon to Osprey on final bullet point
2. Montessori Training - Discussion around the realities of training. Teacher board members spoke and gave their perspectives on the difficulties of training while teaching. Board agreed this would continue to be an ongoing discussion.
3. PreK/Children's House: Have a teacher and materials, board vote to move forward for the 23'-24' SY
  - a. **ACTION ITEM:** Approve the start of a children's house for the 23-24 SY as long as we have 10 participants: Chris declares she does work for another preschool

in town and may pose a conflict of interest. Chris has chosen to abstain from this vote.

- i. Motion to Approve: Nikki Patterson
- ii. Motion Seconded: Cassie Zezulka
- iii. Discussion: None
- iv. Vote: All in favor except Chris Castagneri who has abstained. The motion passes.

#### **X. REVIEW OF NEXT MEETING DATE**

1. Date, Time, Location of Next Regular Board Meeting - Tuesday, November 21st, 2023 **6:00 p.m.** Location: At Three Rivers Montessori
2. Agenda Items Request or Send to Board Chair

#### **XI. ADJOURNMENT**

1. **ACTION ITEM:** Motion to Adjourn
  - a. Motion to Approve: Nikki Patterson
  - b. Motion Seconded: Brooke Blomker
  - c. Discussion: None
  - d. Vote: Unanimous, motion carried, meeting adjourned at 8:21pm



# Non-Discrimination Policy

Date Created: 06/27/2019

Date Updated: 11/21/2023

Approved By: TRM Board of Directors

Date Approved: 06/27/2019

## Three Rivers Montessori Nondiscrimination Policy

Three Rivers Montessori does not and shall not discriminate on the basis of race, hair features based on race, color, religion, creed, gender, gender expression, age, national origin, ancestry, disability, pregnancy status, marital status, sexual orientation, status with regarding to public assistance, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of any staff, selection of volunteers and vendors, and provision of services. Three Rivers Montessori is committed to providing an inclusive and welcoming facility and environment for all.

This statement is in accordance with the provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Regulations of the U.S. Department of Health, the Minnesota Human Rights Act Minn. Stat. Ch. 363A, and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91.



# Board Member Code of Ethics Policy

Date Created: 02/10/2020

Approved By: TRM Board of Directors

Date Approved: 01/21/2020

Date Updated: 11/21/2023

## Board Member Code of Ethics

As members of the School Board we recognize the integrity of our predecessors and associates and appreciate the merit of their work. We consider ourselves trustees of public education and do the best to protect, conserve and advance its progress. We are motivated by the desire to serve the pupils of our district and by the desire to provide the best educational opportunities possible for the entire district.

As a member of the School Board I will inform myself of the proper duties and functions of a School Board member. I will appraise both the present and future educational needs of the School District and attempt to obtain adequate financial support of the school program. I will interpret the needs and attitudes of the community and do my best to translate these into the educational program of the School District. I will participate in activities that foster professional growth such as meetings, conferences, and workshops pertaining to school activities and objectives of the board.

As members of the School Board we meet the legal responsibility that is ours, functioning as a policy-forming body – not as administrative officers. Our responsibility is to have the school run properly, not to run it ourselves.

The individual members of the School Board hold an office of shared power and responsibility and recognize that school business may be legally transacted only in an open meeting of the School Board. Individual Board members exercise authority over District affairs only as they vote to take action at a legal Board meeting.

As a Board member I recognize that to promise in advance of a meeting how I will vote on any proposition is to close my mind and agree not to think through points of view, which may be presented at the meeting. Each board member is committed to reaching and supporting group decisions, which represent the best judgments of the Board as a whole. The School Board will make decisions in Board meetings only after all sides of debatable questions have been represented.

As a member of the School Board I will listen, respect the rights of others to have and express opinions, and make no disparaging remarks, in or out of meetings, about other members of the Board, or their opinions. Above all I will live the TRM core values of Integrity, Stewardship, Compassion, and Montessori Focus.

New Member Signature \_\_\_\_\_ Date: \_\_\_\_\_

Board Chair Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Board Self Reflection Policy

Date Created: 01/10/2020

Approved By: TRM Board of Directors

Date Approved: 01/21/2020

Date Updated: 11/21/2023

## Board Self Reflection

### 1. PURPOSE

The purpose of the TRM Board Reflection Policy is to ensure a high-functioning, reflective board that is focused on student outcomes while fulfilling its state-mandated fiduciary responsibilities and living the board designated core values of Integrity, Stewardship, Compassion, and Montessori Focus.

### 1.II. PRACTICES

In August or September of each year, the TRM Board will review its practices.

Information for Decision Making

The board is receiving timely, accurate information on a regular basis to oversee vital school functions

Monthly

- Financial information that tracks revenues, expenditures and cash flow • Director's report that includes school operations and enrollment
- Personnel information that reflects current hiring, termination and staffing data Semi-Annually

• Report from the business manager and the director that reviews the school's finances and suggest budget revisions

Annual

- In the fall of each year, the board reviews and comments on the school's strategic plan and establishes goals for the current school year
- Report from the director that includes academic performance and analysis
- Review of Osprey Wilds/authorizer school performance expectations as needed

### Review of the Director

The board policy reflects a comprehensive, effective process for evaluating the director with the people and processes in place to carry it out.

The board will review the process each year and recommend any necessary changes.





# Board Self Reflection Policy Cont.

## Annual Meeting and Election of New Board Members

The board policy reflects a comprehensive, effective process for carrying out elections as called for in its by-laws and conducting an annual meeting that shares year-end results with the public.

- An ad hoc committee of the board, charged with overseeing annual meeting and elections will review the previous year's processes and results and recommend any necessary changes.

## New board member orientation and training

The board orientation and training processes meet state standards and prepare new board members to participate fully in the activities of the board.

- Prior to the January board meeting, the board chair will ask new board members to confirm that they have completed the required MDE training and to reflect with him/her on whether Global's new board member orientation has prepared them to serve. At the January board meeting, the new board members will report to the board on their experience and make recommendations about how to improve the process for the next group of new board members.

## Conduct of board meetings

All board members feel as if they are able to express their views and review necessary information to make decisions in a safe, respectful board environment that operates efficiently and effectively.

- At the August board meeting, the board will review its essential agreements.
- At the January meeting, the board chair will ask board members to comment on the conduct of board meetings, including but not limited to discussion and voting procedures, agenda setting, and time spent on board business-both at board meetings and outside of board meetings.

## Policies

The board will review its policies on a schedule that calls for a review of 1-5 policies per month in order to keep up with changes dictated by state mandate and/or best practices

- The director and the board chair will review the previous year's calendar of policy reviews and propose a schedule for the next year. By-Laws
- The board chair will establish an ad-hoc committee at least every three years to review the by-laws to ensure that they are consistent with state mandated policies and best practice.

## By-Laws

- The board chair will establish an ad-hoc committee at least every three years to review the by-laws to ensure that they are consistent with state mandated policies and best practice.



**Three Rivers Montessori  
Elk River, Minnesota  
District 4266**

**Financial Statements**

**October 31, 2023**

**Three Rivers Montessori  
Elk River, Minnesota  
October 2023 Financial Statements  
Executive Summary**

**Summary of Key Financial Indicators**

- \* Average Daily Membership (ADM) Overview –
  - Original Budget: 167
  - Working Budget: 99
  - Actual: 100
- \* The School's projected deficit for the year is (\$206,110). This would result in a projected cumulative fund balance of \$74,717 or 3.7% of expenditures at fiscal year-end.

**Financial Statement Key Points**

- \* As of month-end, 33.3% of the year was complete.
- \* Cash Balance as of the reporting period is \$246,022, down from the previous month of \$299,940. This was due to MDE adjusting your ADM to 143, we didn't go all the way down to 100 for cash flow purposes.
- \* Revenues received at end of the reporting period – 32.17%
- \* Expenditures disbursed at end of the reporting period – 26.22%

**Other Items**

- \* FY24 Lease aid needs to be completed soon to assist with cash flow. Please watch your email for your applicable conflict of interest form. The Board Chair and Executive Director will sign the rest of the application.

**Supplemental Information (see separate attachments)**

A separate report is provided that shows the payment detail, receipts that were posted and journal entry transaction that were recorded during the month (if any).

*Please contact Mindy Wachter at [mindy.wachter@bergankdv.com](mailto:mindy.wachter@bergankdv.com) or 612-227-7793 should you have any questions related to the financial statements.*

**Three Rivers Montessori  
Elk River, Minnesota  
Financial Statements Dashboard  
As of October 31, 2023**

**Financial Summary - Budgeted Amounts and Year to Date Activity**

**Resources to Operate Programs (Revenues):**

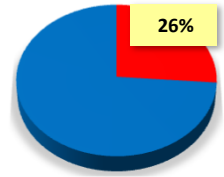
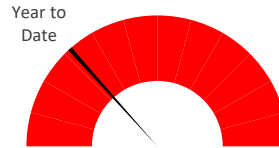
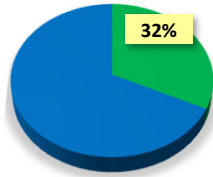
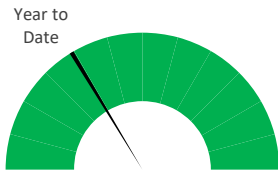
**Approved Budget** \$2,299,131  
**Working Budget** \$1,821,736  
**Year to Date** \$586,121

**Funds Used to Provide Programs and Services (Expenses):**

**Approved Budget** \$2,215,565  
**Working Budget** \$2,027,845  
**Year to Date** \$531,748 26.22%

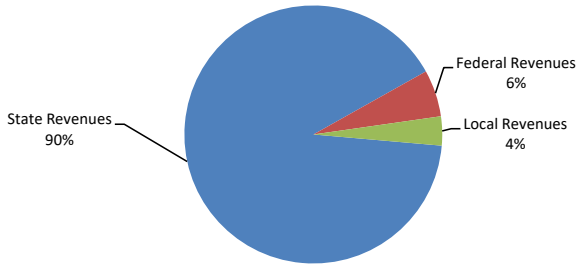
**Excess / Deficit**

\$83,566  
 (\$206,110)  
 \$54,374

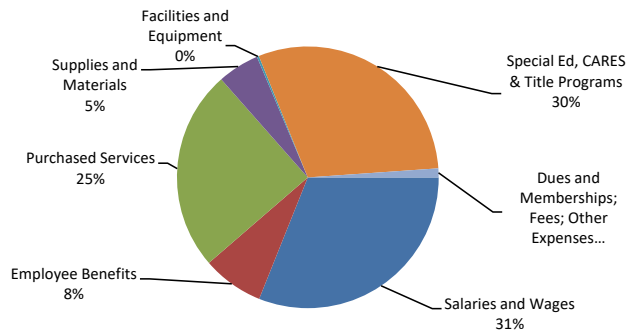


**Budgets for the Year**

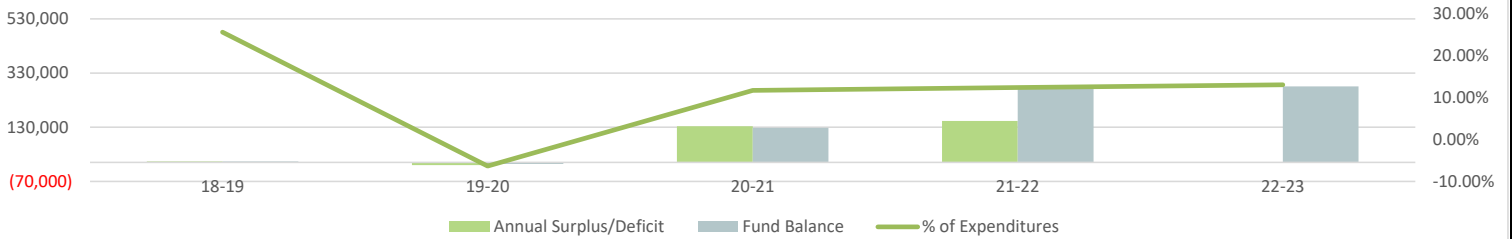
**Where funds will come from to operate the school:**

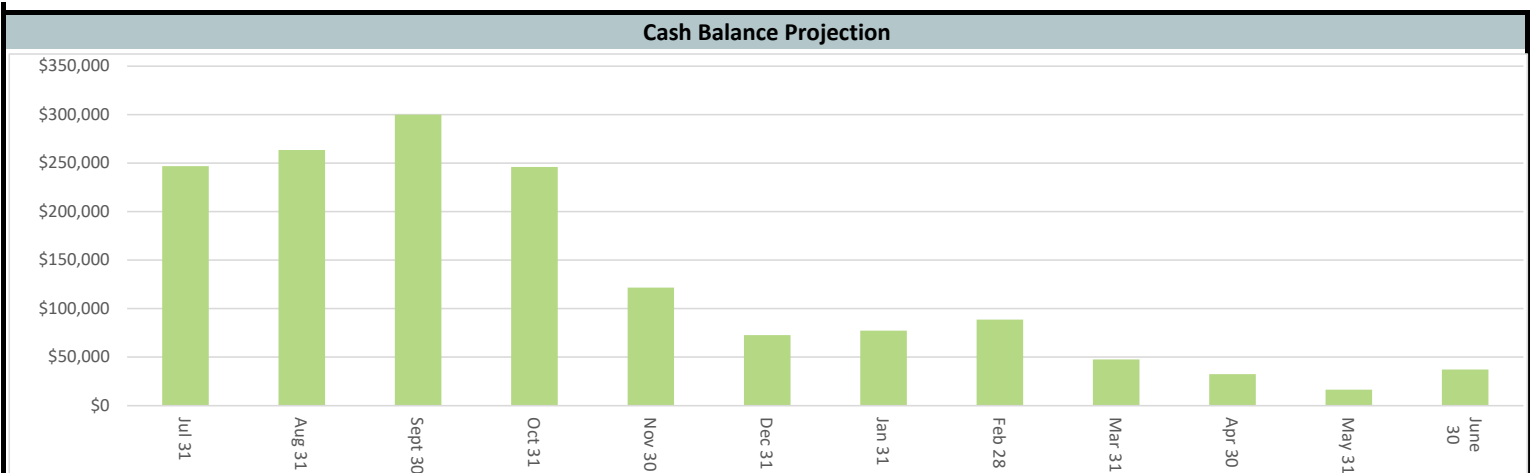
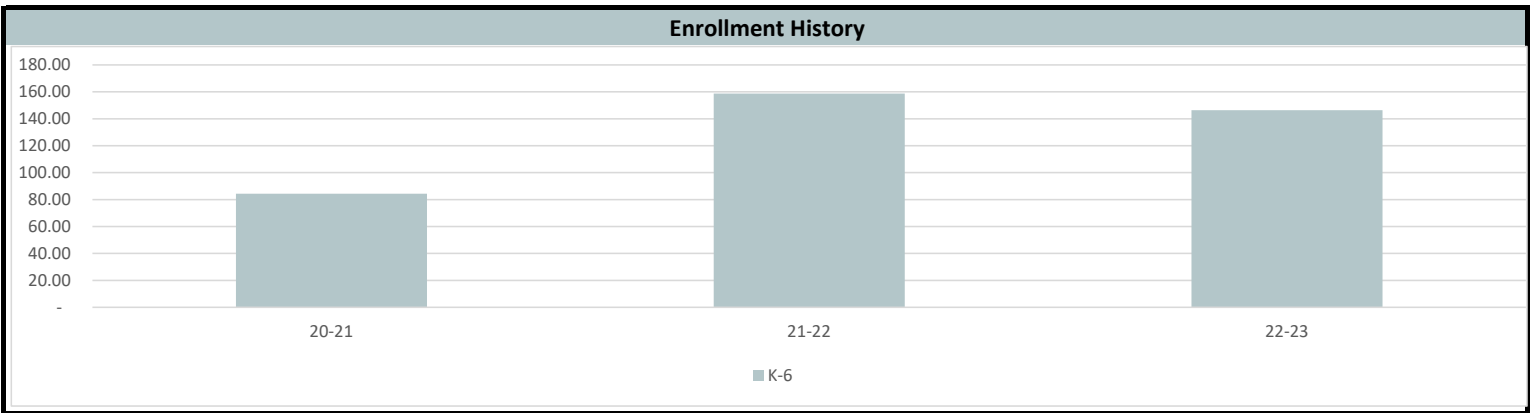
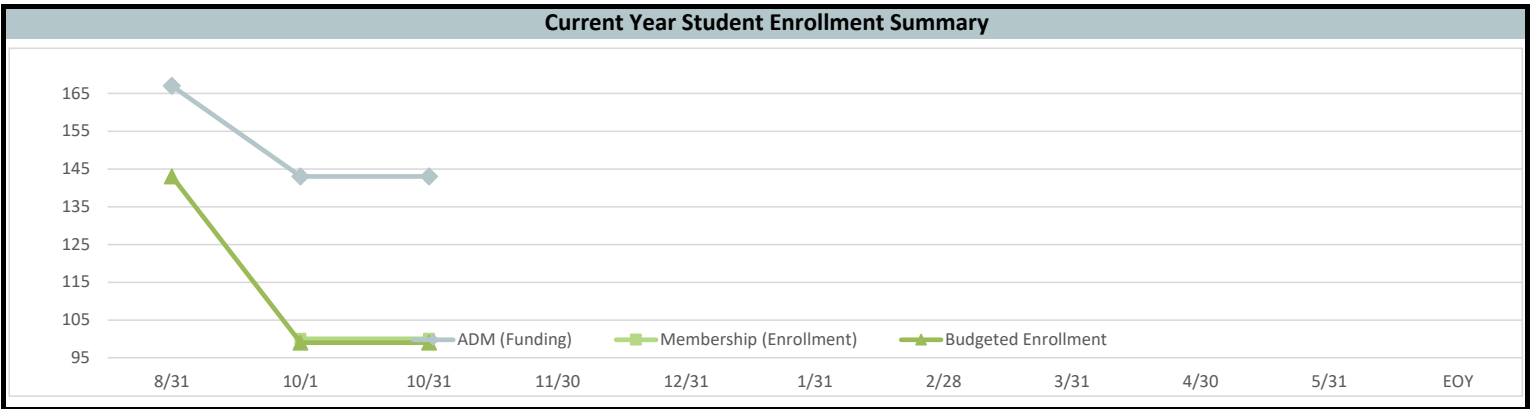
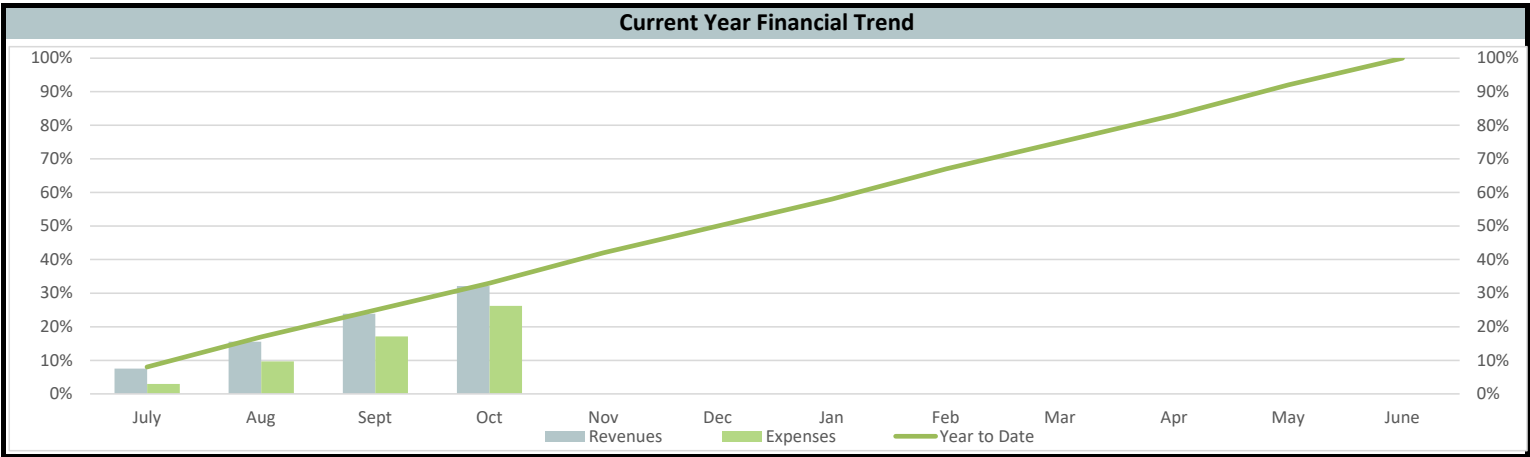


**How the money is budgeted to be spent:**



**Fund Balance History**





**Three Rivers Montessori  
Elk River, Minnesota  
Balance Sheet  
As of October 31, 2023**

	Audited Balance 7-1-2023	Month Ending Balance
<b>Assets</b>		
Current Assets		
101 Main Bank	\$ 171,912	\$ 246,022
101 Savings Bank	400	-
115 Accounts receivable	1,327	-
121 State aids receivable	126,116	4,952
Current year state holdback		77,236
122 Federal aids receivable through MDE	50,530	18,753
131 Prepaid expenses	14,397	-
Total all assets	<u>\$ 364,682</u>	<u>\$ 346,962</u>
<b>Liabilities and Fund Balance</b>		
Current Liabilities		
201 Salaries and wages payable	\$ 28,639	\$ 6,910
206 Accounts payable	33,093	-
215 Payroll deductions and contributions payable	19,908	4,851
230 Deferred revenue - lunch accounts	2,215	-
Total liabilities	<u>83,855</u>	<u>11,761</u>
Fund Balance		
Unreserved fund balance	252,123	252,123
Nonspendable fund balance (inventories, prepaids)	14,397	14,397
Reserved Fund Balance - MA Billing	278	278
Restricted fund balance - Community Service	14,029	14,029
Net income to date	-	54,374
Total fund balance	<u>280,827</u>	<u>335,201</u>
Total liabilities and fund balance	<u>\$ 364,682</u>	<u>\$ 346,962</u>

This financial report is prepared in a modified format in that they exclude footnotes and required supplementary information in order to be considered a full set of financial statements. The excluded portions will be included in the School's fiscal year end financial statements. Creative Planning is not a licensed CPA firm and no CPA provides any assurance on this financial report.

**Three Rivers Montessori  
Elk River, Minnesota  
Summary Revenue and Expense Statement  
As of October 31, 2023**

	Months to Date		4	33.33%
	2023-2024 Original Budget	2023-2024 Working Budget	2023-2024 Year to Date Actual	Year to Date Percent of Working Budget
<b>Projected Enrollment</b>	167	99	100.00	101.01%
Weighted Average Daily Membership	167.00	99.00	100.00	101.01%
<b>General Fund - 01</b>				
Revenues				
State Revenues				
211 General education aid	1,276,007	887,357	390,032	43.95%
212 Literacy incentive aid	12,811	12,811	-	0.00%
201 Endowment fund apportionment	7,243	7,243	4,226	58.34%
348-300 Charter school lease aid	219,438	130,086	-	0.00%
317 Long-term facilities maintenance revenue	22,044	13,068	-	0.00%
360 Special education aid	482,089	516,966	63,941	12.37%
343 Library aid	-	19,933	-	0.00%
373 Student support aid	-	19,745	-	0.00%
071 Medical assistance billing revenue	-	1,000	301	30.13%
999 Prior year over/under accrual	60,000	20,000	-	0.00%
Estimated state holdback	-	-	77,236	
Total state revenues	<u>2,079,632</u>	<u>1,628,210</u>	<u>535,736</u>	<u>32.90%</u>
Federal Revenues				
401 414 Title programs	2,078	17,420	-	0.00%
419 425 Special education aid	27,522	27,522	3,153	11.46%
499 CRF/CARES	12,661	15,600	15,600	100.00%
Total federal revenues	<u>42,262</u>	<u>60,542</u>	<u>18,753</u>	<u>30.97%</u>
Local Revenues				
Deposits without documentation			-	
050 Fees collected	8,245	8,245	3,053	37.03%
096 Gifts and donations	3,521	3,521	-	0.00%
099 Other local revenues	11,138	21,138	10,000	47.31%
621 Sales of materials purchased for resale	1,000	1,000	-	0.00%
Total local revenues	<u>23,904</u>	<u>33,904</u>	<u>13,053</u>	<u>38.50%</u>
<b>Total revenues</b>	<u>\$ 2,145,798</u>	<u>\$ 1,722,656</u>	<u>\$ 567,542</u>	<u>32.95%</u>
Expenditures				
General Fund				
100 Salaries	700,448	595,057	134,025	22.52%
200 Benefits	168,759	147,732	39,309	26.61%
Projected salaries and benefits payable			11,713	
Total salaries, wages, and benefits payable	<u>869,207</u>	<u>742,788</u>	<u>185,047</u>	<u>24.91%</u>
305 Contracted services	214,200	214,200	62,042	28.96%
315 Contracted technology services	2,000	4,000	1,240	31.00%
320 Communications services	5,100	5,100	1,435	28.14%
329 Postage	1,231	1,231	-	0.00%
330 Utilities cost	24,627	24,627	7,753	31.48%
340 Property and liability insurance	15,245	15,245	4,237	27.79%
350 Repairs and maintenance	10,261	10,261	7,842	76.43%
360 Contracted transportation - Field Trips	410	1,000	479	47.85%
366 Travel, conferences and staff training	3,899	13,899	12,915	92.92%
369 Field trips and other student fees	257	1,500	930	62.00%
348-370 Building lease cost	258,003	198,003	85,400	43.13%
335 Other rentals and operating leases	3,078	1,020	340	33.33%
380 Computer and tech related hardware rentals	5,131	8,142	3,490	42.87%
401 Supplies - non instructional	19,753	11,900	7,964	66.93%
405 Non instructional software and license fees	8,869	13,400	11,077	82.66%
406 Instructional software and license fees	3,592	3,592	1,770	49.28%
430 Instructional supplies	12,314	7,446	1,028	13.81%
455 Non-instructional technology supplies	7,696	4,654	69	1.48%
456 Instructional technology supplies	1,026	620	300	48.27%
460 Textbooks and workbooks	2,000	1,209	-	0.00%
461 Standardized Tests	1,491	4,450	5,031	113.05%

This financial report is prepared in a modified format in that they exclude footnotes and required supplementary information in order to be considered a full set of financial statements. The excluded portions will be included in the School's fiscal year end financial statements. Creative Planning is not a licensed CPA firm and no CPA provides any assurance on this financial report.

		Months to Date		4	33.33%
		2023-2024 Original Budget	2023-2024 Working Budget	2023-2024 Year to Date Actual	Year to Date Percent of Working Budget
466	Instructional technology devices	2,565	1,551	695	44.80%
490	Food purchased (not for food service)	3,078	3,078	437	14.18%
530	Other equipment purchased	5,131	5,131	1,038	20.22%
740	Interest on sale of receivables / line of credit	1,539	1,539	-	0.00%
820	Dues and memberships	20,715	20,715	9,128	44.07%
899	Transactions without documentation	-	-	-	0.00%
	<i>Subtotal general fund expenditures</i>	<i>1,502,421</i>	<i>1,320,304</i>	<i>411,686</i>	<i>31.18%</i>
Title Programs					
100	Salaries	-	14,620	-	0.00%
200	Benefits	-	2,414	-	0.00%
366	Travel, conferences and staff training	2,078	-	-	0.00%
401	Supplies - non Instructional	-	386	-	0.00%
	<i>Subtotal title programs expenditures</i>	<i>2,078</i>	<i>17,420</i>	<i>-</i>	<i>0.00%</i>
State Special Education					
100	Salaries	324,069	352,643	53,327	15.12%
200	Benefits	76,187	84,326	16,175	19.18%
394	Special education fees for services	102,614	102,614	8,103	7.90%
401	Supplies - non instructional	1,026	1,026	-	0.00%
405	Non instructional software and license fees	-	-	-	0.00%
433	Individualized instructional materials	2,565	2,565	-	0.00%
466	Instructional technology devices	1,000	1,000	-	0.00%
	<i>Subtotal state special education expenditures</i>	<i>507,462</i>	<i>544,175</i>	<i>77,606</i>	<i>14.26%</i>
Federal Special Education					
303	Federal contracted services < \$25,000	26,373	26,373	-	0.00%
366	Travel, conferences and staff training	-	-	1,395	0.00%
401	Supplies - non instructional	1,149	1,149	-	0.00%
405	Non instructional software	-	-	1,186	0.00%
433	Individualized instructional materials	-	-	572	0.00%
	<i>Subtotal federal special education expenditures</i>	<i>27,522</i>	<i>27,522</i>	<i>3,153</i>	<i>11.46%</i>
Federal CRF/CARES					
100	Salaries	9,120	13,890	13,889	99.99%
200	Benefits	1,541	1,685	1,685	100.03%
303	Federal contracted services < \$25,000	-	-	-	0.00%
401	Supplies - non instructional	500	25	25	100.08%
433	Individualized instructional materials	1,000	-	-	0.00%
490	Food purchased (not for food service)	500	-	-	0.00%
	<i>Subtotal federal CRF/CARES expenditures</i>	<i>12,661</i>	<i>15,600</i>	<i>15,600</i>	<i>100.00%</i>
	<b>Subtotal all expenditures</b>	<b>2,052,145</b>	<b>1,925,021</b>	<b>508,044</b>	<b>26.39%</b>
	Transfer to food service fund	-	11,364	-	
	<b>Total expenditures</b>	<b>\$ 2,052,145</b>	<b>\$ 1,936,384</b>	<b>\$ 508,044</b>	<b>26.24%</b>
	<b>General fund net income</b>	<b>\$ 93,653</b>	<b>\$ (213,728)</b>	<b>\$ 59,498</b>	

#### Food Services Fund - 02

Revenues					
300	State revenues	\$ 6,533	\$ 10,000	\$ 3,560	35.60%
400	Federal revenues	\$ 85,170	\$ 45,450	2,828	6.22%
474	USDA commodities received	\$ -	\$ -	-	0.00%
600s	Sales of lunches, breakfasts, and milk	\$ -	\$ -	191	0.00%
	<b>Subtotal revenues</b>	<b>91,703</b>	<b>55,450</b>	<b>6,579</b>	<b>11.86%</b>
	Transfer from General Fund	-	11,364	-	
	<b>Total revenues</b>	<b>\$ 91,703</b>	<b>\$ 66,814</b>	<b>\$ 6,579</b>	<b>9.85%</b>
Expenditures					
100	Salaries	19,000	11,970	3,241	27.08%
200	Benefits	5,611	1,897	491	25.88%
300	Purchased services	1,530	1,530	133	8.69%
401	Supplies and materials	2,052	2,052	469	22.83%
490/495	Food and milk	81,578	49,328	9,461	19.18%
491	Federal commodities used	-	-	-	0.00%
820	Dues, memberships, other fees	-	36	831	0.00%
	<b>Total expenditures</b>	<b>\$ 109,772</b>	<b>\$ 66,814</b>	<b>\$ 14,625</b>	<b>21.89%</b>
	<b>Food services fund net income</b>	<b>\$ (18,069)</b>	<b>\$ -</b>	<b>\$ (8,046)</b>	

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		Months to Date		4	33.33%
		2023-2024 Original Budget	2023-2024 Working Budget	2023-2024 Year to Date Actual	Year to Date Percent of Working Budget
<b>Community Services Fund - 04</b>					
Revenues					
50	Before and After care fees	\$ 61,630	\$ 32,266	12,001	37.19%
	Subtotal revenues	61,630	32,266	12,001	37.19%
	Transfer from General Fund	-	0	-	
	<b>Total revenues</b>	<b>\$ 61,630</b>	<b>\$ 32,266</b>	<b>\$ 12,001</b>	<b>37.19%</b>
Expenditures					
100	Salaries	43,782	19,250	7,784	40.43%
200	Benefits	7,971	3,502	1,197	34.19%
300	Purchased services	1,020	1,020	-	0.00%
401	Supplies and materials	875	875	98	11.16%
	<b>Total expenditures</b>	<b>\$ 53,648</b>	<b>\$ 24,647</b>	<b>\$ 9,079</b>	<b>36.83%</b>
<b>Community services fund net income</b>		<b>\$ 7,982</b>	<b>\$ 7,619</b>	<b>\$ 2,922</b>	
<b>Total All Funds</b>					
Revenues					
	State revenues	\$ 2,086,165	\$ 1,638,210	\$ 539,296	32.92%
	Federal revenues	127,432	105,992	21,580	20.36%
	Local revenues	85,535	66,170	25,245	38.15%
	Fund transfers	-	11,364	-	
	<b>Total revenues</b>	<b>\$ 2,299,131</b>	<b>\$ 1,821,736</b>	<b>\$ 586,121</b>	<b>32.17%</b>
Expenditures					
	Salaries and wages	\$ 1,096,419	\$ 1,007,430	\$ 223,978	22.23%
	Employee benefits	260,069	241,556	58,859	24.37%
	Purchased services	677,060	629,767	197,735	31.40%
	Supplies and materials	154,631	110,308	40,180	36.43%
	Facilities and equipment	5,131	5,131	1,038	0.00%
	Dues and memberships; fees; other expenses	20,715	20,751	9,959	47.99%
	Other program costs	-	-	-	0.00%
	<b>Total expenditures</b>	<b>\$ 2,215,565</b>	<b>\$ 2,027,845</b>	<b>\$ 531,748</b>	<b>26.22%</b>
	<b>Total revenues all funds</b>	<b>\$ 2,299,131</b>	<b>\$ 1,821,736</b>	<b>\$ 586,121</b>	<b>32.17%</b>
	<b>Total expenditures all funds</b>	<b>2,215,565</b>	<b>2,027,845</b>	<b>531,748</b>	<b>26.22%</b>
<b>Net income - all funds</b>		<b>\$ 83,566</b>	<b>\$ (206,110)</b>	<b>\$ 54,374</b>	
<b>Beginning fund balance, district wide</b>		<b>280,827</b>	<b>280,827</b>	<b>280,827</b>	
<b>Ending fund balance, district wide</b>		<b>364,393</b>	<b>74,717</b>	<b>335,201</b>	

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**Three Rivers Montessori  
Cash Flow Projection Summary  
2023-2024 School Year**

Period Ending	Cash Inflows (Revenues)						Cash Outflows (Expenditures)				Cash Balance	
	State Aid Payments	Federal Aid Payments	Other Receipts	Line of Credit Draw	Prior Year State and Federal Receivable	Total Receipts	Salaries and Benefits (Net)	Other Expenses - AP	Payments Made on Line of Credit	Total Expenses		
											<b>Beginning Balance</b>	<b>\$ 172,312</b>
Jul 31	127,595	-	3,166	-	49,886	180,647	34,175	71,908	-	106,084	246,876	
Aug 31	127,810	-	1,595	-	43,043	172,447	36,597	119,271	-	155,868	263,455	
Sept 30	127,919	-	15,788	-	44,228	187,934	51,196	100,254	-	151,450	299,940	
Oct 31	74,875	6,388	6,506	-	34,538	122,306	59,910	116,314	-	176,224	246,022	
Nov 30	113,596	6,763	5,909	-	-	126,268	65,000	112,000	-	177,000	121,580	
Dec 31	113,459	6,763	5,909	-	-	126,131	65,000	110,000	-	175,000	72,710	
Jan 31	52,754	18,763	5,909	100,000	4,104	181,530	65,000	112,000	-	177,000	77,241	
Feb 28	123,215	6,763	5,909	50,000	580	186,467	65,000	110,000	-	175,000	88,708	
Mar 31	123,215	6,763	5,909	-	-	135,887	65,000	112,000	-	177,000	47,595	
Apr 30	123,215	18,763	5,909	-	13,947	161,834	65,000	112,000	-	177,000	32,429	
May 31	123,215	6,763	5,909	25,000	-	160,887	65,000	112,000	-	177,000	16,317	
June 30	123,215	6,763	5,909	-	100,000	235,887	65,000	100,000	50,000	215,000	37,204	
<b>Totals</b>	1,354,085	84,489	74,327	-	290,326	1,803,227	701,878	1,287,748	-	1,989,625	37,204	
<b>Projected Cash Flow for FY2024-2025</b>												
Jul 31	135,000	5,000	4,000	-	10,000	154,000	34,500	71,908	25,000	131,408	59,795	
Aug 31	135,000	5,000	2,000	-	65,446	207,446	40,000	125,000	25,000	190,000	77,242	
Sept 30	135,000	10,000	7,000	-	37,835	189,835	75,000	125,000	50,000	250,000	17,076	
Oct 31	135,000	20,000	7,000	-	25,223	187,223	75,000	125,000	25,000	200,000	4,300	

Assumptions: 10% State Aid Holdback

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**Three Rivers Montessori  
Elk River, Minnesota  
District 4266**

**Supplemental Information**

**October 31, 2023**

### Three Rivers Montessori 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
1509	4266	ERCH	CR1023													
IDEAS Pymt 10/13/23																
				1526	Credit	A	10/13/23	Wire	1	1001	MDE					
							4266 R 01 005 000 000 000 211			FY24 General Education Char					18,213.73	0.00
														Receipt Total:	\$18,213.73	\$0.00
														<b>Deposit Total:</b>	<b>\$18,213.73</b>	<b>\$0.00</b>
1510	4266	ERCH	CR1023													
Deposit 10/16/23																
				1527	Credit	A	10/16/23	Check	1	PATH	Pathfinders					
							4266 R 04 005 570 000 000 050			FY24 Pathfinders					565.00	0.00
														Receipt Total:	\$565.00	\$0.00
														<b>Deposit Total:</b>	<b>\$565.00</b>	<b>\$0.00</b>
1511	4266	ERCH	CR1023													
Deposit 10/16/23																
				1528	Credit	A	10/16/23	Check	1	M	Miscellaneous Customer					
							4266 R 01 005 000 000 000 050			FY24 Field Trips					395.00	0.00
														Receipt Total:	\$395.00	\$0.00
														<b>Deposit Total:</b>	<b>\$395.00</b>	<b>\$0.00</b>
1512	4266	ERCH	CR1023													
FY24 Cobra Deposit 10/10/23																
				1529	Credit	A	10/10/23	Wire	1	M	Miscellaneous Customer					
							4266 B 01 215 017			FY24 Cobra HSA					2,332.49	0.00
														Receipt Total:	\$2,332.49	\$0.00
														<b>Deposit Total:</b>	<b>\$2,332.49</b>	<b>\$0.00</b>
1513	4266	ERCH	CR1023													
FY24 MMB SERVS FS Dep 10/19																
				1530	Credit	A	10/19/23	Wire	1	1002	SERVS					
							4266 R 02 005 770 000 701 471			FY24 Regular Lunch					411.20	0.00
							4266 R 02 005 770 000 705 476			FY24 Breakfast					921.62	0.00
							4266 R 02 005 770 000 701 472			FY24 Free-Reduced Lunch					1,494.90	0.00
							4266 R 02 005 770 000 705 300			FY24 State Breakfast					968.50	0.00
							4266 R 02 005 770 000 701 300			FY24 State Lunch					2,591.39	0.00
														Receipt Total:	\$6,387.61	\$0.00
														<b>Deposit Total:</b>	<b>\$6,387.61</b>	<b>\$0.00</b>

## Three Rivers Montessori 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
1514	4266	ERCH	CR1023													
FY24 Deposit 10/18/23																
				1531	Credit	A	10/18/23	Check	1	FOOD	Food Service Pmts					
							4266 R 02 005 770 000 701 601			FY24 Lunch					6.00	0.00
														Receipt Total:	\$6.00	\$0.00
														<b>Deposit Total:</b>	<b>\$6.00</b>	<b>\$0.00</b>
1515	4266	ERCH	CR1023													
FY24 Deposit 10/18/23																
				1532	Credit	A	10/18/23	Wire	1	M	Miscellaneous Customer					
							4266 R 01 005 000 000 000 050			FY24 Field Trips					338.00	0.00
														Receipt Total:	\$338.00	\$0.00
														<b>Deposit Total:</b>	<b>\$338.00</b>	<b>\$0.00</b>
1516	4266	ERCH	CR1023													
FY24 Deposit 10/18/23																
				1533	Credit	A	10/18/23	Check	1	VOL	VouInteer Background Chec					
							4266 E 01 005 105 000 000 305			FY24 Vol Bkgrd Check					100.00	0.00
														Receipt Total:	\$100.00	\$0.00
														<b>Deposit Total:</b>	<b>\$100.00</b>	<b>\$0.00</b>
1517	4266	ERCH	CR1023													
FY24 Deposit 10/18/23																
				1534	Credit	A	10/18/23	Check	1	PATH	Pathfinders					
							4266 R 04 005 570 000 000 050			FY24 Pathfinders					225.00	0.00
														Receipt Total:	\$225.00	\$0.00
														<b>Deposit Total:</b>	<b>\$225.00</b>	<b>\$0.00</b>
1518	4266	ERCH	CR1023													
IDEAS Pymt 10/30/23																
				1535	Credit	A	10/30/23	Wire	1	1001	MDE					
							4266 B 01 121 000			FY23 General Education Char				32,699.38	0.00	
							4266 B 01 121 000			FY23 Charter School Lease				1,710.04	0.00	
							4266 B 01 121 000			FY23 Literacy Incentive Chart				128.11	0.00	
							4266 R 01 005 000 000 000 211			FY24 General Education Char				56,661.62	0.00	
														Receipt Total:	\$91,199.15	\$0.00
														<b>Deposit Total:</b>	<b>\$91,199.15</b>	<b>\$0.00</b>
1519	4266	ERCH	CR1023													
FY24 Squire Deposits - October																
				1536	Credit	A	10/31/23	Wire	1	M	Miscellaneous Customer					
							4266 R 01 005 000 000 000 050			FY24 Field Trips				580.00	0.00	
							4266 R 01 005 000 000 000 050			FY24 School Supplies				90.00	0.00	
														Receipt Total:	\$670.00	\$0.00

## Three Rivers Montessori 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
1519	4266	ERCH	CR1023													
FY24 Square Deposits - October				1537	Debit	A	10/31/23	Check	1	M	Miscellaneous Customer					
							4266	E	01	005	112	000	000	305	FY24 Square Deposit Fees	
															(28.53)	0.00
Receipt Total:															(\$28.53)	\$0.00
<b>Deposit Total:</b>															<b>\$641.47</b>	<b>\$0.00</b>
1520	4266	ERCH	CR1023													
FY24 JMC Deposits - October				1538	Credit	A	10/31/23	Check	1	PATH	Pathfinders					
							4266	R	04	005	570	000	000	050	FY24 Pathfinders	
															1,903.00	0.00
Receipt Total:															\$1,903.00	\$0.00
<b>Deposit Total:</b>															<b>\$1,903.00</b>	<b>\$0.00</b>
Report Total:															\$122,306.45	\$0.00

### Three Rivers Montessori Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
ERCH		3658		BP	1	1022	The McDowell Agency, Inc.		No	Yes	No	10/13/2023		307.00
ERCH		3659		BP	1	1030	Navigate Care Consulting		No	Yes	No	10/13/2023		22.50
ERCH		3660		BP	1	1049	The Hartford		No	Yes	No	10/13/2023		480.73
ERCH		3661		BP	1	1055	Abdo		No	Yes	No	10/13/2023		3,000.00
ERCH		3662		BP	1	1056	Maxs Mowing N More, Inc.		No	Yes	No	10/13/2023		147.30
ERCH		3663		BP	1	1056	Maxs Mowing N More, Inc.		No	Yes	No	10/13/2023		282.00
ERCH		3664		BP	1	1065	Charter Communications		No	Yes	No	10/13/2023		322.93
ERCH		3665		BP	1	1070	Ace Solid Waste, Inc.		No	Yes	No	10/13/2023		382.62
ERCH		3666		BP	1	1089	Rebecca McMullen		No	Yes	No	10/13/2023		750.00
ERCH		3667		BP	1	1165	CenterPoint Energy		No	Yes	No	10/13/2023		75.69
ERCH		3668		BP	1	1189	Amazon Capital Services		No	Yes	No	10/13/2023		694.99
ERCH		3669		BP	1	1205	Ratwik, Roszak & Maloney P.A.		No	Yes	No	10/13/2023		24.00
ERCH		3670		BP	1	1215	LISA'S CATERING CORP		No	Yes	No	10/13/2023		8,452.10
ERCH		3671		BP	1	1216	Midwest Studies Groups		No	Yes	No	10/13/2023		302.47
ERCH		3672		BP	1	1217	Countryside Delivery		No	Yes	No	10/13/2023		702.50
ERCH		3673		BP	1	1237	Buisness Essentials		No	Yes	No	10/13/2023		132.81
ERCH		3674		BP	1	1245	Integrative Therapy		No	Yes	No	10/13/2023		1,372.50
ERCH		3675		BP	1	1266	ECM Publishers Inc		No	Yes	No	10/13/2023		300.00
ERCH		3676		BP	1	1266	ECM Publishers Inc		No	Yes	No	10/13/2023		292.20
ERCH		3677		BP	1	1266	ECM Publishers Inc		No	Yes	No	10/13/2023		650.00
ERCH		3678		BP	1	1267	Keys to Communication		No	Yes	No	10/13/2023		3,881.25
ERCH		3681		Wire	1	1023	The Hanover Insurance Group		No	Yes	No	10/17/2023		1,059.82
ERCH		3682		Wire	1	1048	Charter Schools Development Corp		No	Yes	No	10/17/2023		21,350.08
ERCH		3683		Wire	1	1084	Health Partners		No	Yes	No	10/17/2023		2,902.65
ERCH		3684		Wire	1	1097	TSYS		No	Yes	No	10/17/2023		13.53
ERCH		3685		Wire	1	1141	Alerus		No	Yes	No	10/17/2023		100.00
ERCH		3686		Wire	1	1219	KPAY TLM		No	Yes	No	10/17/2023		176.00
ERCH		3687		Wire	1	1034	Minnesota Department of Revenue		No	Yes	No	10/13/2023		1,372.33
ERCH		3688		Wire	1	1035	PERA		No	Yes	No	10/13/2023		1,896.54
ERCH		3689		Wire	1	1036	TRA		No	Yes	No	10/13/2023		4,246.33
ERCH		3690		Wire	1	1037	IRS		No	Yes	No	10/13/2023		8,380.70
ERCH		3691		Wire	1	1234	Divvy		No	Yes	No	10/02/2023		2,466.67
ERCH		3692		Wire	1	1234	Divvy		No	Yes	No	10/16/2023		762.26
ERCH		3693		BP	1	1013	Region V Computer Services		No	Yes	No	10/30/2023		1,156.50
ERCH		3694		BP	1	1030	Navigate Care Consulting		No	Yes	No	10/30/2023		635.24
ERCH		3695		BP	1	1042	Minnesota Department of Health		No	Yes	No	10/30/2023		700.00
ERCH		3696		BP	1	1056	Maxs Mowing N More, Inc.		No	Yes	No	10/30/2023		137.50
ERCH		3697		BP	1	1056	Maxs Mowing N More, Inc.		No	Yes	No	10/30/2023		137.50
ERCH		3698		BP	1	1063	Designs for Learning		No	Yes	No	10/30/2023		95.00

### Three Rivers Montessori Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
ERCH		3699		BP	1	1063	Designs for Learning		No	Yes	No	10/30/2023		420.00
ERCH		3700		BP	1	1082	Colonial Life		No	Yes	No	10/30/2023		279.84
ERCH		3701		BP	1	1190	Vision Of Elk River		No	Yes	No	10/30/2023		478.52
ERCH		3702		BP	1	1216	Midwest Studies Groups		No	Yes	No	10/30/2023		1,000.00
ERCH		3703		BP	1	1217	Countryside Delivery		No	Yes	No	10/30/2023		432.00
ERCH		3704		BP	1	1226	Canon Financial Services Inc		No	Yes	No	10/30/2023		695.75
ERCH		3705		BP	1	1233	BerganKDV		No	Yes	No	10/30/2023		6,050.00
ERCH		3706		BP	1	1245	Integrative Therapy		No	Yes	No	10/30/2023		1,113.10
ERCH		3707		BP	1	1260	Pitney Bowes Global Financial Services LLC		No	Yes	No	10/30/2023		132.00
ERCH		3708		BP	1	1263	Universal Cleaning Services Inc		No	Yes	No	10/30/2023		2,438.34
ERCH		3709		BP	1	1263	Universal Cleaning Services Inc		No	Yes	No	10/30/2023		580.00
ERCH		3710		BP	1	1263	Universal Cleaning Services Inc		No	Yes	No	10/30/2023		686.79
ERCH		3711		BP	1	1266	ECM Publishers Inc		No	Yes	No	10/30/2023		219.15
ERCH		3712		BP	1	1268	Fresh Acres LLC		No	Yes	No	10/30/2023		930.00
ERCH		3713		BP	1	1269	TecKnowledgey Repair		No	Yes	No	10/30/2023		40.00
ERCH		3714		Wire	1	1017	The Bank of Elk River		No	Yes	No	10/31/2023		10.00
ERCH		3715		Wire	1	1084	Health Partners		No	Yes	No	10/31/2023		10,620.21
ERCH		3716		Wire	1	1141	Alerus		No	Yes	No	10/31/2023		100.00
ERCH		3717		Wire	1	1141	Alerus		No	Yes	No	10/31/2023		2.75
ERCH		3718		Wire	1	1164	Elk River Municipal Utilities		No	Yes	No	10/31/2023		1,126.85
ERCH		3719		Wire	1	1164	Elk River Municipal Utilities		No	Yes	No	10/31/2023		1,099.20
ERCH		3720		Wire	1	1164	Elk River Municipal Utilities		No	Yes	No	10/31/2023		364.97
ERCH		3721		Wire	1	1229	Bill.com		No	Yes	No	10/31/2023		93.78
ERCH		3722		Wire	1	1231	Iron Mountain		No	Yes	No	10/31/2023		175.66
ERCH		3723		Wire	1	1034	Minnesota Department of Revenue		No	No	No	10/31/2023		1,355.95
ERCH		3724		Wire	1	1035	PERA		No	No	No	10/31/2023		1,928.88
ERCH		3725		Wire	1	1036	TRA		No	No	No	10/31/2023		4,804.08
ERCH		3726		Wire	1	1037	IRS		No	No	No	10/31/2023		8,767.44
ERCH		3727		Wire	1	1059	jmc		No	Yes	No	10/26/2023		23.98
ERCH		3679	1186	Check	1	1243	PELSB		Yes	Yes	No	10/04/2023		90.25
ERCH		3680	1188	Check	1	1243	PELSB		Yes	Yes	No	10/12/2023		90.25

Bank Total: \$116,313.98

Report Total: \$116,313.98





# November Director Updates

## ENROLLMENT UPDATE

Kindergarten	19
1st Grade	17
2nd Grade	20
3rd Grade	12
4th Grade	18
5th Grade	12
6th Grade	3
TOTAL	101

## STAFFING UPDATE

1. One Social Worker opening
2. One additional paraprofessional added due to increase in caseload
3. One SPED Coordinator (Emma Olson resigned 11/01/23)



## BUILDING UPDATE

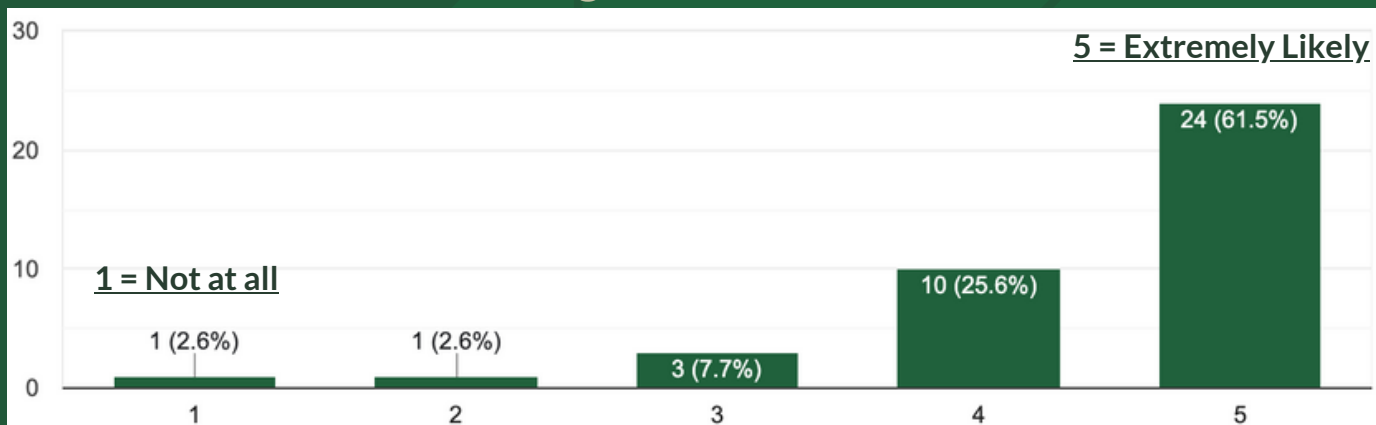
- The State Fire Marshall performed an inspection on 11/06/2023. The report noted no violations and a clean report. TRM did have Nardini Fire also do an inspection and added two additional Fire Extinguishers to increase coverage and access in the event of a fire.
- The Minnesota Department of Health did a surprise or “drop in” inspection of our food service program. They also found no violations and issued a clean report.
- The front door is malfunctioning and we are looking into a permanent fix with Capital City Glass.
- TRM staff completed A.L.I.C.E. Safety Training with the Elk River Police Department on Monday, November 13th, 2023. This counts toward our lock down drill requirements for the year.
- The Willow classroom is being shifted from a flex space back to a classroom space after Fall break. Our new Children’s House teacher, Paige Lundeen, will work to set the classroom up as a preschool space for a 01/02/2024 Children’s House start.



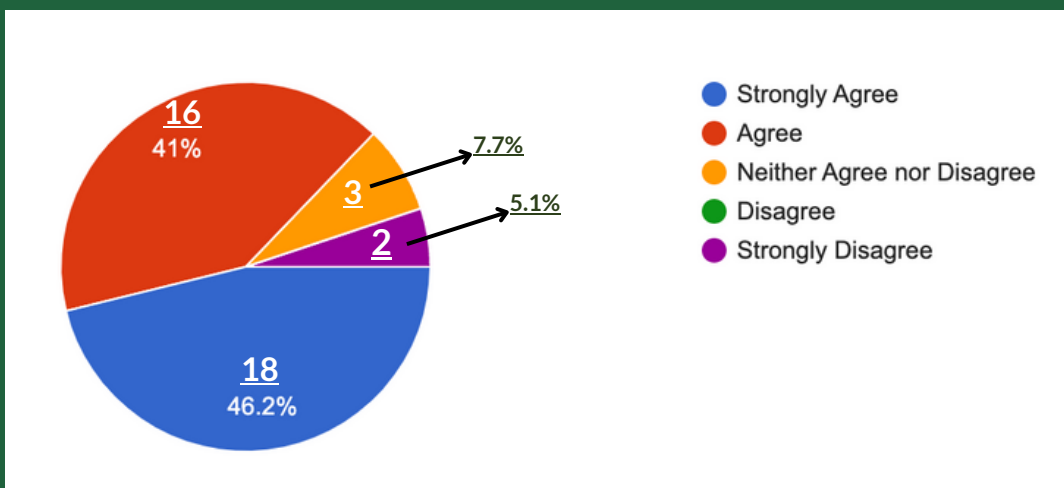
# FALL FAMILY SURVEY RESULTS

- 39 responses out of 79 families (cannot guarantee that responses didn't come from members of the same family as survey was anonymous)
  - Estimated 49% family response rate

Question 1: How likely is it that you would recommend Three Rivers to a friend or colleague?

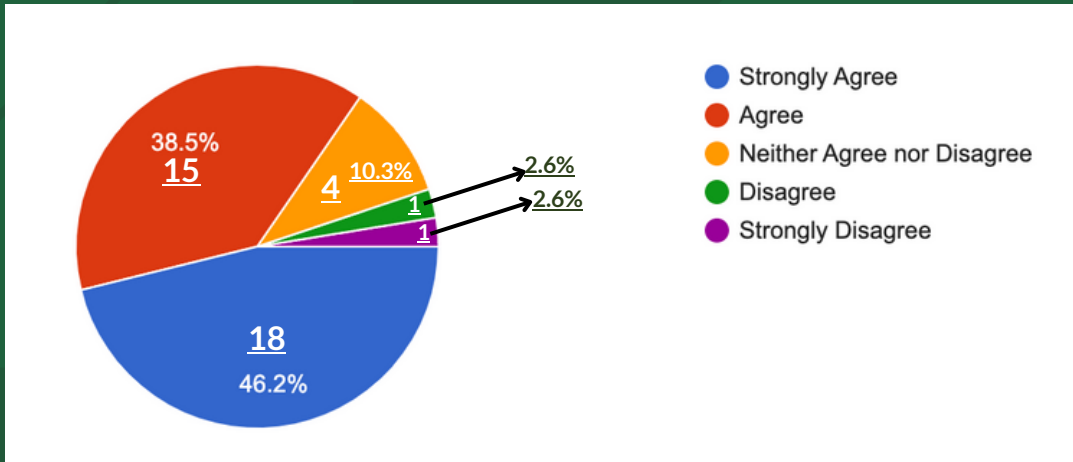


Question 2: I am satisfied with the classroom environment and materials provided at TRM.

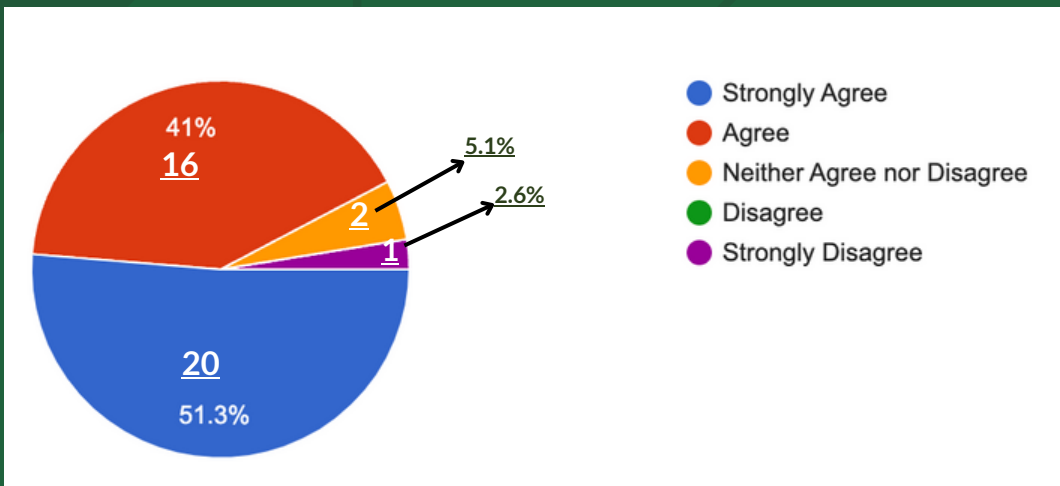




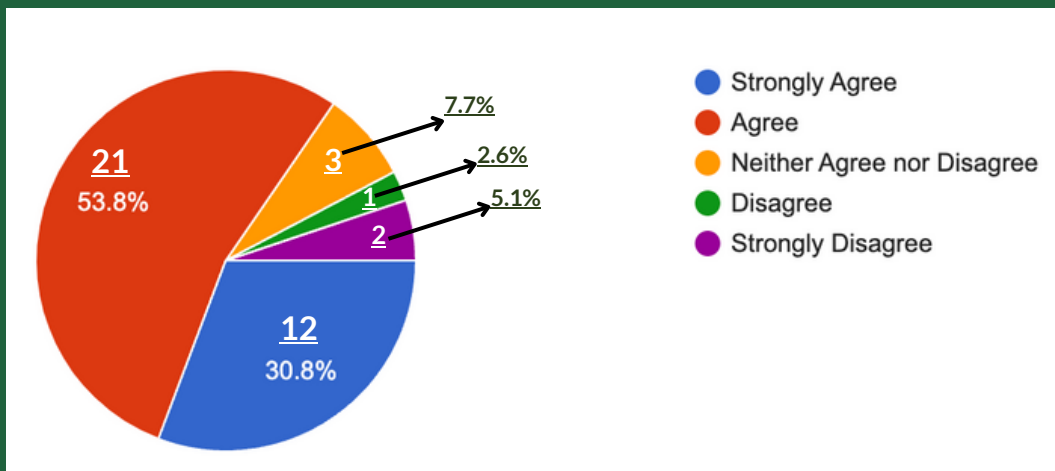
Question 3: I am satisfied with the facilities at TRM.



Question 4: My child enjoys school.

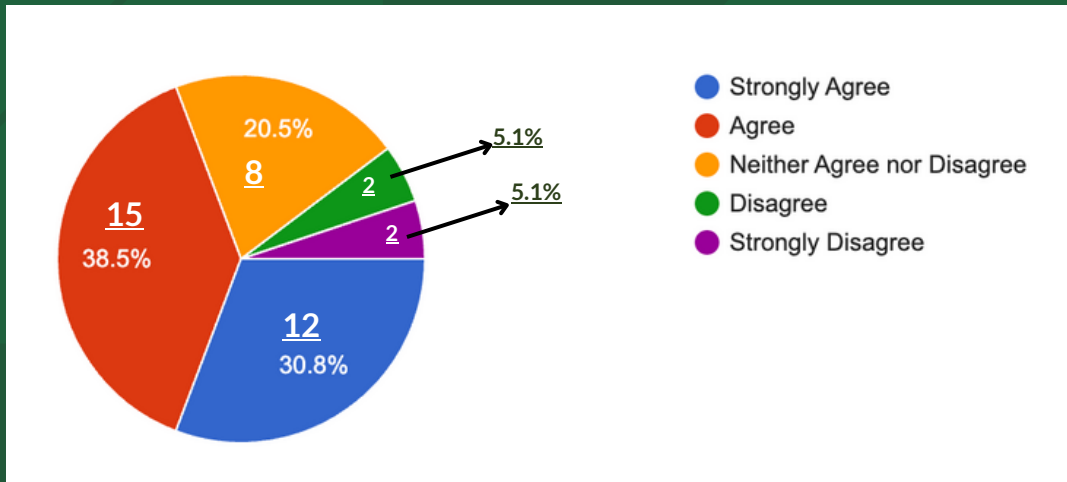


Question 5: I understand the school's academic expectations for my child.

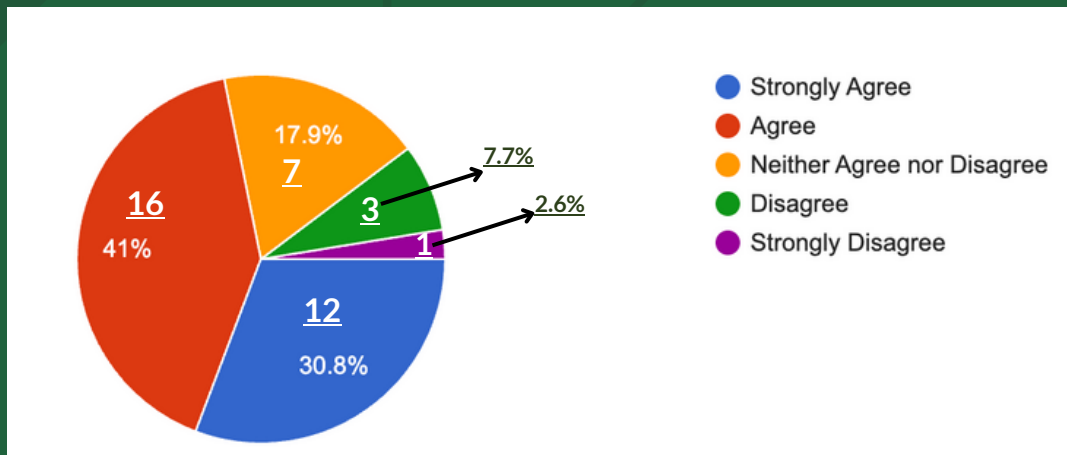




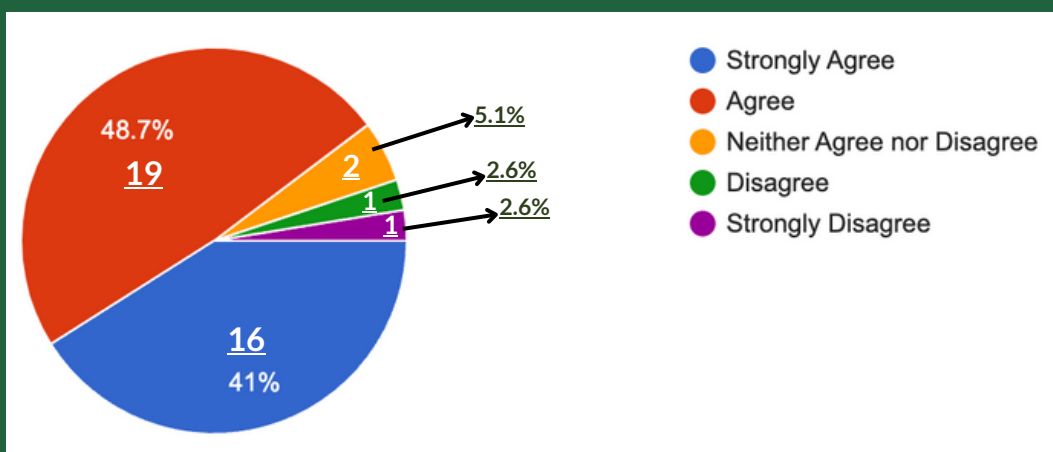
Question 6: I am informed of my child's progress on a regular basis..



Question 7: I am aware of opportunities to be involved with the school throughout the year.

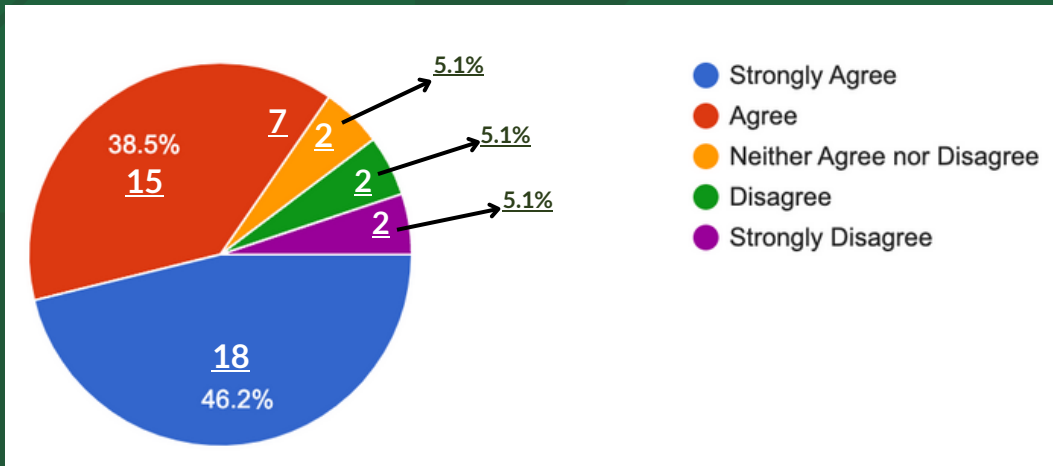


Question 8: I feel my child gets the support they need at school.

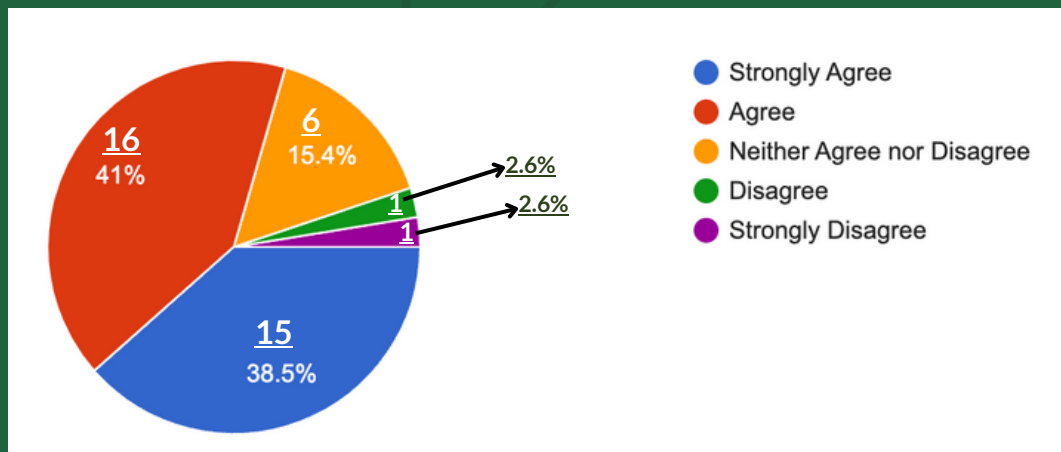




Question 9: TRM staff work to ensure my child is reaching their full potential in a caring Montessori environment.



Question 10: I know how to get school information when I need it.



Individual Comments Follow

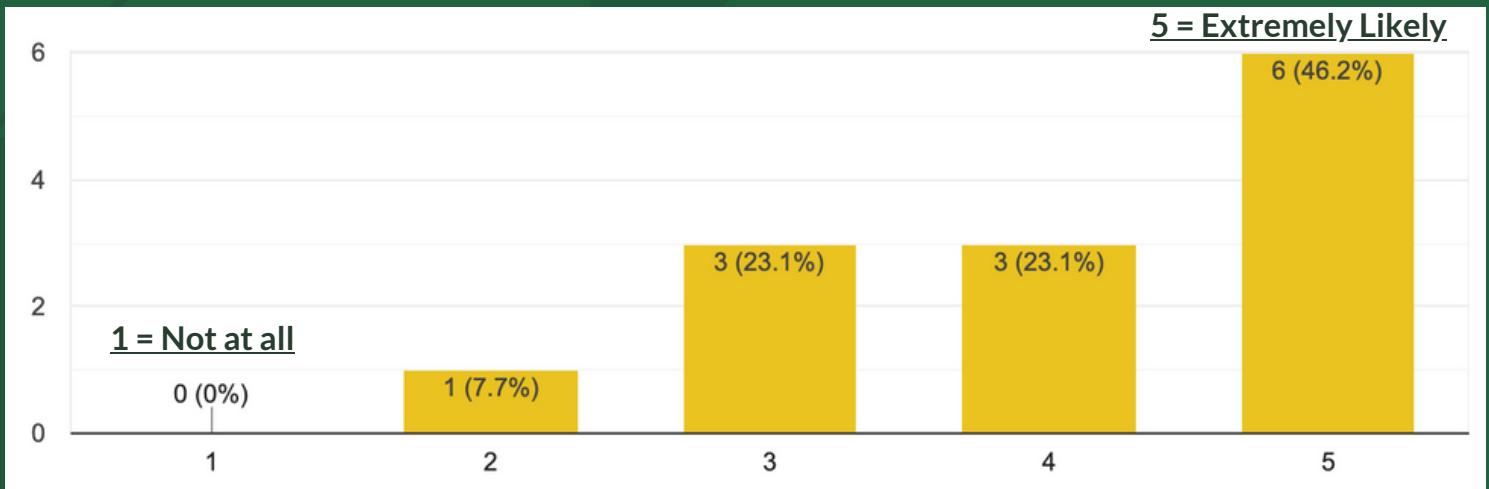
1. TRM has been great for us! This is our first time, being a Kindergartener family, very very happy! My daughter is sad at the end of the day, because she has to leave school. She loves it! Staff is amazing!
2. I have been disappointed with the lack of consistency among faculty and staff. I understand that staffing has been difficult for TRM and many other schools, but one of the benefits of Montessori is that students tend to have the same teacher for multiple years--my son has never had the same teacher more than once.
3. Last year I felt that he was not working at the top of his potential but wasn't pushed to move beyond basics because he was meeting course outcomes. However, the teacher he is working with this year seems to be better at motivating him to work at the top of his abilities.
4. The end time of school makes it very difficult to pick him up as a working parent. We live outside of the Elk River school district and need to drive our child to school. My husband and I work from home so we have some flexibility with our schedules, but needing to pick him up by 2 is difficult with meetings, etc. We decided that we would make it work for this year because it is his final year at TRM, but if he was going to stay for multiple school years we would need to find an alternative option.
5. Our kids are happy to be at TRM and I love that they enjoy going which says a lot about their experience. Child 1 and Child 2 both come home with materials that they are eager to share with us each week. We appreciate the weekly feedback from school and how quick administration is to respond to questions and requests. (names removed for privacy)
6. So far so good!
7. I have noticed a slight change thus far in both of boys' attendance at a Montessori school. Montessori is new however and as far as learning goes, I wish I could look in a system where the children are at with school work. Other than that, I love hearing how helpful and kind they are while at school.
8. My child loves it here (smiley face written in)
9. Kids are motivated by different things, & sometimes motivation comes from discipline, reward, or consequence. Please don't expect very young kids to be 100% self motivated. Many adults can't even self-motivate. I do love Montessori's approach to learning, but I wouldn't be opposed to more teaching of discipline or use of reward/consequence as motivation.
10. We are very concerned about all the turn around with staff that has been happening. I know some of it has been explained but we are not truly sold on the explanation. We also would like more feed back on how our child is doing. The only time we hear anything is conferences. I'm disappointed on not having the book fair at conferences as well.



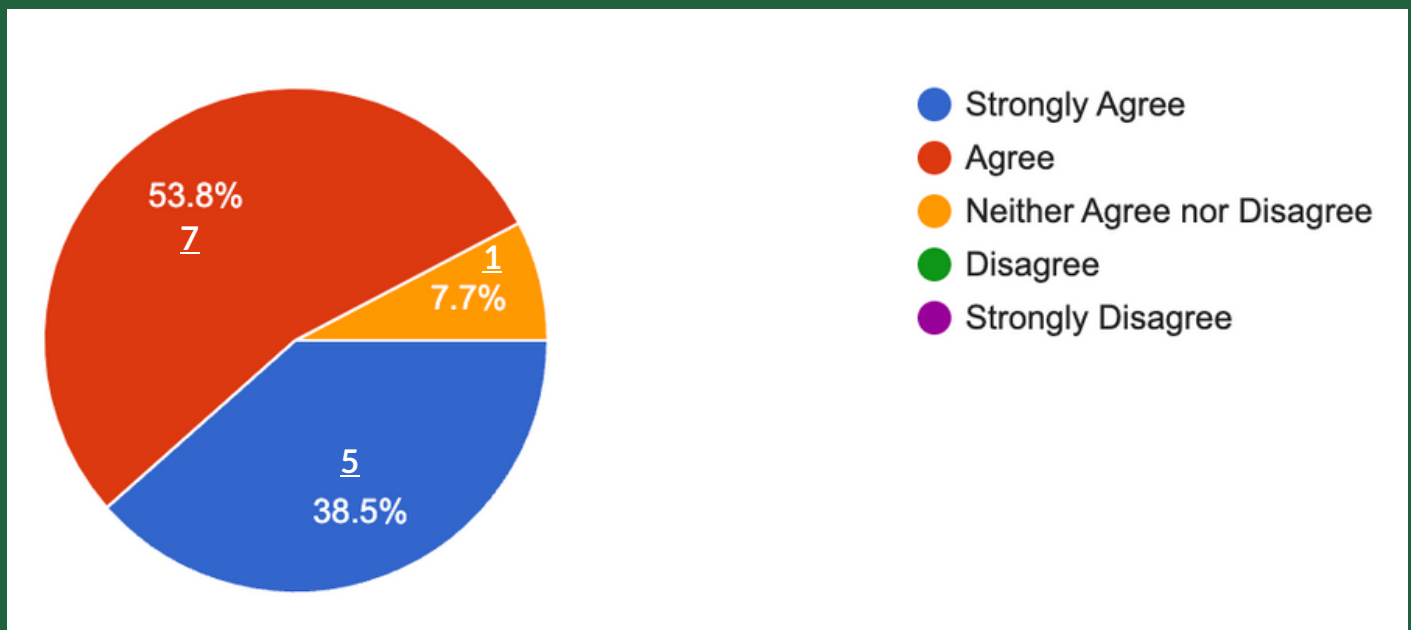
# FALL STAFF SURVEY RESULTS

- 13 out of 22 staff responded
  - 59% response rate

Question 1: How likely is it that you would recommend working at Three Rivers Montessori to a friend or colleague?



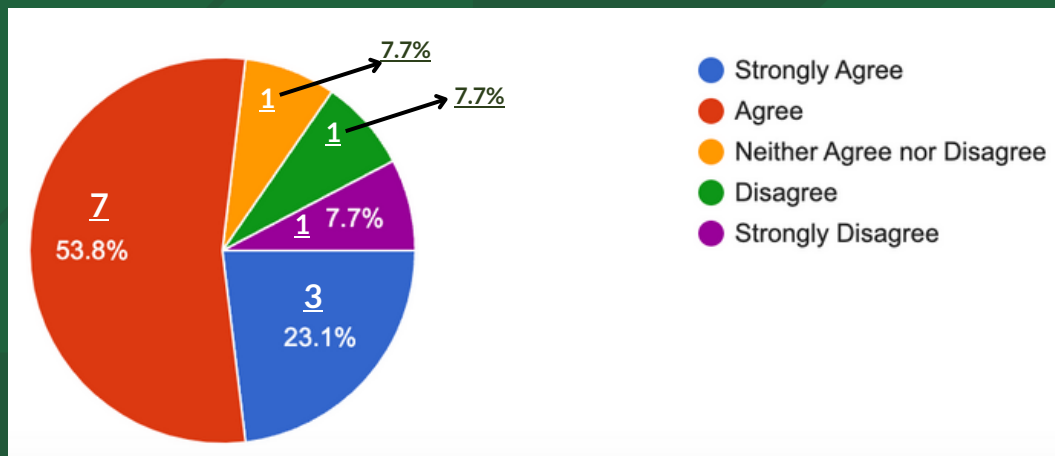
Question 2: I know what is expected of me at work.



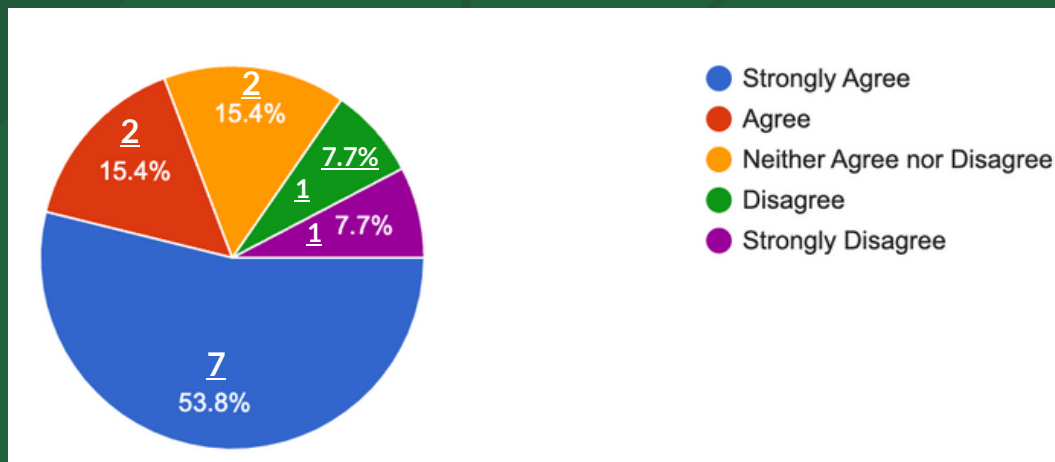




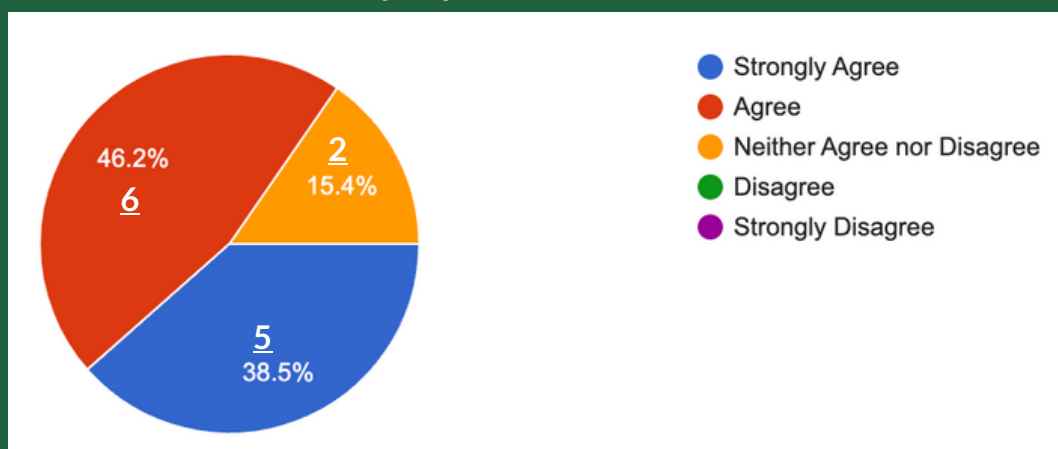
Question 3: I have the resources I need to do my job effectively.



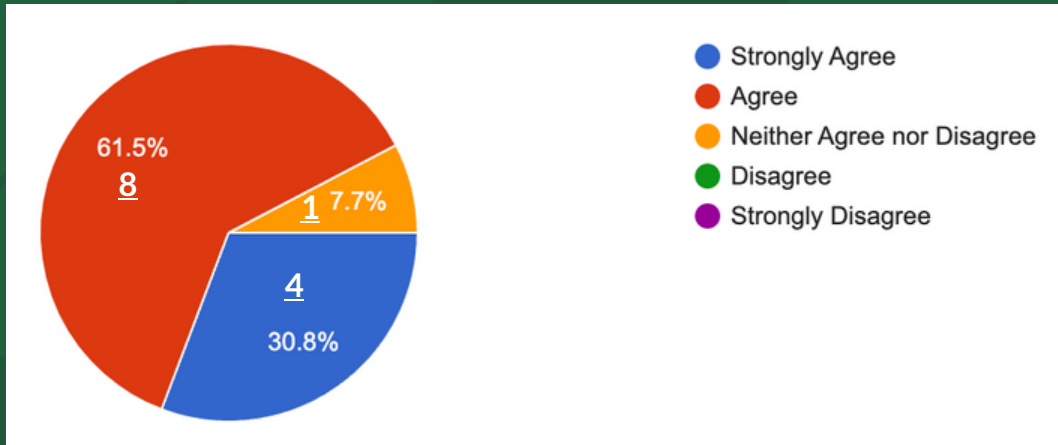
Question 4: In the last seven days I have received recognition or praise for doing good work from another staff member and/or my supervisor.



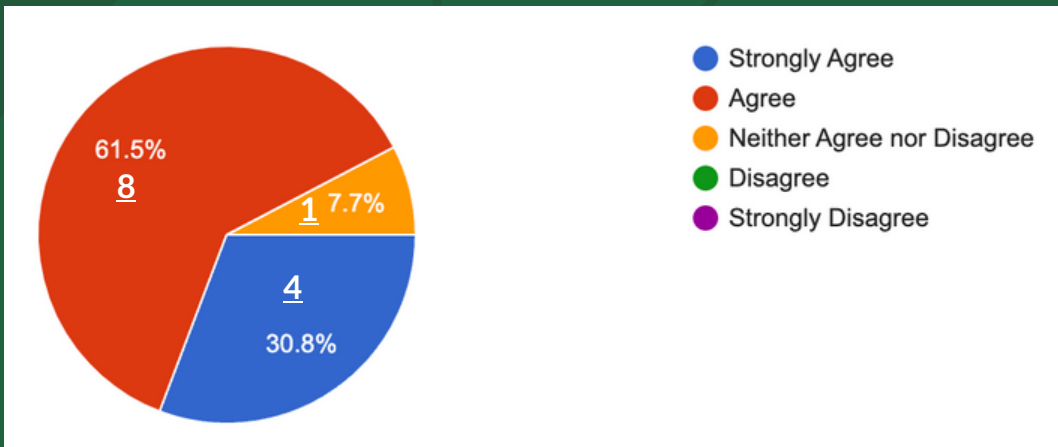
Question 5: At work, my opinions seem to count.



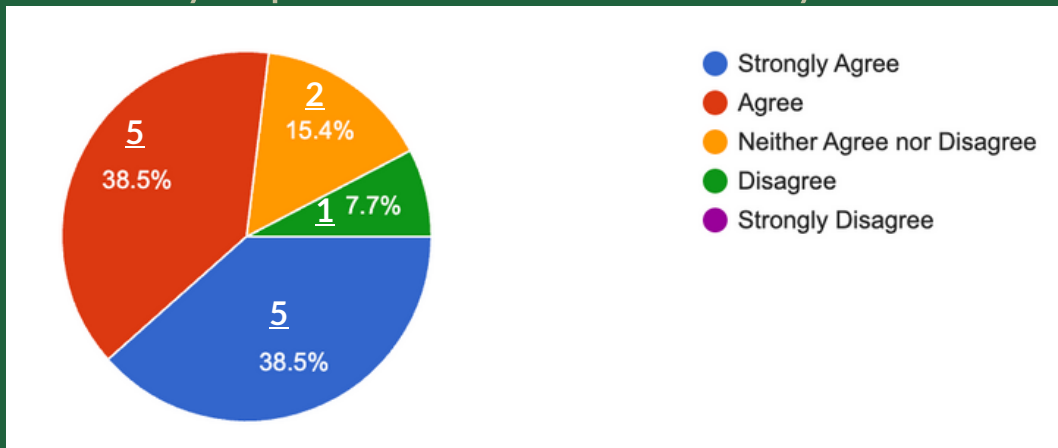
Question 6: The mission of TRM is clear and I feel my work leads to the mission.



Question 7: I am surrounded by individuals who are committed to doing quality work.

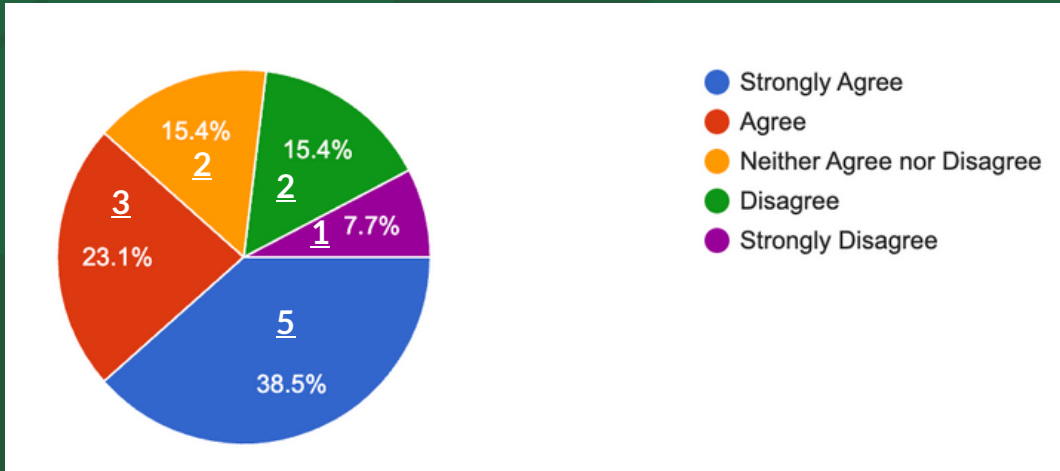


Question 8: My supervisor is invested in my success.

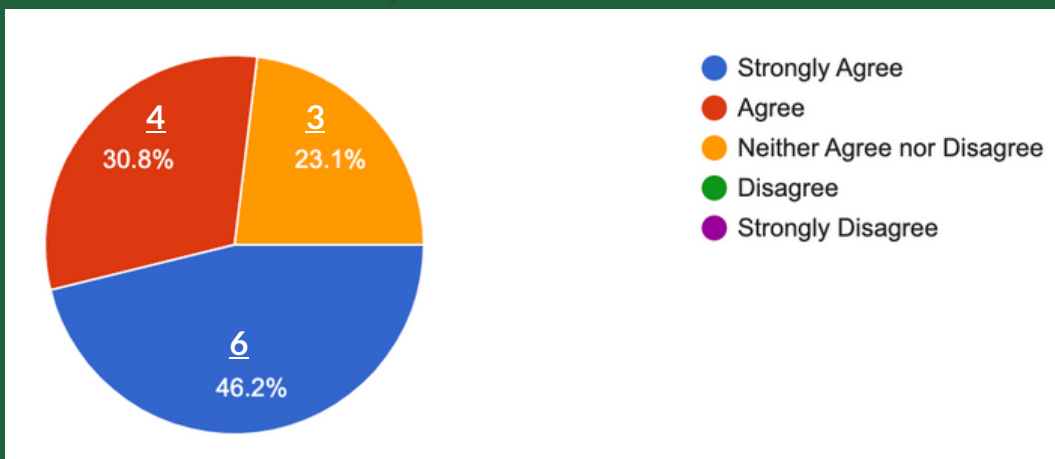




Question 9: My supervisor has communicated with me about my progress.



Question 10: I feel I have opportunities at Three Rivers Montessori to learn, grow, and advance.





## SFM Fire Inspection Report

### Inspection Information

**Inspection Date:** 11/06/2023

**Inspection Type:** School-charter - Scheduled

**Inspection No:** 018621

**Occupancy Class:** E

### Facility Information

ISD4266 Three Rivers Montessori Charter School  
17267 Yale Street Northwest  
Elk River, MN 55330  
Email:

**\*Property Use:** ED - Charter elementary

### Occupant Loads

No Occupant Loads Found

### Primary Contact

Kuklok, Antonio (Executive Director ) Work Phone: | Email: Antonio.kuklok@threeriversmontessori.org

McGinty, Kevin (State Inspector) Email/Cell: kevin.mcGinty@state.mn.us (651) 888-9119

### Violations

On the above date, an inspection was conducted for the purposes of fire and life safety. The following conditions were observed that do not meet the minimum requirements of the Minnesota State Fire Code. Failure to correct identified fire and life safety deficiencies in a timely manner is a criminal violation pursuant to Minn. Stat. § 299F.011, subd. 6. There is a variance procedure available. Please contact the inspector named for further assistance.

No Violations Found

### Inspection Notes

**Notes:** This is an interval fire inspection of an educational occupancy.  
Charter School.

Please contact the inspector with any questions and once the above items have been completed.

Documentation may be emailed (preferred method) to: Kevin.McGinty@state.mn.us

### End of Report

Printed: 11/06/2023 13:38



Minnesota Department of Health  
Food, Pools & Lodging Services  
P.O. Box 64975  
St. Paul, MN 55164-0975  
651-201-4500

Type: Full  
Date: 11/08/23  
Time: 11:06:00  
Report: 7930231222

## Food and Beverage Establishment Inspection Report

Page 1

**Location:**

Three Rivers Montessori Charte  
17267 Yale St NW  
Elk River, MN55330  
Sherburne County, 71

**Establishment Info:**

ID #: 0036539  
Risk: Medium  
Announced Inspection: No

**License Categories:**

HOSP, FBLB, FBC2, FBSC, FAIF

Expires on: 12/31/23

**Operator:**

Three Rivers Montessori Charte

Phone #: 7634951213

ID #: 54288

The violations listed in this report include any previously issued orders and deficiencies identified during this inspection. Compliance dates are shown for each item.

No NEW orders were issued during this inspection.

### Surface and Equipment Sanitizers

Quaternary Ammonia: = 200PPM at Degrees Fahrenheit

Location: SANITIZER BUCKET

Violation Issued: No

Quaternary Ammonia: = 200PPM at Degrees Fahrenheit

Location: THREE COMPARTMENT SINK

Violation Issued: No

### Food and Equipment Temperatures

Process/Item: Steam Table

Temperature: 168 Degrees Fahrenheit - Location: HAMBURGER PATTY

Violation Issued: No

Process/Item: Steam Table

Temperature: 182 Degrees Fahrenheit - Location: GREEN BEANS

Violation Issued: No

Process/Item: Cold Line

Temperature: 36 Degrees Fahrenheit - Location: MILK

Violation Issued: No

Process/Item: Upright Cooler

Temperature: 37 Degrees Fahrenheit - Location: HAM SUB

Violation Issued: No

Type: Full  
Date: 11/08/23  
Time: 11:06:00  
Report: 7930231222  
Three Rivers Montessori Charte

# Food and Beverage Establishment Inspection Report

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Total Orders	In This Report	Priority 1	Priority 2	Priority 3
		0	0	0

---

FOOD CATERED IN FROM LISA'S CATERING OF OTSEGO.

**NOTE: Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.**


I acknowledge receipt of the Minnesota Department of Health inspection report number 7930231222 of 11/08/23.

Certified Food Protection Manager: Katie J. Horner

Certification Number: 113888 Expires: 11/01/25

**Inspection report reviewed with person in charge and emailed.**

Signed: \_\_\_\_\_  
Establishment Representative

Signed:   
Tina Remmele, R.S.  
Environmental Health Specialist  
St. Cloud District Office  
320-223-7302  
tina.remmele@state.mn.us

Report #: 7930231222

# Food Establishment Inspection Report



**Minnesota Department of Health**  
**Food, Pools & Lodging Services**  
 P.O. Box 64975  
 St. Paul, MN 55164-0975

No. of RF/PHI Categories Out	0	Date	11/08/23
No. of Repeat RF/PHI Categories Out	0	Time In	11:06:00
Legal Authority MN Rules Chapter 4626		Time Out	

Three Rivers Montessori Charte	Address 17267 Yale St NW	City/State Elk River, MN	Zip Code 55330	Telephone 7634951213
License/Permit # 0036539	Permit Holder Three Rivers Montessori Charte	Purpose of Inspection Full	Est Type	Risk Category M

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item Mark "X" in appropriate box for COS and/or R

IN= in compliance    OUT= not in compliance    N/O= not observed    N/A= not applicable    COS= corrected on-site during inspection    R= repeat violation

Compliance Status	Surpervision	COS	R
1 <input checked="" type="radio"/> IN <input type="radio"/> OUT	PIC knowledgeable; duties & oversight		
2 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A	Certified food protection manager, duties		
Employee Health			
3 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Mgmt/Staff; knowledge, responsibilities & reporting		
4 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Proper use of reporting, restriction & exclusion		
5 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Procedures for responding to vomiting & diarrheal events		
Good Hygienic Practices			
6 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/O	Proper eating, tasting, drinking, or tobacco use		
7 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/O	No discharge from eyes, nose, & mouth		
Preventing Contamination by Hands			
8 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/O	Hands clean & properly washed		
9 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	No bare hand contact with RTE foods or pre-approved alternate procedure properly followed		
10 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Adequate handwashing sinks supplied/accessible		
Approved Source			
1 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Food obtained from approved source		
12 IN <input type="radio"/> OUT <input type="radio"/> N/A <input checked="" type="radio"/> N/O	Food received at proper temperature		
13 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Food in good condition, safe, & unadulterated		
14 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Required records available; shellstock tags, parasite destruction		
Protection from Contamination			
15 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Food separated and protected		
16 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A	Food contact surfaces: cleaned & sanitized		
17 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Proper disposition of returned, previously served, reconditioned, & unsafe food		

Compliance Status	Time/Temperature Control for Safety	COS	R
18 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Proper cooking time & temperature		
19 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Proper reheating procedures for hot holding		
20 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Proper cooling time & temperature		
21 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Proper hot holding temperatures		
22 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A	Proper cold holding temperatures		
23 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Proper date marking & disposition		
24 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Time as a public health control: procedures & records		
Consumer Advisory			
25 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Consumer advisory provided for raw/undercooked food		
Highly Susceptible Populations			
26 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Pasteurized foods used; prohibited foods not offered		
Food and Color Additives and Toxic Substances			
27 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Food additives: approved & properly used		
28 <input checked="" type="radio"/> IN <input type="radio"/> OUT	Toxic substances properly identified, stored, & used		
Conformance with Approved Procedures			
29 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Compliance with variance/specialized process/HACCP		

**Risk factors (RF)** are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. **Public Health Interventions (PHI)** are control measures to prevent foodborne illness or injury.

## GOOD RETAIL PRACTICES

**Good Retail Practices** are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is **not** in compliance Mark "X" in appropriate box for COS and/or R COS= corrected on-site during inspection    R= repeat violation

Compliance Status	Safe Food and Water	COS	R
30 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Pasteurized eggs used where required		
31 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Water & ice obtained from an approved source		
32 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A	Variance obtained for specialized processing methods		
Food Temperature Control			
33 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Proper cooling methods used; adequate equipment for temperature control		
34 <input checked="" type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Plant food properly cooked for hot holding		
35 IN <input type="radio"/> OUT <input checked="" type="radio"/> N/A <input type="radio"/> N/O	Approved thawing methods used		
36 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Thermometers provided & accurate		
Food Identification			
37 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Food properly labeled; original container		
Prevention of Food Contamination			
38 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Insects, rodents, & animals not present		
39 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Contamination prevented during food prep, storage & display		
40 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Personal cleanliness		
41 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Wiping cloths: properly used & stored		
42 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Washing fruits & vegetables		

Compliance Status	Proper Use of Utensils	COS	R
43 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	In-use utensils: properly stored		
44 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Utensils, equipment & linens: properly stored, dried, & handled		
45 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Single-use/single service articles: properly stored & used		
46 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Gloves used properly		
Utensil Equipment and Vending			
47 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
48 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Warewashing facilities: installed, maintained, & used; test strips		
49 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Non-food contact surfaces clean		
Physical Facilities			
50 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Hot & cold water available; adequate pressure		
51 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Plumbing installed; proper backflow devices		
52 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Sewage & waste water properly disposed		
53 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Toilet facilities: properly constructed, supplied, & cleaned		
54 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Garbage & refuse properly disposed; facilities maintained		
55 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Physical facilities installed, maintained, & clean		
56 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Adequate ventilation & lighting; designated areas used		
57 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Compliance with MCIAA		
58 <input type="radio"/> IN <input type="radio"/> OUT <input type="radio"/> N/A <input type="radio"/> N/O	Compliance with licensing & plan review		

Food Recalls:

Person in Charge (Signature)

Date: 11/08/23

Inspector (Signature)

*M. Rommel*

**SECOND AMENDMENT TO AGREEMENT OF LEASE**

This Second Amendment to Agreement of Lease (this “**Second Amendment**”) is made and entered into effective as of November 15, 2023 by and between **CSDC Facilities Corporation**, a District of Columbia nonprofit corporation (“**Landlord**”), and **Three Rivers Montessori**, a Minnesota nonprofit corporation (“**Tenant**”).

**RECITALS**

A. Landlord and Tenant are parties to that certain Agreement of Lease dated June 17, 2020, as amended by that certain First Amendment to Agreement of Lease dated as of May 17, 2021, and, as amended by this Second Amendment, collectively, the “**Lease**”). Landlord has completed the construction of the Landlord Improvements. Landlord and Tenant wish to amend the First Amendment to Agreement of Lease by amending the schedule of Minimum Annual Base Rent attached hereto as Exhibit A.

**AMENDMENT**

1. **Minimum Base Rent.** In Section 3.B., the Minimum Annual Base Rent will be as stated on Exhibit A attached hereto. Additionally, the “Difference Added to Purchase Option Price” listed in column D of Exhibit A, shall be deemed to be abated Base Annual Rent and added to the Purchase Option Price as described in Section 3.J.
  
2. **Miscellaneous.**

Except as specifically stated herein, all other terms, conditions and provisions of the Original Lease remain in full force and effect.

This First Amendment may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or pdf transmission) as against the party signing such counterpart, but which together shall constitute one and the same First Amendment.

IN WITNESS of the foregoing the parties hereby agree to the foregoing.

<b>LANDLORD: CSDC FACILITIES CORPORATION</b>	<b>TENANT: Three Rivers Charter School</b>
  <hr style="border: 0; border-top: 1px solid black; margin: 0;"/> <b>By: Michelle Prosperi</b> <b>Its: Chief Operating Officer</b>	  <hr style="border: 0; border-top: 1px solid black; margin: 0;"/> <b>By: _____</b> <b>Its: _____</b>



## EXHIBIT A

### BASE RENT

<b>Lease Year</b>	<b><u>Annual Minimum Base Rent Amount</u></b>	<b><u>Adjusted Annual Minimum Base Rent Amount</u></b>	<b><u>Difference Added to Purchase Option Price</u></b>
2023-2024	\$258,003	\$198,003	\$60,000
2024-2025	\$260,583	\$210,000	\$50,583
2025-2026	\$263,189		
2027-2028	\$265,821		
2028-2029	\$268,479		
2029-2030	\$271,164		
2030-2031	\$273,875		
2031-2032	\$276,614		
2032-2033	\$279,380		
2033-2034	\$282,174		
2034-2035	\$284,996		
2035-2036	\$287,846		
2036-2037	\$290,724		
2037-2038	\$293,631		
2038-2039	\$296,568		
2039-2040	\$299,533		
2040-2041	\$302,529		
2041-2042	\$305,554		
2042-2043	\$308,610		
2043-2044	\$311,696		
2044-2045	\$314,813		
2045-2046	\$317,961		
			<b>Total added to Total Project Cost and included in Purchase Price.</b>
			<b>\$110,583.03</b>



**OSPREY WILDS • CHARTER SCHOOL DIVISION**

**1730 New Brighton Blvd, Suite 507, PMB 196 • Minneapolis, MN 55413  
(612) 331-4181**

The authorizing mission of Osprey Wilds is to ensure quality academic and environmental literacy outcomes for Minnesota students through effective charter school authorizing.

11/10/23

Board of Directors

Chris Castagneri, Board Chair

Antonio Kuklok, Executive Director

Three Rivers Montessori

17267 Yale Street NW

Elk River, MN 55330

re: OW Site Visit Follow-Up

Dear Board of Directors, Chris, and Antonio,

Thank you for hosting me on a site visit to Three Rivers Montessori (TRM) this October. I enjoyed being in your learning community and speaking with students and staff. As you know, these visits are an essential part of our authorizing work. They allow us to observe classrooms, tour the facility, and spend time meeting with staff, students, board members and others with whom we do not usually have the opportunity to engage.

The information we gather from our visits helps inform the school's Academic, Environmental Education, Financial, and Operations Performance Evaluations, and ultimately the Renewal Performance Evaluation and charter renewal. I want to communicate a few key observations that the board and school staff may consider to inform TRM's continued improvement. Observations below are aligned to OW's performance evaluation frameworks, which you can find on the [OW website](#).

Operations Indicator Area 1.1 Mission & Vision: Does the school demonstrate fidelity to the mission and vision outlined in the contract?

- The school is fully staffed for this year, including a new Director of Teaching and Learning who is Montessori trained and has previous experience establishing Montessori schools. Under her guidance, the school is taking steps in becoming a high fidelity Montessori school, such as encouraging training in the method for all teachers and staff. The school is building a relationship with the Montessori Center of Minnesota and has secured three scholarships for additional Montessori training. The classroom environments are set up to facilitate learner engagement with materials, and students are generally following expectations with minimal redirection. The foundations of the program are evident in line with the school's mission, and further training for staff will help refine the implementation of the model and support student achievement.

Operations Indicator Area 1.2 Instruction & Assessment: Does the school implement instructional and assessment programming that focuses on student achievement?

- This year TRM implemented a school wide behavior model. Before the start of the school year, all staff received two full days of training in Responsibility Centered Discipline. Artifacts of this system were visible throughout the school, such as notecards on teachers' lanyards detailing the appropriate steps for engaging with students. There will be a follow up training on this approach later in the year. Staff reported that the development of shared language and expectations across the building has led to a more positive beginning to the school year with regard to managing student behaviors. During classroom observations, students were actively engaged in their learning and interacting respectfully with staff and each other. The core aspects of the behavior system are clear, with the school being emergent in its implementation. Future visits should look for the continued benefits of implementing the behavior system as it becomes more refined in practice.
- The school is working to improve its literacy instruction. Data from FY23 indicated that this was a growth area. One teacher shared that they have a lot of reading groups for students who are behind in their skills, indicating a large opportunity in literacy. There are a number of steps the school is in the process of implementing to improve reading instruction as a school. First, the School Leader and Director of Teaching and Learning are both reading *Powerful Literacy in the Montessori Classroom* to better understand how the science of reading and the Montessori method are aligned. Second, the school is considering pursuing LETRS training for staff in alignment with the READ Act. Third, the school is watching closely for the evidence based curriculum that will be recommended from the Department of Education in January 2025. Administration is being mindful of how to meet these new requirements within the Montessori context. It was suggested in an interview with staff that the school should consider pursuing Professional Development for all staff that reinforces following a scope and sequence within a Montessori environment, and demonstrates how the Montessori curriculum meet the state standards every year. Some PD, or establishing clear expectations, in this area would be in alignment with the other efforts in the works at the school. Osprey Wilds will follow up on the refinements to the school's literacy instruction at our next visit.

Operations Indicator Area 1.4 Special Education: Does the school protect the rights of students with disabilities and implement a program that appropriately serves their needs?

- The school is in the beginning steps of formulating a multi-tiered system of supports (MTSS), with the administration emphasizing its development being a huge priority for the school. They are currently working on creating a MTSS handbook with instructional cycles, classroom support, and a process for collecting referrals and timeline. The Montessori lens of holistic being is the foundation for the MTSS approach at TRM. While a timeline for the rollout of this system is not set, the school is working toward refining

the proposed approach during staff meetings. This way, there is intentionality in how staff are building the school's approach to MTSS with administration. As they refine the handbook, teachers are considering how to implement the system in their context and their way. The intent is for the MTSS to be implemented fully in the 2024-2025 school year, though some portions will be implemented in part throughout this year. It is clear that a comprehensive approach to the MTSS model is well underway at the school.

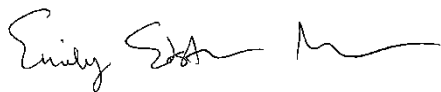
- Special Education and general education teachers are working to provide differentiated instruction in the Montessori setting. Teachers spoke to the ability to go backwards in the Montessori album when needed to help students fill in gaps in learning. The Special Education team is working on securing training for paras, as well as implementing all student IEP accommodations and modifications with fidelity. Montessori is a great space for differentiation, though it seems as though the implementation of this is still in development. The trainings in place to support staff, such as the scholarships at the Montessori Center of Minnesota, and the developing guidelines for MTSS are in alignment with helping teachers improve their skills in delivering interventions in the Montessori environment, and supporting differentiated instruction.

Operations Indicator Area 3.2: Health & Safety: Is the school an effective steward of the health and safety of all students?

- The school has obtained a locked refrigerator or a locked container in the refrigerator specifically for storing medication requiring refrigeration.

Thank you again for hosting Osprey Wilds' site visit. At our next site visit we are interested in learning more about the school's work to focus on improving literacy instruction, particularly within the Montessori environment. Please let me know what questions you have about this feedback. We appreciate the work your team is doing to serve students and families in Elk River and at Three Rivers Montessori.

Sincerely,



Emily Edstrom Moore  
Authorizing Specialist, Academics  
Osprey Wilds, Charter School Division

cc: Erin Anderson, Director of Charter School Authorizing

**Osprey Wilds – Charter School Board Meeting Observation Form**

<b>School Name:</b> Three Rivers Montessori School	<b>Scheduled Start Time:</b> 6:00 p.m
<b>Date of Board Meeting:</b> 10/16/23	<b>Actual Start Time:</b> 6:06 p.m.
<b>Type of Meeting (Regular, Special, Emergency):</b> Regular	<b>End Time:</b> 8:14 p.m.
<b>Observation by:</b> Dan Jett	
<b>Board member attendance:</b> 5 of 7 = 70%	<b>Ex-Officio Members present:</b> Antonio Kuklok, Director
<b>Others Present:</b> Mindy Wachter, Finance Provider	

A "YES" or "NO" below indicates whether or not the following were evident at the board meeting. Evaluation framework indicator areas are identified in the left column.

O = Operations Performance Framework; F = Financial Performance Framework.

<b>Key Contractual Performance Areas</b>		<b>YES/NO</b>	<b>Notes</b>
<b>O.2.2</b>	Board reviews and discusses academic performance related to charter contract goals (Exhibit G). <i>OW expects boards will monitor progress toward its contractual academic goals at least four times / year.</i>	No	The board reviewed the World's Best Work Force/ Annual Report that touched on the charter contract goals; however, there was no substantive discussion by the board.
<b>O.2.2</b>	Board reviews and discusses environmental education performance related to charter contract goals (Exhibit H) / Environmental Literacy Plan (ELP). <i>OW expects boards will monitor progress toward its contractual environmental education goals at least four times / year.</i>	No	Not a topic of discussion.
<b>F.1.1</b>	Board reviews and discusses the school's financial performance for the current school year, including current enrollment in relation to budgeted enrollment, and approves expenditures.	Yes	Original budget was for enrollment of 169; however, due to much lower student enrollment, the Working Budget/Actual Enrollment currently is: 99/100.
<b>O.2.1</b>	Board training & development happens at the meeting or meaningful discussion / reflection occurs related to recent training attended by one or more board members. <i>OW expects boards will participate in or discuss training at least four times / year.</i>	No	Not a topic of discussion.
<b>O.2.2</b>	The meeting complies with MN §13D, Open Meeting Law. (See details below.)	Yes	
<b>Compliance Elements - Evident at Each Meeting</b>		<b>YES/NO</b>	<b>Notes</b>
<b>O.2.2</b>	MN §13D, Open Meeting Law Requirements:		
<b>O.2.2</b>	Meeting time, date, and place (or access information, if virtual) is posted properly on school website and/or onsite at school. <i>MN §13D.04</i>	Yes	

0.2.2	If meeting includes board member participation via interactive technology (e.g. Zoom), it is done so consistent with MN §13D. Agenda appropriately notes participation via interactive technology, including the location of the individual(s), and all board members and members of the public can see and hear one another during the meeting. <i>MN §13D.02</i>	N/A	All participants were physically present at this meeting.
0.2.2	A quorum is present when a the board meeting is convened and / or any item on the agenda is being considered. <i>MN §317A.235</i>	Yes	5/7 board members were present when the board meeting was convened.
0.2.2	One set of board materials is available for public inspection. <i>MN §13D.01 Subd. 6</i>	Yes	
0.2.2	If closed, meeting is closed in accordance with MN §13D. Agenda notices statutory authority to close the meeting, board moves to close the meeting appropriately, board does not vote in closed session. <i>MN §13D.05</i>	N/A	The meeting was not closed.
0.2.2	Actions taken by board, including any amendments, are clearly articulated.	Yes	This was consistently done.
0.2.2	Result of the vote is articulated by the board chair, including number of votes for and against if other than unanimous.	Yes	This was consistently done.
0.2.3	Board engages in review of school leader performance throughout the school year. <i>OW expects boards will engage in school leader evaluation activities at least four times / year.</i>	No	Not at this meeting.
0.2.2	Board reviews and discusses the contractual Performance Improvement Plan (Exhibit S). <i>OW expects boards will monitor implementation of its contractual PIP at least four times / year.</i>	No	Not at this meeting.
0.2.2	Meeting follows approved agenda. <i>If no, provide detail .</i>	Yes	See note below.
0.2.2	Board meeting packet includes all materials relevant to the meeting agenda. <i>Note any that were missing as appropriate.</i>	Yes	
0.2.1	Board composition complies with applicable law and school bylaws. <i>MN §124E.07 subd. 3(a)</i>	Yes	
0.2.2	Charter School Website Requirements:		

O.6.3	Directory information for members of the board of directors including affiliation (e.g. parent, teacher, community member) and contact information (at least email address). <i>MN §124E.07, subd. 8(b)</i>	Yes	
O.6.3	Minutes of meetings of the board of directors for at least one calendar year. <i>MN §124E.07, subd. 8(b)</i>	Yes	
O.6.3	Identifying and contact information for the school's authorizer. <i>MN §124E.07, subd. 8(b)</i>	Yes	
O.6.3	Committee meeting time, place, and access information posted properly. <i>MN §13D.04</i>	Yes	

**General Comments/Observations/Compliance Elements or Effective Practices Observed (e.g. Director Evaluation, Strategic Planning, Bylaw Changes, Policy Actions, etc.)**

All board members actively participated in the meeting. It was noted that the board's bylaws will be reviewed by the board later in the school year. Increasing student enrollment is the major need of the school currently as is stability in the retention rates of students and staff members. Hopefully, the new apartment complex under construction will yield significant opportunities for the school to recruit students especially since the school is located so close to the new apartments. The board may consider either adding provisions to govern the district's credit card to the current purchasing policy; or, create a new policy specific to the district's credit card. Provisions such as the following can be specified in the policy: Dollar limit available on the card, named individuals authorized to use the credit card, purposes for which the card can be used, the process to be used to reconcile the card's charges monthly, among others.

**Required Follow-Up:**

There is no required follow-up to this meeting.



# Credit Card Policy

Date Created: 04/27/2020

Approved By: TRM Board of Directors

Date Approved: Unknown

Date Updated: 11/21/2023

## Three Rivers Montessori Credit Card Policy

### GENERAL STATEMENT OF POLICY

The TRM Board of Directors understands that purchases are made on a regular basis to operate the school, maintain and/or improve the quality of supplies/materials for student and employee use, and to meet the needs of all stakeholders.

To do this, the use of a credit card is required in most situations. This policy defines the procedure used by TRM administration when the school's credit card is required for purchases.

### AUTHORIZING A CREDIT CARD

The Director and the Board Treasurer will review and sign the Credit Card Agreement and complete the credit card application. The Director will disclose the credit limit at least annually to the TRM Board of Directors. The Executive Director has authority to authorize and distribute credit cards to appropriate staff. The Executive Director can assign designated and limited credit limits within the online platform used, DIVVY.

### MAINTAINING A CREDIT CARD

Credit card payments are processed twice a month on the 15th and last day of the month. The cardholder(s) must adhere to the following:

1. A purchase request form is completed for all credit card purchases and all purchase request forms are approved and signed by the Executive Director, the appropriate UFARS code will be documented in the online DIVVY platform and reviewed by the finance company contracted by TRM for each transaction. The total of all amounts coded must match the current billed amount on the invoice.
2. Original receipts for each purchase will be attached to the appropriate purchase request form(s) in the order they appear on the invoice.
3. The coded and signed purchase request form will be submitted with the attached receipts to the online platform DIVVY. If the purchase exceeds \$5,000.00, board approval and an additional signature from the Board Chair is required. If approved, the Executive Director signs and dates the form. It is the combined responsibility of the Director of Operations and the Executive Director to upload all purchase requests and attached receipts to the DIVVY platform and audit for accuracy and completeness twice monthly before the 15th and last day payment runs.





# Credit Card Policy Cont.

4. All hardcopy credit card purchase requests and attached original receipts are filed in the A/P (Accounts Payable) monthly files in the Executive Director's office. Noted on the credit card purchase request form is the date the purchase request and original receipt were uploaded to DIVVY to ensure timely processing of all credit card documentation and for any audit purposes. Prior year files are moved to the locked cabinet with the Director of Operations and files 2 years old are moved to a secure location in a locked storage room at TRM. Historical files beyond 3 years are housed off site in a locked storage unit and kept for a minimum of 10 years.

If these guidelines are not followed, discipline, restitution, and/or termination may result. TRM maintains the right to revoke the card at any time.

## ADDITIONAL PLATFORMS FOR RECEIVING/MAKING PAYMENTS

Should TRM establish another form of receiving/making payments (i.e. Venmo, PayPal or other similar platforms), the same individuals with access to the school's bank account information will also possess access to these accounts. Should funds be distributed via this platform, the Executive Director would need to follow the same procedure as listed above as for maintaining a TRM credit card (see steps 1 through 3 above). Funds received will be available for viewing by those holding TRM checking account information.

When a Director holding a credit card terminates employment from TRM, the credit card is returned to the Board Treasurer. If a Director does not meet or accept the criteria for receiving a credit card, money for TRM expenses is available through a Request for Check Form.



# Consent Agenda Policy

Date Created: 10/18/2023

Approved By: Not yet approved

Date Approved: TBD

Date Updated:

## Consent Agenda Policy

### I. PURPOSE

The purpose of this policy is to allow the use of a consent agenda.

### II. GENERAL STATEMENT OF POLICY

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of noncontroversial items or items of a similar nature.

### III. CONSENT AGENDAS

A. The Executive Director, in consultation with the school board chair, may place items on the consent agenda. By using a consent agenda, the school board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request. If this request is made, the item in question will be moved to the discussion section of the board agenda.

B. Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of maintenance details for the school district buildings and grounds or approval of various schedules.

C. Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately under the discussion section of the board agenda.



# Consent Agenda Policy Cont.

D. Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

Legal References: Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

Cross References: MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)

MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)

MSBA/MASA Model Policy 204 (School Board Meeting Minutes)



# Use of Peace Officers and Crisis Teams to Remove Students With IEP's from School Grounds Policy

Date Created: 10/16/2023

Approved By: Not Yet Approved

Date Approved: TBD

## Use of Peace Officers and Crisis Teams to Remove Students With IEPs from School Grounds Policy

### PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

### GENERAL STATEMENT OF POLICY

The school is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

All students, including those with IEPs, are subject to the terms of the school's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

### DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. "Police liaison officer" is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.



# Use of Peace Officers and Crisis Teams to Remove Students With IEP's from School Grounds Policy Continued

D. "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administration who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.

E. The phrase "remove the student from school grounds" is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.

F. "Emergency" means a situation in which immediate intervention is necessary to protect a student or other individual from physical injury.

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

## **REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS**

### A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student's behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team may be summoned. The crisis team may attempt to de-escalate the student's behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

### B. Removal By Police Liaison Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.



# Use of Peace Officers and Crisis Teams to Remove Students With IEP's from School Grounds Policy Continued

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and the school's Student Data Privacy Policy.

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

## C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a school principal, other crisis team members, or the police liaison officer or other agents of the school, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent imminent bodily harm or death to the student or another or in self-defense.

In removing a student with an IEP from school grounds, police liaison officers and school personnel are further prohibited from engaging in the following conduct:

1. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain
2. Denying or restricting the student's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the student's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
3. Corporal punishment prohibited by Minn. Stat. § 121A.58;
4. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. Ch. 260E;
5. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
6. Totally or partially restricting a child's senses as punishment;
8. Withholding regularly scheduled meals or water; and/or
9. Denying the student access to toilet facilities.



# Use of Peace Officers and Crisis Teams to Remove Students With IEP's from School Grounds Policy Continued

Any reasonable force used under Minn. Stat. §§ 121A.582; 609.06, subd. 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

## D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

## E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

## F. Effect of Policy in an Emergency; Use of Conditional Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat. § 125A.0942, subd. 5, and otherwise comply with the requirements of § 125A.0942. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.



# Use of Peace Officers and Crisis Teams to Remove Students With IEP's from School Grounds Policy Continued

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.67 (Removal by Police Officer)  
Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)  
Minn. Stat. § 609.06 (Authorized Use of Force)  
Minn. Stat. § 609.379 (Permitted Actions)  
20 U.S.C. § 1232g et seq. (Family Educational Rights and Privacy (FERPA))  
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Act)  
34 C.F.R. § 300.535 (Referral to and Action by Law Enforcement and Judicial Authorities)

Cross References: TRM Student Discipline Policy  
TRM Student Behavior Policy  
TRM Student Data Privacy Policy  
TRM Crisis Management Policy





# Student Data Privacy Policy

Date Created: 11/08/2022

Approved By: Unapproved DRAFT Version

Date Approved: Not Yet Board Approved

## Protection and Privacy of Student Records

### Purpose

The 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.

### General Statement of Policy

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school, pursuant to the requirements of 20 U.S.C. §1232g, et seq., (Family Educational Rights and Privacy Act) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

### General Classification

State law provides that all data collected, created, received or maintained by a 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 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 20 U.S.C. §1232g and the regulations promulgated thereunder.

### 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 file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the federal law and the regulations promulgated thereunder;
5. 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;
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 the COPIES OF POLICY section of this policy.



# Student Data Privacy Policy Continued

## Statement of Rights Continued

### 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 C.F.R. § 99.31(a).

### C. Students with a Disability

1. The school shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the privacy, notice, access, record keeping, and accuracy of information related to students with a disability.



# Student Data Privacy Policy Continued

## DEFINITIONS

### A. Authorized Representative

“Authorized representative” means any entity or individual designated by the 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

Date of attendance, as referred to in Directory Information, means the period of time during which a student attends or attended the school, including attendance in person or by videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom. The term does not include specific daily records of a student’s attendance at the school.

### D. Directory Information

“Directory information” means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. As limited by Minnesota law, directory information includes, but is not limited to: the student’s name, 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, email address, and telephone number of the student’s parent(s). Directory information does not include:

1. A student’s home address, telephone number, email address, or other personal contact information.
2. A student’s social security number;
3. 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;



# Student Data Privacy Policy Continued

4. 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;
5. personally identifiable data which references religion, race, color, social position or nationality; or
6. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

## E. Education Records

1. What constitutes "education records". Education records means those records which: (1) are directly related to a student; and (2) are maintained by the school or by a party acting for the school.
2. What does not constitute an education record. The term "education records" does not include:
  - a. Records of instructional personnel which:
    - i. are in the sole possession of the maker of the record;
    - ii. used only as a personal memory aid;
    - iii. are not accessible or revealed to any other individual except a substitute teacher; and
    - iv. are destroyed at the end of the school year.
  - b. Records of a law enforcement unit of the school, provided educational records maintained by the school are not disclosed to the unit, and the law enforcement records are:
    - i. maintained separately from education records;
    - ii. maintained solely for law enforcement purposes; and
    - iii. disclosed only to law enforcement officials of the same jurisdiction.
  - c. Records relating to an individual, including a student, who is employed by the school which:
    - i. are made and maintained in the normal course of business;
    - ii. relate exclusively to the individual in that individual's capacity as an employee; and
    - iii. are not available for use for any other purpose.

However, these provisions shall not apply to records relating to an individual in attendance at the school who is employed as a result of his or her status as a student.



# Student Data Privacy Policy Continued

- d. Records relating to an eligible student, or a student attending an institution of post- secondary education, which 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 school
- e. Records created or received by the school after an individual is no longer a student at the 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 Minn. Stat. §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 Minn. Stat. § 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 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:



# Student Data Privacy Policy Continued

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 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 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 Executive Director or their designee.

## N. Student

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



# Student Data Privacy Policy Continued

## 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, as 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.

### 1. Other Terms and Phrases

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

## DISCLOSURE OF EDUCATION RECORDS

### A. Consent Required for Disclosure

- a. The school shall obtain a signed and dated written 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.
  - b. 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:
    - i. a specification of the records to be disclosed;
    - ii. the purpose or purposes of the disclosure;
    - iii. the party or class of parties to whom the disclosure may be made;
    - iv. the consequences of giving informed consent; and
    - v. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
1. if the parent or eligible student so requests, the school shall provide him or her with a copy of the records disclosed; and
  2. if the parent of a student who is not an eligible student so requests, the school shall provide the student with a copy of the records disclosed.
3. 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.



# Student Data Privacy Policy Continued

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 Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a 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 elsewhere in this Policy.

## B. Prior Consent for Disclosure Not Required

The 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 school whom the school determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school has outsourced institutional services or functions provided that the outside party:
  - a. performs an institutional service or function for which the school would otherwise use employees;
  - b. is under the direct control of the 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





# Student Data Privacy Policy Continued

3. To officials of other schools or schools in which the student seeks or intends to enroll. 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 and, if applicable, data regarding a student's history of violent behavior. On request, the school will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with the REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA section 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 school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school 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;



# Student Data Privacy Policy Continued

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school 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 school to whom information is disclosed violates this provision, the 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 dependent student;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the 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. In addition, if the 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 school to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school, the school may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school to defend itself.



# Student Data Privacy Policy Continued

11. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In addition, an educational agency or institution may include in the educational records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school has designated as “directory information” pursuant to the RELEASE OF DIRECTORY INFORMATION section of this policy;
14. To the parent of a student who is not an eligible student or to the student himself or herself
15. 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
16. 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; or
17. 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, 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 educational 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:
    - i. use of a controlled substance, alcohol, or tobacco;
    - ii. assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act;
    - iii. possession or use of weapons or look-alike weapons;
    - iv. theft; or
    - v. vandalism or other damage to property.



# Student Data Privacy Policy Continued

Prior to releasing this information, the school leader or Executive Director 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;

18. To the school leader where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a school leader under Minn. Stat. §260B.171, Subd. 3. The school leader must notify the counselor immediately and must place the disposition order in the student's permanent education record. The school leader 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 school leader may also notify other school employees, substitutes, and volunteers who are in direct contact with the student if the school leader 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 school leader 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;



# Student Data Privacy Policy Continued

19. To the school leader where the student attends if it is information from a peace officer's record of children received by the Director under Minn. Stat. § 260B.171, Subd. 5. The school leader must place the information in the student's educational record. The school leader also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the school leader 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 school leader may also notify other employees, substitutes, and volunteers who are in direct contact with the student if the school leader 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 school leader 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 school leader must delete the peace officer's record from the student's educational 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 school leader 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 U.S.C. § 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,



# Student Data Privacy Policy Continued

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.

## RELEASE OF DIRECTORY INFORMATION

### A. Educational Data

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:

1. Minn. Stat. § 13.32, subd. 5; and
2. U.S.C., title 20, §1232g, and C.F.R., title 34, § 99.37, which were in effect on January 3, 2012.

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

### B. When requested, the 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. Former Students

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

### C. Present Students and Parents

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



# Student Data Privacy Policy Continued

2. The 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 school has designated as directory information;
  - b. the parent's or eligible student's right to refuse to let the 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 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.
3. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the 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 the DISCLOSURE OF EDUCATION RECORDS section of this policy.
4. A parent or eligible student may not opt out of the directory information disclosures to:
  - a. prevent the school from disclosing or requiring the student to disclose the student's name, ID, or school e-mail address in a class in which the student is enrolled; or
  - b. prevent the 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 school as directory information.
5. The school shall not disclose or confirm directory information without meeting the written consent requirements contained in DISCLOSURE OF EDUCATION RECORDS section 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.



# Student Data Privacy Policy Continued

## DISCLOSURE OF PRIVATE RECORDS

### A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school may not disclose private records or their contents except as summary data, or except as provided in the DISCLOSURE OF EDUCATION RECORDS section of this policy, without the prior written consent of the parent or the eligible student. The 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 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 Minn. Stat. §§ 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.
  - f.

### 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.





# Student Data Privacy Policy Continued

## D. Military-Connected Youth Identifier

When a school updates its enrollment forms in the ordinary course of business, the 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 Department of Education.

## 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 Minn. Stat. Chapter 260E, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school. 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 Minn. Stat. Chapter 260E.

### C. Investigative Data

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

1. The school 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 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 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 school students, school employees, and/or attorney data as defined in Minn. Stat. § 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:



# Student Data Privacy Policy Continued

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

## DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

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

## LIMITS ON REDISCLOSURE

### A. Rediclosure

Consistent with the requirements herein, the 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. Redisclosure Not Prohibited

1. Subdivision A. of this section does not preclude the school from disclosing personally identifiable information under the DISCLOSURE OF EDUCATION RECORDS section of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school provided:
  - a. The disclosures meet the requirements of the DISCLOSURE OF EDUCATION RECORDS section of this policy; and
  - b. The school has complied with the record-keeping requirements of the RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING section 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.



# Student Data Privacy Policy Continued

## C. Classification of Disclosed Data

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

## D. Notification

The school shall, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under the RELEASE OF DIRECTORY INFORMATION section of this policy, or disclosures to a parent or student, the school shall inform the party to whom a disclosure is made of the requirements set forth in this section. In the event that the Family Policy Compliance Office determines that a third party improperly re-discloses personally identifiable information from education records, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years.

## 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 director 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 director shall create a written plan for securing students records by September 15th 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 building;
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 school district. 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.



# Student Data Privacy Policy Continued

## E. Record Keeping

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

1. The Director 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 which 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 the DISCLOSURE OF EDUCATION RECORDS section 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 school discloses personally identifiable information from an education record of a student pursuant to Paragraph B. of the LIMITS ON RE-DISCLOSURE section of this policy, the record of disclosure required under this section shall also include:
  - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school;
  - b. the legitimate interests under the DISCLOSURE OF EDUCATION RECORDS section 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 DISCLOSURE OF EDUCATION RECORDS section of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school disclosed information from an education record. The 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. Paragraph (1) of Record Keeping 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 Paragraph B.1 of the DISCLOSURE OF EDUCATION RECORDS section of this policy, to requests for disclosures of directory information under the RELEASE OF DIRECTORY INFORMATION section 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.
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 school.



# Student Data Privacy Policy Continued

5. The 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 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 school maintains the student's education records.

## 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 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 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 the DISCLOSURE OF PRIVATE RECORDS section of this policy.

### B. Response to Request for Access

The 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 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 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 school a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.



# Student Data Privacy Policy Continued

## 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 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 school may presume that either parent of the student has authority to inspect or review the education records of a student unless the 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 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 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 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 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 the parent or eligible student from exercising their right to inspect or review the student's education records.



# Student Data Privacy Policy Continued

## 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 or other rights of the student may request that the 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 school to make. The request shall be signed and dated by the requestor.
2. The 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 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 school refuses to amend the education records of a student, the 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 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 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 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 school as part of the education records of the student so long as the record or contested portion thereof is maintained by the school; and
  - b. if the education records of the student or the contested portion thereof is disclosed by the school to any party, the explanation shall also be disclosed to that party.



# Student Data Privacy Policy Continued

## C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the 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 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 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 the Minn. Stat. Ch. 14 relating to contested cases

## 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 Executive Director of Three Rivers Montessori.

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

## COMPLAINTS FOR NONCOMPLIANCE

### A, Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by 20 U.S.C. §1232g, and the rules promulgated thereunder, shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

### 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 20 U.S.C. §1232g and the rules promulgated thereunder has occurred.





# Student Data Privacy Policy Continued

## WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to 20 U.S.C. §1232g. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school may not require such a waiver.

## ANNUAL NOTIFICATION OF RIGHTS

### A. Contents of Notice

The 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 school to comply with the requirements of 20 U.S.C. §1232g, and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school has determined to have legitimate educational interests; and
6. That the school forwards education records on request to a school in which a student seeks or intends to enroll including suspension and expulsion records pursuant to the federal No Child Left Behind 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 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 school shall provide for the need to effectively notify parents or eligible students identified as disabled.



# Student Data Privacy Policy Continued

## DESTRUCTION AND RETENTION OF RECORDS

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

## COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the front office of Three Rivers Montessori.

**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. § 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:** TRM Chemical Use and Abuse Policy

TRM Student Discipline Policy



# Prohibition of Malicious and Sadistic Conduct Policy

Date Created: 07/10/2023

Approved By: Not yet approved

Date Approved: TBD

## Prohibition of Malicious and Sadistic Conduct Policy

### **Purpose:**

A. Three Rivers Montessori prohibits malicious and sadistic conduct and sexual exploitation by a school staff member, independent contractor, or student enrolled in the school against a staff member, independent contractor, student, or volunteer in all contexts.

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

C. TRM cooperates with law enforcement and regulatory agencies (including but not limited to police departments, Department of Education, and the Department of Human Services). Law enforcement or other regulatory agencies may be notified as appropriate.

### **Policy Requirements:**

A. Three Rivers Montessori prohibits malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status regarding public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as outlined in the Minnesota Human Rights Act (Minnesota Statutes, Chapter 363A) and sexual exploitation ("Prohibited Conduct").

B. Disciplinary measures for each violation of the policy will be guided by the student behavior policy and the non-discrimination policy in conformance with the Pupil Fair Dismissal Act (Minnesota Statutes, 121A.41-56).

C. Notice of this policy will be posted conspicuously at the Three Rivers Montessori school building, be distributed to each employee & independent contractor when hired or contracted, included in each student's family handbook, and discussed with students, parents, independent contractors, and employees as needed.

D. The Executive Director shall be the primary contact to receive and investigate reports of Prohibited Conduct and will work with the designated Human Resources representative to investigate all claims. The Executive Director's proxy may act in the absence of the Executive Director.

E. All employees who witness Prohibited Conduct or possess reliable information that would lead a reasonable person to suspect that a student is a target of Prohibited Conduct are required to make reasonable efforts to address and resolve the Prohibited Conduct. Employees must include school leadership as needed to come to resolution.



# Prohibition of Malicious and Sadistic Conduct Policy

Date Created: 07/10/2023

Approved By: Not yet approved

Date Approved: TBD

F. Any reports of Prohibited Conduct will be investigated within three school days of a report and a written report will be created by the primary contact, or their designated proxy. This report will be shared with all parties involved while maintaining data privacy and confidentiality practices. Investigations may include, but not be limited to, gathering of interviews, written reports from witnesses, and procuring timelines of events and claims.

G. Once a report of Prohibited Conduct is made, the primary contact will immediately respond, as appropriate, to ensure the safety of the targeted individual. Remedial responses shall be tailored to the particular incident and nature of the conduct and the student's developmental age and behavioral history.

H. In most cases, the primary contact will notify the appropriate family member or guardian of both the targeted individual and the accused within 24 hours of report that a report of Prohibited Conduct has been made. The primary contact may provide information about available community resources to the target, actor, and other affected individuals, as appropriate.

## **Reporting:**

A. Any person who believes they have been the target or victim of Prohibited Conduct or any person with knowledge or belief of conduct that may constitute Prohibited Conduct under this policy shall report the acts immediately to the primary contact as designated by this policy. In most cases, such report shall be made within 24 hours of the alleged Prohibited Conduct. If the complaint involves the primary contact, the complaint shall be made or filed directly with a Board member.

B. A person may report Prohibited Conduct anonymously. However, the school may not rely solely on an anonymous report to determine discipline or other remedial responses.

C. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to situations, circumstances, or events that might include Prohibited Conduct. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute Prohibited Conduct shall make reasonable efforts to address and resolve the Prohibited Conduct and shall inform the primary contact immediately. In most cases, such report shall be made within 24 hours of learning of the alleged Prohibited Conduct. School personnel who fail to inform the primary contact of conduct that may constitute Prohibited Conduct or who fail to make reasonable efforts to address and resolve the Prohibited Conduct in a timely manner may be subject to disciplinary action.



# Prohibition of Malicious and Sadistic Conduct Policy

Date Created: 07/10/2023

Approved By: Not yet approved

Date Approved: TBD

## **Retaliation or Reprisal:**

The school will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school who commits an act of reprisal or who retaliated against any person who asserts, alleges, or makes a good faith report of alleged Prohibited Conduct, who provides information about Prohibited Conduct, who testifies, assists, or participates in an investigation of alleged Prohibited Conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such Prohibited Conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individuals who engaged in the retaliation or reprisal. Remedial responses to retaliation or reprisal shall be tailored to the particular incident and nature of the conduct and shall take into account the factors for disciplinary action for Prohibited Conduct as set forth herein.

## **Response to a Verified Report of Prohibited Conduct:**

A. Student Response: The school may take into account the following factors:

1. The age, developmental and maturity levels of the parties involved
2. The levels of harm, surrounding circumstances, and nature and severity of the behavior
3. Past incidences or past or continuing patterns of behavior
4. The relationship between the parties involved; and 5. The context in which the alleged incidents occurred

Consequences for students who commit acts of Prohibited Conduct may range from positive behavioral interventions up to and including suspension and/or expulsion. Students on an Individualized Education Plan or Section 504 Plan will address the skills and proficiencies the child needs to respond to or not engage in the Prohibited Conduct, however, they may be subject to suspension or expulsion if behavioral interventions and response are not impacting acts of Prohibited Conduct.

B. Staff Response: Consequences for school employees who engage in, permit, condone, or tolerate Prohibited Conduct or engage in an act of reprisal or intentional false reporting of malicious or sadistic conduct may result in disciplinary action up to and including termination or discharge.

C. Other parties including vendors, volunteers, and contractors: Consequences for other individuals engaging in prohibited acts of Prohibited Conduct malicious or sadistic conduct may include, but not be limited to, exclusion from school property and events and/or termination of services and/or contracts.



# Prohibition of Malicious and Sadistic Conduct Policy

Date Created: 07/10/2023

Approved By: Not yet approved

Date Approved: TBD

D. All accused parties of Prohibited Conduct will be allowed to present a defense as part of the investigation.

E. All affected students and their parents/guardians will be informed of their rights under state and federal data practices laws to obtain data related to the incident and their right to contest the accuracy or completeness of the data.

## **References:**

Minnesota Statutes, Chapter 121A.0312 (Malicious and Sadistic Conduct)

Minnesota Statutes, Chapter 121A.41-56 (Pupil Fair Dismissal Act)

Minnesota Statutes, Chapter 363A (Minnesota Human Rights Act)