

**SWAN RIVER MONTESSORI CHARTER SCHOOL**  
**School Board Meeting**  
**Tuesday, December 16, 2025 at 2:15 p.m.**

The school board will hold this meeting in person at Swan River Montessori Charter School at 503 Maple St. building.

**Meeting Agenda**

**I. CALL TO ORDER in 503 Kitchen at Swan River Montessori Charter School by \_\_\_\_@\_\_\_\_PM**

**II. ROLL CALL**

- a. Board Members Present:
- b. Board Members Absent:
- c. Other Attendees:
- d. Recording Minutes:

**III. REVIEW OF SRMCS MISSION AND VISION STATEMENTS**

The mission of Swan River Montessori Charter School is to provide a child-centered environment for self-directed and personalized learning in a small, community-based public school with an emphasis on the natural environment.

Swan River Montessori Charter School's vision is to employ an interdisciplinary approach to education by teaching the whole child (heart, mind, and soul). The Montessori learning environment is designed to foster this whole child approach by meeting the child's inherent needs of self-discovery, creativity, independence, and competence. Swan River Montessori Charter School will create a kind, respectful environment where each child has a sense of belonging. Learning at Swan River Montessori Charter School involves the student, the student's family, the teachers, and the larger community. Swan River supports family and community participation in each child's education by utilizing and appreciating community resources and the natural world as a learning environment.

**IV. MEETING AGENDA- Motion to approve meeting agenda made by\_\_\_\_, Seconded by \_\_\_\_\_. Board Vote-**

**V. PREVIOUS MEETING MINUTES- Motion to approve 10.21.25 Board Meeting Minutes made by \_\_\_\_,  
Seconded by \_\_\_\_\_. Board Vote-**

**VI. DECLARATION OF CONFLICTS-**

**VII. FINANCIAL REPORT**

The following was discussed during the SRMCS School Board Finance Committee Meeting:

FY25 Enrollment Numbers as of 1212.25

- i. Charter School (K-6) = 171
- ii. Children's House (EC) = 11
- iii. Pupil Unit Actual/Budget = 171/165

- a. Motion to approve November financials made by\_\_\_\_, Seconded by \_\_\_\_\_. Board Vote-
- a. Check in on timely payment of bills-
- b. Review of Bills-

- c. Donations-

## **VIII. ENVIRONMENTAL EDUCATION REPORT AS RELATED TO CONTRACTED GOALS-**

## **IX. ACADEMIC PERFORMANCE REPORT AS RELATED TO CONTRACTED GOALS –**

## **X. DIRECTOR GOALS**

## **XI. STRATEGIC PLANNING & GOAL SETTING**

- a. Monticello Community Center Contract Update-

## **XII. OLD BUSINESS**

## **XIII. CONSENT AGENDA** - Motion to approve consent agenda consisting of the following revised policies made by, \_\_\_\_\_ Seconded by \_\_\_\_\_. Board Vote

- a. 103 COMPLAINTS – STUDENTS, EMPLOYEES, PARENTS, OTHER PERSONS
- b. 410 FAMILY AND MEDICAL LEAVE POLICY
- c. 102 EQUAL EDUCATIONAL OPPORTUNITY
- d. 210.1 CONFLICT OF INTEREST – CHARTER SCHOOL BOARD MEMBERS
- e. 401 EQUAL EMPLOYMENT OPPORTUNITY
- f. 402 DISABILITY NONDISCRIMINATION POLICY
- g. 404 EMPLOYMENT BACKGROUND CHECKS
- h. 406 PUBLIC AND PRIVATE PERSONNEL DATA
- i. 407 EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES
- j. 411 GROUP HEALTH INSURANCE COVERAGE

## **XIV. NEW BUSINESS**

- a. Review second batch of 10 policies
  - i. **413 HARASSMENT AND VIOLENCE**
  - ii. **417 CHEMICAL USE AND ABUSE**
  - iii. **418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**
  - iv. **419 TOBACCO-FREE ENVIRONMENT**
  - v. **420 STUDENTS AND EMPLOYEES WITH SEXUALLY TRANSMITTED INFECTIONS AND DISEASES**
  - vi. **421 GIFTS TO EMPLOYEES AND CHARTER SCHOOL BOARD MEMBERS**
  - vii. **426 NEPOTISM POLICY**
  - viii. **427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS**
  - ix. **501 SCHOOL WEAPONS POLICY**
  - x. **502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON**
  - xi. **503 STUDENT ATTENDANCE**
- b. Tuition for Children's House
- c. Calendar for next year- Monticello Calendar is out
- d.

## **XV. REVIEW OF NEXT MEETING AGENDA**

- a. Date, Time & Location of next Finance Committee Meeting: TBD

b. Date, Time & Location of next Board Meeting: Tuesday, January 20, 2026 at 2:15 PM

Upcoming Agenda Items- FY26

Old Business

New Business -

Next batch of 10 policies- approve

**XVI. MOTION TO ADJOURN at \_\_\_\_ PM by \_\_, Seconded by\_\_. Board Vote-**

**SWAN RIVER MONTESSORI CHARTER SCHOOL**  
**School Board Meeting**  
**Tuesday, November 18, 2025 at 2:15 p.m.**

The school board will hold this meeting in person at Swan River Montessori Charter School at 503 Maple St. building.

**Meeting Agenda**

- I. CALL TO ORDER in 503 Kitchen at Swan River Montessori Charter School by Jana Evink @ 2:28 PM**
- II. ROLL CALL**
  - a. Board Members Present: Julie Halvorson, Amy Savage, Claire Belknap, Nicole Perez, Amy Jensen, Jana Evink, Rick Freese
  - b. Board Members Absent: none
  - c. Other Attendees: SRMCS Director Annette Vemuri
  - d. Recording Minutes: Amy Jensen
- III. REVIEW OF SRMCS MISSION AND VISION STATEMENTS**

The mission of Swan River Montessori Charter School is to provide a child-centered environment for self-directed and personalized learning in a small, community-based public school with an emphasis on the natural environment.

Swan River Montessori Charter School's vision is to employ an interdisciplinary approach to education by teaching the whole child (heart, mind, and soul). The Montessori learning environment is designed to foster this whole child approach by meeting the child's inherent needs of self-discovery, creativity, independence, and competence. Swan River Montessori Charter School will create a kind, respectful environment where each child has a sense of belonging. Learning at Swan River Montessori Charter School involves the student, the student's family, the teachers, and the larger community. Swan River supports family and community participation in each child's education by utilizing and appreciating community resources and the natural world as a learning environment.
- IV. MEETING AGENDA- Motion to approve meeting agenda with addition of Boarding Training agenda item inserted after item IX made by AJ, Seconded by RF. Board Vote- all aye- motion carries**
- V. PREVIOUS MEETING MINUTES- Motion to approve 10.21.25 Board Meeting Minutes made by CB, Seconded by AJ. Board Vote- all aye- motion carries**
- VI. DECLARATION OF CONFLICTS- none**
- VII. FINANCIAL REPORT**

The following was discussed during the SRMCS School Board Finance Committee Meeting:

We still look like we are really good. Will consider revisions as time goes on. We will not owe MDE money back so that's good. We will start to feel the pressure of the 10% hold back as time goes on. Lease Aid application is still not approved but hopefully soon. ADM - 164

Revenue - 33% of the way through the year, expenses at 27%

MCC - almost reached an agreement with the community center. Max of \$5,000 with parking lot maintenance. Would be a one year agreement. Hoping by December 1st to know the answers from them.

**III. OLD BUSINESS**

- a. Check in on timely payment of bills- Everything has been going great. Bills have been paid on time.

b. Pay Scale and Benefits- Very stable budget, we have increased 2%. The bottom line is if we increase wages we have to increase class sizes or cut somewhere. Add one student to each classroom, that would add about \$70,000 - how would we break down that. Compare other schools to ours -World Learner, Bluffview, local schools. Monticello - front loads where they give you a really good salary right away but then they drop off. Look at surrounding charter schools.

Everybody is looking at a 2% increase per student but inflation is much higher than 2%. If we don't add money to the school then we could not increase the salary. Our current pay scale starts at \$38,000 where Monticello is \$44,000.

Teachers from year 10-18 are really struggling because they are getting hit the hardest and not making the money they would at a larger district. Our support staff - goes up 2% every year. Monticello starts at \$17.68 and goes up to \$26.40 with a four year degree.

Revenue is only going up 2% for the general ed (so roughly 80% of our budget). Our expenses are only going up more than 2%. Where are we going to find adjustment in the salary?

Paras are saying around \$21 or \$22 at the three year mark

Bump starting pay to \$41,000 and that gives all lead teachers to \$4,000 each.

If we have enough left over, every person gets a bonus.

Annette- took Monticello's pay scale and tried to compare or input Swan's pay scale into their schedule. We need \$100,000 in our budget to put towards salaries if we want a big pay raise. How would we decrease our budget?

Specials Art and Music would be \$40,000 plus OW \$10,000.

What is cleaning? \$4,000 x 8 = \$32,000

FY25 Enrollment Numbers as of 11.14.25

- i. Charter School (K-6) = 171
- ii. Children's House (EC) = 11
- iii. Pupil Unit Actual/Budget = 171/165

- a. Motion to approve October financials made by JH, Seconded by CB. Board Vote- all aye, motion carries
- a. Check in on timely payment of bills- no bills have been late during the last reporting period.
- b. Review of Bills- question about Waste Management bill, Kirsten is working on it and we might need to add another pick up day
- c. Donations- none

## **VIII. ENVIRONMENTAL EDUCATION REPORT AS RELATED TO CONTRACTED GOALS-**

## **IX. ACADEMIC PERFORMANCE REPORT AS RELATED TO CONTRACTED GOALS – Annette shared the fall FY26 Fastbridge scores with the board.**

## **X. BOARDING TRAINING- Jana Evink shared her notes from an Osprey Wilds board training she attended on data practices and open meeting law.**

Data request- recommended that schools look at data request policy. Make sure there is a timeline in the policy for if the individual requesting does not follow up (pick up) requested records and the school can consider the request abandoned.

Open Meeting Law- silent on whether public can comment at the meeting, up to boards to set their own parameters of how they deal with public comments.

Quorum- majority of members present at meeting discussing board activity, watch out for a teacher majority board that has a quorum during meetings (like staff meetings) making board type decisions, SRMCS has agendas and minutes for all staff meetings

Interactive meeting requirements have changed- do NOT have to be in a public place anymore and do NOT have to publish the address from which you are attending the meeting. All members have to be able to see and hear each other- observers have to see and hear as well- do a role call for votes - at least one board member has to be at the school- put on agenda that “members may participate remotely”

## **XI. DIRECTOR GOALS**

## **XII. STRATEGIC PLANNING & GOAL SETTING**

- a. Monticello Community Center Contract Update- draft agreement, school accountants working on whether the agreement will be okay with our lease aid from the state, looking into using a nearby church for indoor gym space, city has not responded by the deadline and wasn't discussed at the city council meeting

## **XIII. OLD BUSINESS**

## **XIV. NEW BUSINESS**

- a. SRMCS School Board Self Evaluation- Board went through the board self evaluation provided by OW. Noted that we need to do academic and ee review 4 times year and made a schedule, work on director goals (see below), make sure we are doing or discussing school board training during meetings
- b. Director Goals and Evaluation- tabled to December meeting, Annette will share the Charlotte Danielson's Framework For Teaching documents with Claire Belknap (director eval committee lead) to start looking at how to modify it to evaluate the director with focus on academic goals for the overall school
- c. OW Sounding Board- “Board Oversight of Academic Outcomes: October 2025”- reviewed and created a schedule for reviewing academic goals:

Oct- mca, new EE goals

Nov- fall fastbridge, EE check in

Feb-winter fastbridge, EE check in

May/June- spring fastbridge, EE goals scores

- d. Set date for Policy Committee- Meeting Tuesday, Dec. 2 at 2:15 PM at the 503 building.

## **XV. REVIEW OF NEXT MEETING AGENDA**

- a. Date, Time & Location of next Finance Committee Meeting: Tuesday, December 9, 2025 at 2:15 PM
  - i. Bringing ideas on how to increase or decrease expenses with the goal to find between \$100,000 and \$125,000
- b. Date, Time & Location of next Board Meeting: Tuesday, December 16, 2025 at 2:15 PM

Upcoming Agenda Items- FY26

Old Business

A board committee will review policies that were looked at by MSBA in December

New Business - all policies tabled to December following the policy review

**XVI. MOTION TO ADJOURN at 4:06 PM by AS, Seconded by RF. Board Vote- all aye- motion carries**



## Swan River Montessori Monthly Financials

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NOVEMBER 2025

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**EdFinMN**

FINANCE AND ACCOUNTING SERVICES FOR CHARTER  
SCHOOL AND EDUCATION SUPPORT ORGANIZATIONS

# Swan River Montessori Financial Highlights

## NOVEMBER 2025

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### Balance Sheet:

The School's balance sheet reflects the school's liquid assets and liabilities. The primary focus of the balance sheet is the cash balance and any material liabilities. Additionally, attention should be paid to the amount of the YTD state hold back. The highlights from the balance sheet are:

- \$1,034,926 Cash balance at end of the month
- \$70,832 State receivables which represents an initial estimate for the beginning of the accrual for the current year hold back
- (\$3,828) State receivables which represents the remaining amount due to the school from the state 10% holdback of the prior school year
- \$65,690 Salary and benefits payables estimated. This is for summer salaries as of month-end.

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### Income Statement

The focus of the school's income statement is to monitor the ongoing revenues and expenses of the various programs. A monthly review of the actual spent vs. budget as well as taking into consideration the percentage of the fiscal year completed is imperative. Yet, also understanding how each individual line-item functions will help the overall analysis. The highlights from the income statement are:

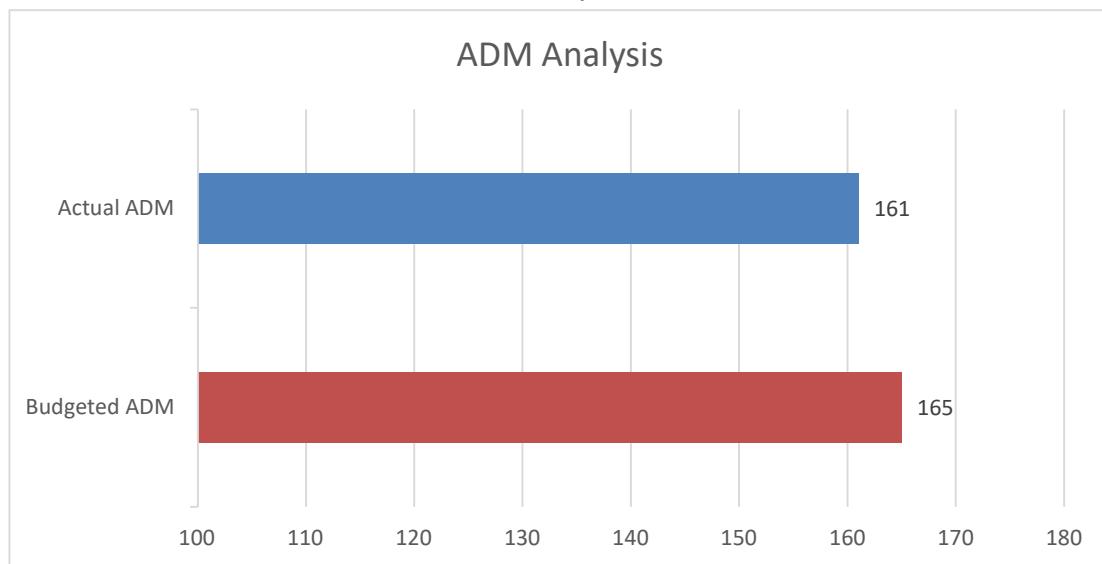
- Adopted Budget: 165 ADM
- Working Budget: 165 ADM
- Actual ADM 161
- 42% Percent of the fiscal year completed
- 41% YTD revenue as a percent of budget based on the working budget.
- 36% YTD expenses as a percent of budget based on the working budget.
- \$979,492 Projected year end fund balance
- 39% Projected ending fund balance as a % of expense budget

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### Cash Flow:

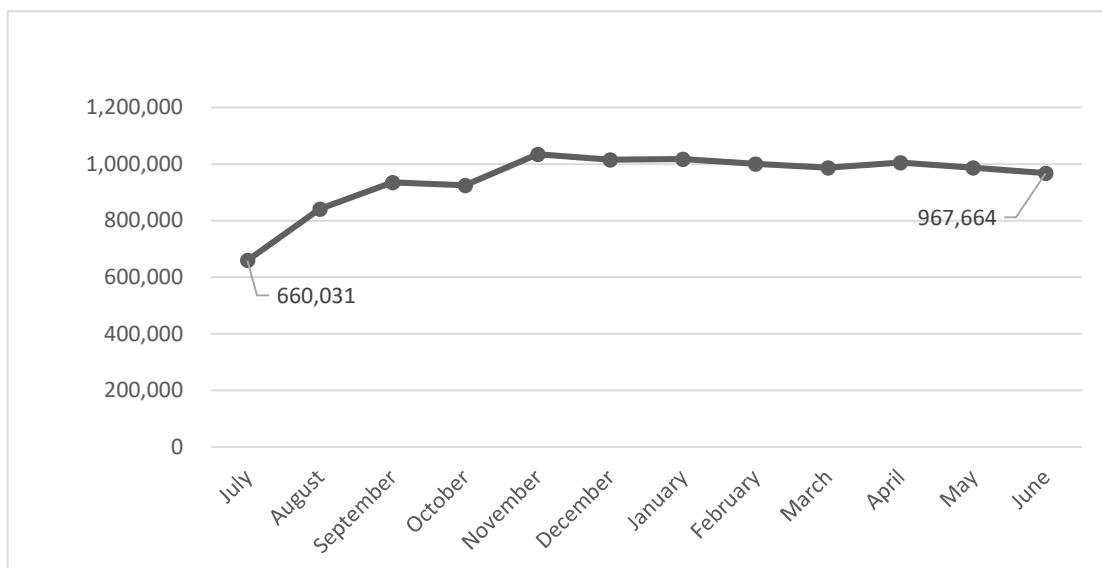
- Estimated cash balance as of June 30, 2026
- \$ 967,664

### Enrollment/ADM's

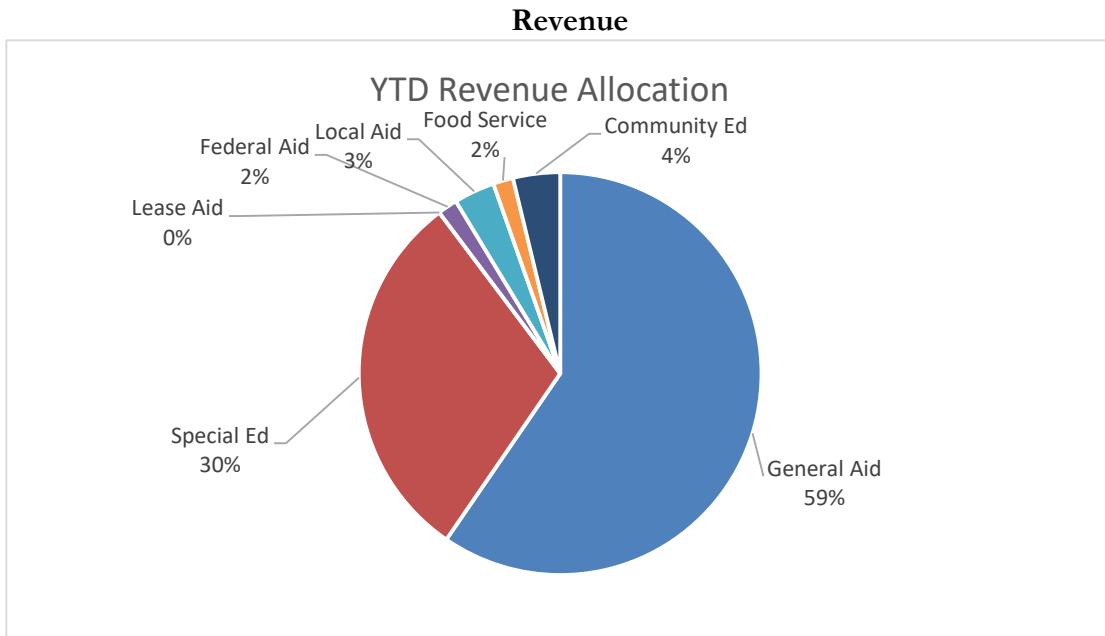


Monitoring the school's budgeted ADM vs. the actual ADM is one of the most important analytical revenue reviews. Variance from the budgeted ADM must be reviewed and understood.

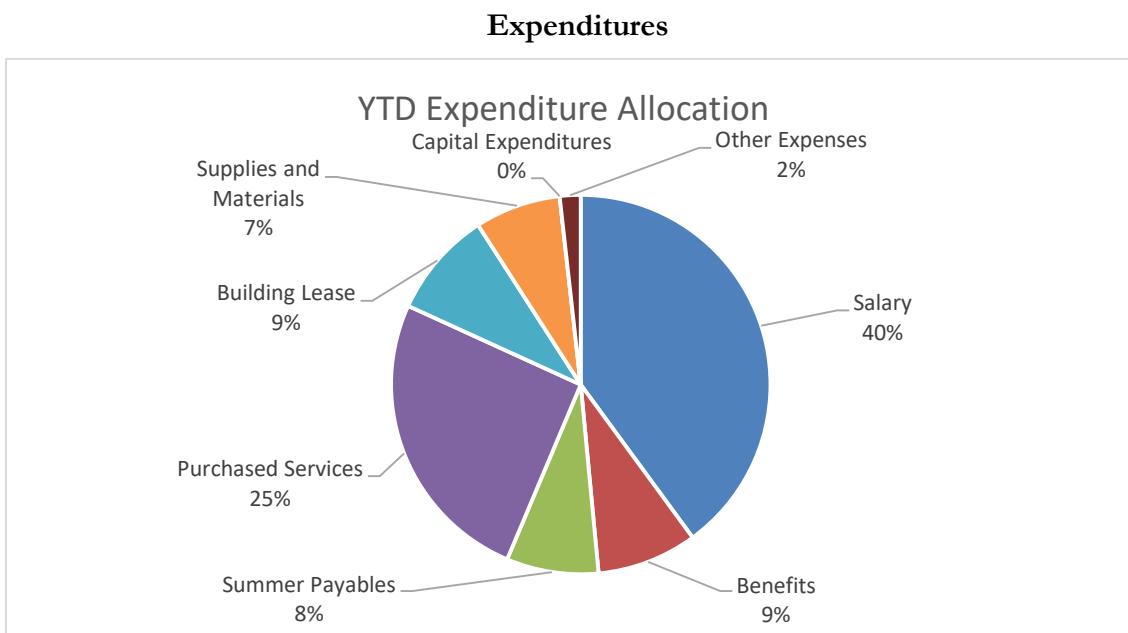
### Cash Flow Projection



Swan River's cash balance is expected to increase slightly during fiscal 2026.



The graph above reflects the revenue allocation the school has received from all revenue sources to date.



The graph above reflects the current year to date expenditure allocation across the school's major budget categories. This depiction helps identify how the school has spent their funds thus far.

**Swan River Montessori Charter School**  
**Balance Sheet**  
**As of November 30, 2025**

<b>Assets</b>	<b>As of Month-End</b>
Cash	1,034,926
MDE Receivable - Current year estimate	70,832
MDE Receivable - Prior year	(3,828)
Total Assets	\$ 1,101,930

<b>Liabilities</b>	<b></b>
Salary and Benefits Payable	\$ 65,690
Accounts Payable	13,468
Total Liabilities	\$ 79,158

<b>Fund Balance</b>	<b></b>
Beginning -Audited	\$ 852,976
Change in Fund Balance	169,796
Ending- Projected	\$ 1,022,772
Total Liabilities and Fund Balance	\$ 1,101,930

*\*\*Current year based on estimated, primarily for ADM numbers.\*\**

**Swan River Montessori Charter School**  
**Income Statement Summary**  
**As of November 30, 2025**

	<b>Adopted Budget -</b>		<b>Working Forecast -</b>		<b>Year to Date</b>	<b>% of Budget</b>
	<b>165 ADM</b>	<b>165 ADM</b>	<b>Monthly Activity</b>	<b>Year to Date</b>		
<b>Revenue</b>						
State Aids	\$ 2,402,172	\$ 2,402,172	\$ 312,926	\$ 1,000,145		41.6%
Federal Aids	133,246	133,246	16,047	21,303		16.0%
Local	103,725	103,725	12,555	58,869		56.8%
<b>Total</b>	<b>\$ 2,652,884</b>	<b>\$ 2,652,884</b>	<b>\$ 341,528</b>	<b>\$ 1,080,317</b>		<b>40.7%</b>
<b>Expense</b>						
Salary	\$ 1,176,531	\$ 1,176,531	\$ 111,963	\$ 363,676		30.9%
Benefits	295,437	295,437	20,733	77,832		26.3%
Summer Payables	-	-	-	71,697		NA
Purchased Services	619,905	619,905	37,849	231,711		37.4%
Supplies and Materials	223,023	223,023	13,455	66,688		29.9%
Capital Expenditures	174,578	174,578	16,532	82,658		47.3%
Other Expenses	36,894	36,894	260	16,259		44.1%
<b>Total</b>	<b>\$ 2,526,368</b>	<b>\$ 2,526,368</b>	<b>\$ 200,792</b>	<b>\$ 910,520</b>		<b>36.0%</b>
<b>Change in Fund Balance</b>						
<b>Beginning Fund Balance</b>	<b>\$ 126,516</b>	<b>\$ 126,516</b>	<b>\$ 140,736</b>	<b>\$ 169,796</b>		
<b>Ending- Projected</b>	<b>\$ 852,976</b>	<b>\$ 852,976</b>	<b>\$ 852,976</b>	<b>\$ 852,976</b>		
<b>\$ 979,492</b>	<b>\$ 979,492</b>	<b>\$ 993,712</b>	<b>\$ 1,022,772</b>			

FB as a % of Exp 39% 39%

Fund	Beginning Fund Balance 7/1/2025 -		Projected Revenues	Projected Expenditures	Projected Fund Balance 6/30/2026	Profit (Loss) CY
	Audited	Projected Revenues				
General Fund 1	\$ 782,025	2,395,348	2,283,940	893,433	111,408	
Food Service Fund 2	-	131,911	131,911	-	-	
Community Service Fund 4	70,951	125,625	110,517	86,059	15,108	
	<b>\$ 852,976</b>	<b>\$ 2,652,884</b>	<b>\$ 2,526,368</b>	<b>\$ 979,492</b>	<b>\$ 126,516</b>	

**Swan River Montessori Charter School**

**Detail Revenue**

**As of November 30, 2025**

**42% Year Complete**

	<b>Adopted Budget - 165 ADM</b>	<b>Working Forecast - 165 ADM</b>	<b>Monthly Activity</b>	<b>Year to Date</b>	<b>% of Budget</b>
<b>General Fund</b>					
<b>State Aid</b>					
General Aid	\$ 1,292,881	\$ 1,292,881	\$ 19,241	\$ 530,551	41%
Special Ed	731,483	731,483	233,530	304,572	42%
Compensatory	49,171	49,171	-	-	0%
Lease Aid	157,120	157,120	-	-	0%
Literacy Incentive Aid	17,793	17,793	-	-	0.0%
Hourly Worker Unemployment	37,574	37,574	29,062	29,062	77.3%
School Library Aid	20,000	20,000	8,912	8,912	44.6%
Student Support Aid	20,000	20,000	18,000	18,000	90.0%
Cybersecurity Grant	-	-	-	15,000	N/A
State Aid Receivables*	-	-	-	70,832	N/A
Total State Aid	\$ 2,326,022	\$ 2,326,022	\$ 308,745	\$ 976,929	42%
<b>Federal Aid</b>					
Title I	\$ 24,114	\$ 24,114	\$ -	\$ -	0%
Special Ed	26,312	26,312	16,047	16,047	61%
Total Federal Aid	\$ 50,426	\$ 50,426	\$ 16,047	\$ 16,047	32%
<b>Local Aid and Donation</b>					
Interest	\$ 500	\$ 500	\$ 680	\$ 3,151	630%
Miscellaneous	400	400	1,768	16,983	4245.7%
Donations and Other	10,000	10,000	-	-	0%
Fees for Services	8,000	8,000	635	12,718	159%
Total Local and Donation	\$ 18,900	\$ 18,900	\$ 3,083	\$ 32,852	174%
<b>Total General Fund Revenue</b>	<b>\$ 2,395,348</b>	<b">\$ 2,395,348</b">	<b">\$ 327,875</b">	<b">\$ 1,025,828</b">	<b>43%</b>
<b>Food Service Fund</b>					
State Revenue	\$ 35,350	\$ 35,350	\$ -	\$ 10,579	30%
Federal Revenue	82,820	82,820	-	5,256	6%
Transfer from General	13,741	13,741	-	-	0%
<b>Total Food Service Revenue</b>	<b">\$ 131,911</b">	<b">\$ 131,911</b">	<b">\$ 500</b">	<b>\$ 16,335</b>	<b>12%</b>
<b>Community Service Fund</b>					
Before/After School Care	\$ 40,800	\$ 40,800	\$ 4,181	\$ 12,636	31%
Children's House Tuition	84,825	84,825	8,973	25,518	30%
<b>Total Community Service Revenue</b>	<b">\$ 125,625</b">	<b>\$ 125,625</b>	<b>\$ 13,154</b>	<b>\$ 38,154</b>	<b>30%</b>
<b>Total Revenue- All Funds</b>	<b>\$ 2,652,884</b>	<b>\$ 2,652,884</b>	<b>\$ 341,528</b>	<b>\$ 1,080,317</b>	<b>41%</b>

**Swan River Montessori Charter School**  
**Detail Expense**  
**As of November 30, 2025**

FYTD: 42%

	Adopted Budget - 165 ADM	Working Forecast - 165 ADM	Monthly Activity	Year to Date	% of Budget
<b>Admin and Operations</b>					
100 Salaries	\$ 119,397	\$ 119,397	\$ 10,512	\$ 46,638	39%
200 Benefits	36,587	36,587	2,051	20,658	56%
305 Contracted Services	158,500	158,500	10,082	80,516	51%
320 Communication	5,971	5,971	2,042	2,671	45%
329 Postage	896	896	51	222	25%
330 Utilities	39,182	39,182	3,791	13,869	35%
340 Insurance	25,632	25,632	(521)	10,202	40%
350 Repairs & Maintenance	2,081	2,081	-	767	37%
366 Conferences/Professional Development	5,202	5,202	-	-	0%
401 General Supplies	23,881	23,881	855	8,430	35%
405 Purchased Software (405/406)	520	520	60	7,033	135.3%
490 Food	416	416	-	313	75%
570 Building Lease	174,578	174,578	16,532	82,658	47%
820 Dues & Memberships	21,995	21,995	247	14,567	66%
899 Misc Expenses - Missing Support	-	-	-	1,640	0%
910 Transfers to Other Funds	13,741	13,741	-	-	0%
<b>Total Admin and Operations</b>	<b>\$ 628,579</b>	<b>\$ 628,579</b>	<b>\$ 45,702</b>	<b>\$ 290,184</b>	<b>46%</b>
<b>Instructional Support and Services</b>					
100 Salaries	\$ 575,809	\$ 575,809	\$ 45,265	\$ 136,983	24%
200 Benefits	153,691	153,691	10,121	29,490	19%
1XX/2XX Summer Payable	-	-	-	41,889	NA
305 Contracted Services	-	-	5,670	11,475	0%
360 Transportation - Field Trips	13,183	13,183	678	678	5%
366 Conferences/Professional Development	6,615	6,615	-	785	12%
401 General Supplies	14,646	14,646	1,855	9,121	62%
405 Purchased Software (405/406)	-	-	2,000	3,890	0%
430 Instructional Supplies	31,244	31,244	372	2,870	9%
461 Standardized Tests	2,756	2,756	-	-	0%
820 Dues & Memberships	1,158	1,158	13	52	4%
<b>Total Instructional Support and Services</b>	<b>\$ 799,102</b>	<b>\$ 799,102</b>	<b>\$ 65,979</b>	<b>\$ 237,239</b>	<b>30%</b>

**Swan River Montessori Charter School**  
**Detail Expense**  
**As of November 30, 2025**

FYTD: 42%

	Adopted Budget - 165	Working Forecast -				
	ADM	165 ADM	Monthly Activity	Year to Date	% of Budget	
<b>Special Education</b>						
100 Salaries	\$ 377,118	\$ 377,118	\$ 51,278	\$ 154,814	41%	
200 Benefits	100,657	100,657	8,899	26,800	27%	
100 CEIS - Salaries	-	-	154	753	0%	
200 CEIS - Benefits	-	-	27	131	0%	
1XX/2XX Summer Payable	-	-	-	29,808	NA	
305 Contracted Services	7,525	7,525	7,918	28,274	376%	
360 Transportation - SPED & HHM	-	-	-	10,053	0%	
366 Conferences/Professional Development	1,186	1,186	-	852	72%	
394 Payments to Other Agencies	332,487	332,487	6,146	66,045	20%	
401 General Supplies	4,829	4,829	109	530	11%	
405 Purchased Software	1,984	1,984	-	2,748	139%	
430 Instructional Supplies	-	-	-	1,250	0%	
433 Instructional Supplies- Ind	9,104	9,104	-	-	0%	
<b>Total Special Education</b>	<b>\$ 834,890</b>	<b>\$ 834,890</b>	<b>\$ 74,531</b>	<b>\$ 322,058</b>	<b>39%</b>	
<b>Title Programs</b>						
100 Salaries	16,867	16,867	(2,972)	-	0%	
200 Benefits	4,502	4,502	(519)	-	0%	
<b>Total Title Programs</b>	<b>21,369</b>	<b>21,369</b>	<b>(3,491)</b>	<b>-</b>	<b>0%</b>	
<b>Total General Fund Expenditures</b>	<b>\$ 2,283,940</b>	<b>\$ 2,283,940</b>	<b>\$ 182,722</b>	<b>\$ 849,480</b>	<b>37%</b>	
<b>Food Service Fund</b>						
401 General Supplies	-	-	1,038	2,599	0%	
490 Food	131,911	131,911	6,013	26,231	20%	
<b>Total Food Service</b>	<b>\$ 131,911</b>	<b>\$ 131,911</b>	<b>\$ 8,186</b>	<b>\$ 29,966</b>	<b>23%</b>	
<b>Community Ed Fund</b>						
100 Salaries	\$ 87,340	\$ 87,340	\$ 7,880	\$ 25,241	29%	
200 Benefits	21,202	21,202	1,991	5,302	25%	
394 Field Trips	243	243	-	-	0%	
401 General Supplies	1,489	1,489	13	531	36%	
820 Dues & Memberships	243	243	-	-	0%	
<b>Total Community Ed</b>	<b>\$ 110,517</b>	<b>\$ 110,517</b>	<b>\$ 9,884</b>	<b>\$ 31,074</b>	<b>28%</b>	
<b>Total Expense- All Funds</b>	<b>\$ 2,526,368</b>	<b>\$ 2,526,368</b>	<b>\$ 200,792</b>	<b>\$ 910,520</b>	<b>36%</b>	

Swan River Montessori Charter School  
 CashFlow Summary  
 As of November 30, 2025

7 Months Remaining

	Monthly Activity												Budget	Remaining
	Year to Date	December	January	February	March	April	May	June	Total	Year to Date	Remaining	Year to Date		
<b>Cash Receipts</b>														
State Aids- Current Year	\$ 2,326,022	\$ 308,745	\$ 906,097	\$ 171,120	\$ 171,326	\$ 177,145	\$ 171,120	\$ 171,326	\$ 2,110,374	\$ 2,326,022	\$ 215,648			
State Aids- Prior Year	(3,828)	-	-	8,521	1,807	-	25,336	-	35,664	(3,828)	-			
Federal - Current Year	50,426	16,047	-	12,607	-	12,607	-	-	25,213	50,426	25,213			
Local	144,525	16,236	71,005	10,503	10,503	10,503	10,503	10,503	144,525	144,525	-			
Food Service	131,911	500	16,335	15,685	15,685	15,685	15,685	15,685	126,132	131,911	5,779			
Total Inflows	\$ 2,649,056	\$ 341,528	\$ 993,438	\$ 197,308	\$ 218,436	\$ 199,321	\$ 203,333	\$ 235,251	\$ 197,514	\$ 2,441,908	\$ 2,649,056	\$ 246,640		
<b>Expense</b>														
Salary	\$ 1,176,531	\$ 111,963	\$ 363,676	\$ 98,044	\$ 98,044	\$ 98,044	\$ 98,044	\$ 98,044	\$ 1,049,986	\$ 1,176,531	\$ 126,545			
Benefits	295,437	21,071	77,832	24,620	24,620	24,620	24,620	24,620	250,170	295,437	45,267			
Purchased Services	619,905	37,849	231,711	55,456	55,456	55,456	55,456	55,456	619,905	619,905	-			
Supplies and Materials	223,023	13,455	66,688	22,334	22,334	22,334	22,334	22,334	223,023	223,023	-			
Capital Expenditures	174,578	16,532	82,658	13,131	13,131	13,131	13,131	13,131	174,578	174,578	-			
Other Expenses	36,894	260	16,259	2,948	2,948	2,948	2,948	2,948	36,894	36,894	-			
Accounts Payable	-	-	-	-	-	-	-	-	-	-	-			
Total Outflows	\$ 2,526,368	\$ 201,130	\$ 838,823	\$ 216,533	\$ 216,533	\$ 216,533	\$ 216,533	\$ 216,533	\$ 216,533	\$ 2,354,556	\$ 2,526,368	\$ 171,812		
			<b>Change in Cash</b>	<b>\$ (19,225)</b>	<b>\$ 1,902</b>	<b>\$ (17,212)</b>	<b>\$ (13,200)</b>	<b>\$ 18,717</b>	<b>\$ (19,019)</b>	<b>\$ (19,225)</b>	<b>\$ 87,352</b>			
			<b>Beginning</b>	<b>\$ 1,034,926</b>	<b>\$ 1,015,701</b>	<b>\$ 1,017,603</b>	<b>\$ 1,000,391</b>	<b>\$ 987,191</b>	<b>\$ 1,005,908</b>	<b>\$ 986,889</b>				
			<b>Line of Credit</b>	<b>\$ -</b>	<b>\$ -</b>									
			<b>Ending- Projected</b>	<b>\$ 1,015,701</b>	<b>\$ 1,017,603</b>	<b>\$ 1,000,391</b>	<b>\$ 987,191</b>	<b>\$ 1,005,908</b>	<b>\$ 986,889</b>	<b>\$ 967,664</b>			<b>Days Cash on Hand</b>	
													150	

# NOTES TO THE FINANCIAL STATEMENTS

## NOVEMBER 2025

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- The financial statements are drafted on an accrual basis of accounting.
- The financial statements are drafted based on information received from the school's leadership.
- The numbers are subject to change based on timing of information received from the school.
- The school's budget is based on full accrual projections as of the end of the fiscal year.
- This report is unaudited and is prepared for internal use only.

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[info@edfinmn.org](mailto:info@edfinmn.org)

**Swan River Montessori # 4137**  
**Receipt Listing Report with Detail by Deposit**

Deposit Co	Bank	Batch Rct No	Receipt Type	Receipt St	Receipt Date	Pmt Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount
3393	4137	SHBC D1125	3450	Credit A	11/10/25		Check	1					19,240.96	0.00	
11.15.25 IDEAS						4137 R 01 005 000 000 211			General Education Aid				52,864.73	0.00	
						4137 R 01 005 000 000 360			State Special Education Aid				\$72,105.69	\$0.00	
												Receipt Total:			
												<b>Deposit Total:</b>	<b>\$72,105.69</b>	<b>\$0.00</b>	
3394	4137	SHBC D1125	3451	Credit A	11/18/25		Check	1					13,743.00	0.00	
11.18.25 IDEAS						4137 R 01 005 000 419 400			Fed SpEd Revenue				1,535.83	0.00	
						4137 R 01 005 000 414 400			Federal Aids & Grant				767.92	0.00	
						4137 R 01 005 000 414 400			Federal Aids & Grant				\$16,046.75	\$0.00	
												Receipt Total:			
												<b>Deposit Total:</b>	<b>\$16,046.75</b>	<b>\$0.00</b>	
3395	4137	SHBC D1125	3452	Credit A	11/30/25		Check	1					8.30	0.00	
11.30.25 IDEAS						4137 B 01 121 000			FY25-S211				8,912.33	0.00	
						4137 R 01 005 000 343 300			Library Aid Revenue				18,000.00	0.00	
						4137 R 01 005 000 373 300			Student Support Personnel Aid				29,061.54	0.00	
						4137 R 01 005 000 369			Other Revenue from Other St				180,665.73	0.00	
						4137 R 01 005 000 740 360			State Special Education Aid				\$236,647.90	\$0.00	
												Receipt Total:			
												<b>Deposit Total:</b>	<b>\$236,647.90</b>	<b>\$0.00</b>	
3396	4137	SHBC D1125	3453	Credit A	11/04/25		Check	1					1,450.00	0.00	
11.04.25 School Deposit						4137 R 04 005 505 000 040			EC Tuition				2,150.00	0.00	
						4137 R 04 005 505 007 000			EX Care Tuition				50.00	0.00	
						4137 R 01 005 000 000 099			Misc Local Revenue				\$3,650.00	\$0.00	
												Receipt Total:			
												<b>Deposit Total:</b>	<b>\$3,650.00</b>	<b>\$0.00</b>	
3397	4137	SHBC D1125	3454	Credit A	11/21/25		Check	1					6,022.50	0.00	
11.21.25 School Deposit						4137 R 04 005 505 000 040			EC Tuition				546.00	0.00	
						4137 R 01 005 000 000 050			EX Care Tuition				170.00	0.00	
												Receipt Total:			
												<b>Deposit Total:</b>	<b>\$3,650.00</b>	<b>\$0.00</b>	

**Swan River Montessori # 4137**  
**Receipt Listing Report with Detail by Deposit**

Deposit Co	Bank	Batch Rct No	Receipt Type	Receipt St	Receipt Date	Pmt Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount
3397	4137	SHBC D1125	3454	Credit A	11/21/25		Check	1						75.00	0.00
11.21.25 School Deposit						4137 R 01 005 000 000 050								521.00	0.00
						4137 E 01 005 940 000 000 340								678.00	0.00
						4137 R 01 005 000 000 099								1,015.07	0.00
						4137 R 01 005 000 000 372 071									
													Receipt Total:	\$9,027.57	\$0.00
													<b>Deposit Total:</b>	<b>\$9,027.57</b>	<b>\$0.00</b>
3398	4137	SHBC D1125	3455	Credit A	11/03/25		Check	1						390.00	0.00
11.03.25 School Deposit						4137 R 01 005 000 000 050							Receipt Total:	\$390.00	\$0.00
													<b>Deposit Total:</b>	<b>\$390.00</b>	<b>\$0.00</b>
3399	4137	SHBC D1125	3456	Credit A	11/30/25		Check	1						679.50	0.00
Interest Nov						4137 R 01 005 000 000 092							Receipt Total:	\$679.50	\$0.00
													<b>Deposit Total:</b>	<b>\$679.50</b>	<b>\$0.00</b>
3400	4137	SHBC D1125	3457	Credit A	11/30/25		Check	1							
TSYS Nov						4137 R 04 005 505 000 000 040							1,500.00	0.00	
						4137 R 04 005 505 007 000 040							1,485.00	0.00	
						4137 R 01 005 000 000 099							25.00	0.00	
													Receipt Total:	\$3,010.00	\$0.00
													<b>Deposit Total:</b>	<b>\$3,010.00</b>	<b>\$0.00</b>
													Report Total:	\$341,557.41	\$0.00

**District # 4137****Swan River Montessori # 4137****Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	1053			<b>City of Monticello</b>		Wire
PO#:	Voucher #:	14484	Invoice	E 01 005 810 000 000 330	Water & Sewer 500 Maple St 09/01/25-09/30/25	\$241.48
PO#:	Voucher #:	14485	Invoice	E 01 005 810 000 000 330	Invoice No: DT10625 11/5/2025 Water & Sewer 503 Maple 09/01/25-09/30/25	\$139.87
SHBC	1616			<b>MedSurety</b>		Wire
PO#:	Voucher #:	14486	Invoice	E 01 005 110 000 000 305	HSA Fee	\$381.35
SHBC	1639			<b>TSYS</b>		Wire
PO#:	Voucher #:	14483	Invoice	E 01 005 110 000 000 305	Invoice No: DT110525 11/5/2025 Payment Processing Fees -Nov	\$30.00
SHBC	1001			<b>PERA</b>		Wire
PO#:	Voucher #:	14440	Invoice	B 01 215 007	Invoice No: DT110325 PERA	\$230.09
SHBC	1002			<b>TRA</b>		Wire
PO#:	Voucher #:	14441	Invoice	B 01 215 006	Invoice No: S2026080 TRA	\$3,228.61
SHBC	1566			<b>IRS</b>		Wire
PO#:	Voucher #:	14442	Invoice	B 01 215 002	Invoice No: S2026080 Federal Tax	\$10,562.02
SHBC	1616			<b>MedSurety</b>		Wire
PO#:	Voucher #:	14438	Invoice	B 01 215 016	Payroll Deductions-Vision	\$731.68
SHBC	1567			<b>MN Dept. Revenue</b>		Wire
PO#:	Voucher #:	14439	Invoice	B 01 215 003	Invoice No: S2026080 State Tax	\$1,582.09

**District # 4137****Swan River Montessori # 4137****Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	1052			Centerpoint Energy		Wire
PO#:	Voucher #:	E 01 005	810 000	000 330	Gas Charges 500 Maple 09/10/25-10/09/25	\$106.78
PO#:	Voucher #:	14488	Invoice	Invoice No: DT101325	11/12/2025	Paid Amt: \$106.78 Check Amount: \$106.78
SHBC	1052			Centerpoint Energy		Wire
PO#:	Voucher #:	E 01 005	810 000	000 330	Gas Charges 503 Maple -09/10/25-10/09/25	\$19.45
PO#:	Voucher #:	14487	Invoice	Invoice No: DT101325	11/12/2025	Paid Amt: \$19.45 Check Amount: \$19.45
SHBC	1054			Xcel Energy		Wire
PO#:	Voucher #:	E 01 005	810 000	000 330	Electric Charges 09/03/25-10/10/25	\$2,187.80
PO#:	Voucher #:	14490	Invoice	Invoice No: 948681836	11/12/2025	Paid Amt: \$2,187.80 Check Amount: \$2,187.80
SHBC	1109			MACS (MN Ass of Charter Schls)		Wire
PO#:	Voucher #:	E 01 005	110 000	000 820	MACS-November	\$246.87
PO#:	Voucher #:	14489	Invoice	Invoice No: DT111025	11/12/2025	Paid Amt: \$246.87 Check Amount: \$246.87
SHBC	1050			SRCS Building Co		Wire
PO#:	Voucher #:	E 01 005	850 000	348 570	Lease -November	\$16,531.67
PO#:	Voucher #:	14492	Invoice	Invoice No: DT111425	11/18/2025	Paid Amt: \$16,531.67 Check Amount: \$16,531.67
SHBC	1369			EMC Insurance Companies		Wire
PO#:	Voucher #:	E 01 005	940 000	000 340	Property insurance	\$2,680.22
PO#:	Voucher #:	14491	Invoice	Invoice No: 6X36776	11/18/2025	Paid Amt: \$2,680.22 Check Amount: \$2,680.22
SHBC	1644			Nelnet		Wire
PO#:	Voucher #:	E 01 005	110 000	000 305	Payment Processing Fees -Nov	\$3.28
PO#:	Voucher #:	14493	Invoice	Invoice No: DT111825	11/18/2025	Paid Amt: \$3.28 Check Amount: \$3.28
SHBC	1001			PERA		Wire
PO#:	Voucher #:	B 01 215	007	PERA	11/25/2025	\$3,372.92
PO#:	Voucher #:	14468	Invoice	Invoice No: S2026090	11/25/2025	Paid Amt: \$3,372.92 Check Amount: \$3,372.92
SHBC	1002			TRA		Wire
PO#:	Voucher #:	B 01 215	006	TRA		\$5,794.35
PO#:	Voucher #:	14469	Invoice	Invoice No: S2026090	11/25/2025	Paid Amt: \$5,794.35 Check Amount: \$5,794.35

**District # 4137****Swan River Montessori # 4137****Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N**Page 3 of 8  
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Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	1222			Blue Cross/Blue Shield of MN		Wire
PO#:	Voucher #:	B 01	215 009		Insurance Premiums Nov	\$388.40
PO#:	Voucher #:	14494	Invoice	Invoice No: 251002241105	11/25/2025	Paid Amt: \$388.40 Check Amount: \$388.40
SHBC	1566			IRS		Wire
PO#:	Voucher #:	B 01	215 002		Federal Tax	\$10,815.68
PO#:	Voucher #:	14470	Invoice	Invoice No: S2026090	11/25/2025	Paid Amt: \$10,815.68 Check Amount: \$10,815.68
SHBC	1567			MN Dept. Revenue		Wire
PO#:	Voucher #:	B 01	215 003		State Tax	\$1,632.35
PO#:	Voucher #:	14467	Invoice	Invoice No: S2026090	11/25/2025	Paid Amt: \$1,632.35
SHBC	1616			MedSurety		Wire
PO#:	Voucher #:	B 01	215 016		Payroll Deductions-Vision	\$1,981.70
PO#:	Voucher #:	14466	Invoice	Invoice No: S2026090	11/25/2025	Paid Amt: \$1,981.70 Check Amount: \$1,981.70
SHBC	1530			Sherburne State Bank		Wire
PO#:	Voucher #:	E 01	005 110 000 000	305	Service Charge	\$35.00
PO#:	Voucher #:	14496	Invoice	Invoice No: DT1113025	11/30/2025	Paid Amt: \$35.00 Check Amount: \$35.00
SHBC	1530			Sherburne State Bank		Wire
		E 01	005 810 000 000	401	Facility Supplies	\$98.27
		E 01	005 110 000 000	320	Communications	\$2,042.26
		E 01	005 110 000 000	329	Postage	\$50.63
		E 01	005 110 000 000	401	Office Supplies	<b>(<span style="color:red">(\$231.28)</span>)</b>
		E 01	005 110 000 000	405	Adobe	\$60.00
		E 01	005 720 000 000	401	Nursing Supplies	\$134.35
		E 01	010 203 000 000	220	Benefits	\$440.33
		E 01	010 203 000 000	401	Classroom Supplies	\$1,739.63
		E 01	010 203 000 000	820	Spotify	\$12.93
		E 01	010 203 000 000	430	Student Supplies	\$41.09
		E 01	010 203 000 000	401	Art Supplies	\$115.00
		E 01	010 420 000 019	401	SpEd Supplies	\$108.70

**District # 4137****Swan River Montessori # 4137****Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N**Page 4 of 8  
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Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	1530			<b>Sherburne State Bank</b>		
PO#:	Voucher #:	14510	Invoice	Invoice No: DT111925	11/19/2025	
SHBC	18710	1204		<b>Adam's Pest Control, Inc.</b>		
PO#:	Voucher #:	14415	Invoice	Invoice No: 4286801	11/3/2025	
		E 01 005	810 000 000	305 Prevention Plus	\$85.00	
		E 01 005	810 000 000	305 Prevention Pro	\$150.00	
		E 01 005	110 000 000	305 Finance Charge	\$3.03	
PO#:	Voucher #:	14416	Invoice	Invoice No: 4206756	11/3/2025	
		E 01 005	810 000 000	305 Prevention Pro	\$150.00	
PO#:	Voucher #:	14417	Invoice	Invoice No: 4287015	11/3/2025	
		E 01 010	420 000 740	394 SpEd Social worker 10/06/26-10/15/25 63h @ \$	\$5,670.00	
		E 01 005	740 000 000	305 Social worker 10/06/26-10/15/25	\$90.00	
		E 01 010	420 000 740	394 SpEd Social worker 10/06/26-10/15/25 63h @ \$	(\$5,670.00)	
		E 01 010	710 000 373	377 SpEd Social worker 10/06/26-10/15/25 63h @ \$	\$5,670.00	
PO#:	Voucher #:	14414	Invoice	Invoice No: SR10152025	11/3/2025	
		B 01 215	011	Supplemental Benefits- 10/01/25, 10/16/25	\$61.84	
SHBC	18712	1612		<b>Colonial Life</b>		
PO#:	Voucher #:	14418	Invoice	Invoice No: 5714381-1001261	11/3/2025	
SHBC	18713	1482		<b>Designs for Learning INC</b>		
PO#:	Voucher #:	14419	Invoice	Invoice No: 26-1141	11/3/2025	
SHBC	18714	1636		<b>EdFinMN</b>		
PO#:	Voucher #:	14420	Invoice	Invoice No: 2706	11/3/2025	
SHBC	18716	1245		<b>Innovative Office Solutions</b>		
PO#:	Voucher #:	14422	Invoice	Invoice No: IN4956503	11/3/2025	
		E 01 005	810 000 000	401 Facility Supplies	\$88.56	
		E 01 005	110 000 000	401 Copy Paper	\$439.00	

**District # 4137****Swan River Montessori # 4137****Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	18716 1245			Innovative Office Solutions		Check
PO#:	Voucher #:	E 01 005 810 000 000 401		Heater		\$43.67
PO#:	Voucher #:	14423	Invoice	Invoice No: IN4962094	11/3/2025	Paid Amt: \$482.67 Check Amount: \$571.23
SHBC	18717 1618			MN PEIP		Check
PO#:	Voucher #:	B 01 215 015		Health Insurance -Nov		\$6,598.20
PO#:	Voucher #:	14424	Invoice	Invoice No: 1561503	11/3/2025	Paid Amt: \$6,598.20 Check Amount: \$6,598.20
SHBC	18718 1071			MN School Boards Association		Check
PO#:	Voucher #:	E 01 005 110 000 000 305		2025 Policy Audit		\$1,500.00
PO#:	Voucher #:	14425	Invoice	Invoice No: INV-14295-R7V4K0	11/3/2025	Paid Amt: \$1,500.00 Check Amount: \$1,500.00
SHBC	18719 1661			Nova Education Consultants		Check
PO#:	Voucher #:	E 01 010 420 000 740 394		BVI Services K Zehowski 10/05/25-10/15/25		\$218.75
PO#:	Voucher #:	E 01 010 420 000 419 303		SpEd Director K Zehowski 10/05/25-10/15/25		\$2,137.50
PO#:	Voucher #:	E 01 010 410 000 740 394		OT Service E Boughner 10/05/25-10/15/25		\$2,410.50
PO#:	Voucher #:	E 01 010 420 000 740 394		BVI Services K Zehowski 10/05/25-10/15/25		(\$218.75)
PO#:	Voucher #:	E 01 010 406 000 740 394		BVI Services K Zehowski 10/05/25-10/15/25		\$218.75
SHBC	18720 1258			Premier Kitchen, Inc.		Check
PO#:	Voucher #:	E 02 005 770 000 701 490		Lunch 0/01/25-10/15/25		\$4,625.80
PO#:	Voucher #:	E 02 005 770 000 705 490		Breakfast 10/01/25-10/15/25		\$2,520.00
PO#:	Voucher #:	E 02 005 770 000 701 401		Supplies		\$55.00
SHBC	18721 1131			REGION V COMPUTER SERVICES		Check
PO#:	Voucher #:	E 01 005 110 000 000 405		Quarterly Membership Fee FY26 Q2		\$1,969.00
PO#:	Voucher #:	14428	Invoice	Invoice No: 18271	11/3/2025	Paid Amt: \$1,969.00 Check Amount: \$1,969.00
SHBC	18722 1656			Tammy Robinson		Check
PO#:	Voucher #:	E 01 005 110 000 000 305		Sub License		\$57.00
PO#:	Voucher #:	E 04 005 505 000 000 401		Extended Care Supplies		\$199.46
PO#:	Voucher #:	14429	Invoice	Invoice No: DT082625	11/3/2025	Paid Amt: \$256.46 Check Amount: \$256.46

**District # 4137****Swan River Montessori # 4137****Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	18723 1606			The Master Teacher		Check
PO#:	Voucher #:	E 01 010 420 640 419 366		Para educator Online Training	\$207.00	Paid Amt: \$207.00
PO#:	Voucher #:	14430	Invoice	Invoice No: 116809990	11/3/2025	Check Amount: \$207.00
SHBC	18724 1466			The McDowell Agency, INC		Check
PO#:	Voucher #:	E 01 005 110 000 000 305		Background Checks	\$16.50	Paid Amt: \$16.50
PO#:	Voucher #:	14431	Invoice	Invoice No: 164929	11/3/2025	Check Amount: \$16.50
SHBC	18725 1706			Victory Building Services		Check
PO#:	Voucher #:	E 01 005 810 000 000 401		Cleaning Supplies	\$421.90	Paid Amt: \$421.90
PO#:	Voucher #:	14433	Invoice	Invoice No: 0628557	11/3/2025	Check Amount: \$421.90
SHBC	18726 1067			WH Security, LLC		Check
PO#:	Voucher #:	E 01 005 810 000 000 305		Down Payment for New Doors/Security/Camera	\$1,664.50	Paid Amt: \$1,664.50
PO#:	Voucher #:	E 01 005 810 000 000 305		Invoice No: 24470	11/3/2025	
PO#:	Voucher #:	E 01 005 810 000 000 305		Down Payment for New Doors/Security/Camera	\$3,992.50	Paid Amt: \$3,992.50
PO#:	Voucher #:	E 01 005 810 000 000 305		Invoice No: 24468	11/3/2025	
PO#:	Voucher #:	E 01 005 810 000 000 305		Down Payment for New Doors/Security/Camera	\$6,536.50	Paid Amt: \$6,536.50
PO#:	Voucher #:	E 01 005 810 000 000 305		Invoice No: 24467	11/3/2025	
SHBC	18727 1222			Blue Cross/Blue Shield of MN		Check
PO#:	Voucher #:	B 01 215 016		Insurance Premiums Oct Vision	\$86.96	Paid Amt: \$86.96
PO#:	Voucher #:	14449	Invoice	Invoice No: 251031459428	11/13/2025	Check Amount: \$86.96
SHBC	18728 1704			Coordinated Business Systems, LTD		Check
PO#:	Voucher #:	E 01 005 110 000 000 465		Copier 10/01/25-10/31/25	\$354.48	Paid Amt: \$354.48
PO#:	Voucher #:	14450	Invoice	Invoice No: INV498175	11/13/2025	Check Amount: \$354.48
SHBC	18729 1662			Esterbrooks Certified Public Accountants, Ltd		Check
PO#:	Voucher #:	E 01 005 110 000 000 305		Audit Services	\$4,830.00	Paid Amt: \$4,830.00
PO#:	Voucher #:	14451	Invoice	Invoice No: 143253	11/13/2025	Check Amount: \$4,830.00
SHBC	18730 1070			Hoglund Transportation, Inc.		Check
PO#:	Voucher #:	E 01 005 760 000 733 360		Transportation Field Trip	\$678.00	Paid Amt: \$678.00
PO#:	Voucher #:	14452	Invoice	Invoice No: 216319	11/13/2025	Check Amount: \$678.00

**District # 4137****Swan River Montessori # 4137****Detail Payment Register By Check****Check Number: 0-2147483647 Payment Date: 11/01/2025-11/30/2025 Period: 202605-202605 Void Status: N**

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
SHBC	18731 1245			Innovative Office Solutions		Check
PO#:	Voucher #:	E 01 005 810 000 000 401		Facility Supplies		\$58.48
PO#:	Voucher #:	14453	Invoice	Invoice No: IN4970167	11/13/2025	Paid Amt: \$58.48 Check Amount: \$58.48
SHBC	18732 1549			Loffler Companies, INC		Check
PO#:	Voucher #:	E 01 005 110 000 000 465		Copier - computer service		\$149.50
PO#:	Voucher #:	14454	Invoice	Invoice No: 5172880	11/13/2025	Paid Amt: \$149.50 Check Amount: \$149.50
SHBC	18733 1272			Minnesota Dept. of Health		Check
PO#:	Voucher #:	E 02 005 770 000 000 305		Food License Renewal		\$1,135.00
PO#:	Voucher #:	14457	Invoice	Invoice No: 25377	11/13/2025	Paid Amt: \$1,135.00 Check Amount: \$1,135.00
SHBC	18734 1699			Navigate Care Consulting		Check
PO#:	Voucher #:	E 01 005 720 000 000 305		GenEd Nursing 10/07/25-10/21/25		\$1,561.00
PO#:	Voucher #:	14456	Invoice	Invoice No: INV-000685	11/13/2025	Paid Amt: \$1,561.00 Check Amount: \$1,561.00
SHBC	18735 1661			Nova Education Consultants		Check
PO#:	Voucher #:	E 01 010 420 000 740 394		BVI K Zehowski 10/16/25-10/31/25 4.25h @ \$1:		\$531.25
PO#:	Voucher #:	E 01 010 410 000 740 394		OTE Boughner 10/16/25-10/31/25 52.25h @ \$1:		\$4,478.50
PO#:	Voucher #:	E 01 010 420 000 740 394		SpEd Psych J Korolowski 10/16/25-10/31/25 .5h		\$60.00
PO#:	Voucher #:	E 01 010 420 000 419 303		SpEd Director K Zehowski 10/16/25-10/31/25 3c		\$5,180.75
PO#:	Voucher #:	14455	Invoice	Invoice No: 3735	11/13/2025	Paid Amt: \$10,250.50 Check Amount: \$10,250.50
SHBC	18736 1633			Patty Barnes		Check
PO#:	Voucher #:	E 04 005 505 000 000 490		Reimbursement- Snacks		\$12.97
PO#:	Voucher #:	14458	Invoice	Invoice No: DT103025	11/13/2025	Paid Amt: \$12.97 Check Amount: \$12.97
SHBC	18737 1258			Premier Kitchen, Inc.		Check
PO#:	Voucher #:	E 02 005 770 000 701 490		Lunch 10/16/25-10/31/25		\$4,145.20
PO#:	Voucher #:	E 02 005 770 000 705 490		Breakfast 10/16/25-10/31/25		\$1,867.50
PO#:	Voucher #:	E 02 005 770 000 701 401		Supplies		\$130.00
PO#:	Voucher #:	R 02 005 770 000 701 601		Commodity Credit		(\$500.00)
PO#:	Voucher #:	14459	Invoice	Invoice No: 40505	11/13/2025	Paid Amt: \$5,642.70 Check Amount: \$5,642.70

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt/Void	Pmt Type
SHBC	18738 1452			Reno Mothes			Check
PO#:	Voucher #:	14460	Invoice		DAPE 10/03/25-10/31/25 6.75lh @ \$100	\$675.00	
PO#:	Voucher #:	14460	Invoice	Invoice No: SWR-0003	11/13/2025	Paid Amt: \$675.00	Check Amount: \$675.00
SHBC	18739 1706			Victory Building Services			Check
PO#:	Voucher #:	14462	Invoice	E 01 005 810 000 000 305	Janitorial Service	\$2,056.20	
PO#:	Voucher #:	14461	Invoice	Invoice No: 0628600	11/13/2025	Paid Amt: \$2,056.20	
PO#:	Voucher #:	14461	Invoice	E 01 005 810 000 000 401	Facility Supplies	\$194.40	
SHBC	18740 1067			WH Security, LLC			Check
PO#:	Voucher #:	14463	Invoice	E 01 005 810 000 000 330	Alarm monitoring	\$27.95	
PO#:	Voucher #:	14463	Invoice	Invoice No: DT111325	11/13/2025	Paid Amt: \$27.95	Check Amount: \$27.95
SHBC	18741 1275			WM Corporate Services, INC			Check
PO#:	Voucher #:	14464	Invoice	E 01 005 810 000 000 330	Trash Service October	\$1,067.30	
PO#:	Voucher #:	14464	Invoice	Invoice No: 7401144-1767-9	11/13/2025	Paid Amt: \$1,067.30	Check Amount: \$1,067.30
						Report Total:	\$149,133.05

# Monticello School District 882

## 2026-27 Calendar

July 26						
SU	M	TU	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

No School  
Elementary Only No School  
No School/Teacher Workshop  
Last Day of School  
High School Only Digital Learning Day

September 26						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 26						
SU	M	TU	W	TH	F	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 26						
SU	M	TU	W	TH	F	S
			1	2	3	
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 26						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 27						
SU	M	TU	W	TH	F	S
			1	2		
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 27						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 27						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

April 27						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 27						
SU	M	TU	W	TH	F	S
			1			
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					



June 27						
SU	M	TU	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



### Notes

August 20 & 24 New Teacher Workshop

TBD SPED Workshop Day

August 24-27 & 31 Workshop Week

**September 1 First Day of School Grade 6-12**

**September 2 First Day of School Grade 1-5**

**September 3 First Day of School PreK & K**

September 7 No School - Labor Day

No School - Fall Break

No School - Staff Workshop

November 3 High School Only Digital Learning Day

No School - Staff Workshop - Elementary Only

No School - Elem Conferences/Secondary Workshop

No School - Thanksgiving Break

No School - Winter/Holiday Break

No School - Staff Workshop

No School - Staff Workshop

No School - Presidents' Day

No School - Staff Workshop

No School - Spring Break/Good Friday

No School

May 28 Seniors Last Day of School

No School - Memorial Day

Last Day of School

June 4 Teacher Workshop/Graduation

### Trimesters

Sept 1-Nov 20 First Trimester 55 days

Nov 30-Mar 3 Second Trimester 57 days

March 8 -June 3 Third Trimester 57 days

**District-Wide Welcome Back Days: August 26**

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 421 Charter

*Orig. 1995 (as ISD Policy)*

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

*Orig. 2022 (as Charter Policy)*

*Rev. 2025*

## **421 GIFTS TO EMPLOYEES AND CHARTER SCHOOL BOARD MEMBERS**

### **I. PURPOSE**

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to charter school employees and school board members.

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

- A. The charter school recognizes that students, parents, and others may wish to show appreciation to school employees. The policy of the charter school, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The executive director has discretion to determine what value is "insignificant."
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the charter school. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school.
- F. An elected or appointed member of a school board, an executive director, a school principal, or a charter school officer, including the school business official, may not accept a gift from an interested person. Members of charter school boards and persons employed as charter school directors and chief administrators are subject to the requirements of Minnesota Statutes, sections 10A.071 and 471.895.

### **III. DEFINITIONS**

- A. "Financial interest" means any ownership or control in an asset which has the potential to produce a monetary return.
- B. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.

C. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a charter school board member, an executive director, a school principal, or a school officer is authorized to make.

**IV. PROCEDURES**

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

**V. VIOLATIONS**

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

**Legal References:** Minn. Stat. § 10A.07 (Conflicts of Interest)  
Minn. Stat. § 10A.071 (Prohibition of Gifts)  
Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)  
Minn. Stat. § 124E.03, subdivision 11 (Statement of Economic Interest; Gift Ban)  
Minn. Stat. § 124E.14 (Conflicts of Interest)  
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

**Cross References:** MSBA/MASA Model Policy 209 (Code of Ethics)  
MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

**Swan River Montessori Charter School**

**Adopted: 2005**

**Reviewed: 1.16.24**

*Adopted:* \_\_\_\_\_

*MSBA/MASA Model Policy 502 Charter*

*Orig. 1995 (as ISD Policy)*

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

*Orig. 2022 (as Charter Policy)*

**502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON**

**[NOTE: Charter schools are required by statute to have a policy addressing these issues.]**

**I. PURPOSE**

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the charter school's policies against contraband.

**II. GENERAL STATEMENT OF POLICY**

**A. Lockers and Personal Possessions within a Locker**

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time will SRMCS allow lockers to be locked. At no time does the charter school relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

**B. Desks**

School desks are the property of the charter school. At no time does the charter school relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

**C. Personal Possessions and Student's Person**

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

**D. A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.**

**III. DEFINITIONS**

**A. "Contraband" means any unauthorized item possession of which is prohibited by charter**

school policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the charter school, and stolen property.

- B. "Personal possessions" includes, but is not limited to, purses, backpacks, bookbags, packages, and clothing.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.
- D. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of charter school policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

#### **IV. PROCEDURES**

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. This policy must be disseminated to parents and students in the way that other policies of general application to students are disseminated. The charter school shall provide a copy of this policy to a student the first time that the student is given the use of a locker.

#### **V. DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific

needs of the charter school, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

**VI. SEIZURE OF CONTRABAND**

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

**VII. VIOLATIONS**

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

**Legal References:** U. S. Const., amend. IV  
Minn. Const., art. I, § 10  
Minn. Stat. § 121A.72 (School Locker Policy)  
*New Jersey v. T.L.O.*, 469 U.S. 325 (1985)  
*G.C. v. Owensboro Public Schools*, 711 F.3d 623 (6<sup>th</sup> Cir. 2013)

**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 506 (Student Discipline)

**419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

**[NOTE: Charter schools are not required by statute to have a policy addressing these issues. However, Minnesota Statutes, section 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate. Additionally, Minnesota Statutes, section 120B.238 requires that vaping prevention instruction be provided as set forth in this policy.]**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the charter school, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a charter school owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all charter school property and all off-campus events sponsored by the charter school.
- B. A violation of this policy occurs when any student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a charter school owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all charter school property and all off-campus events sponsored by the charter school.
- C. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

**[NOTE: The following language is not required by law, but is recommended by MSBA for inclusion in this policy.]**

- D. ***The charter school will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The charter school will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-***

***sponsored events.***

**III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

**IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on charter school property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence

product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the charter school.

- C. An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The charter school must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The charter school may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the charter school's locally developed health standards.

**[NOTE: In addition, charter schools may choose to require (a) evidence-based vaping prevention instruction to students in grades 9 through 12; and/or (b) a peer-to-peer education program to provide vaping prevention instruction.]**

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to charter school discipline procedures.
- C. Charter school administrators and other school personnel who violate this tobacco-free policy shall be subject to charter school discipline procedures.
- D. Charter school action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and charter school policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other charter school supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

#### **VII. DISSEMINATION OF POLICY**

- A. This policy shall be referenced and explained in the Swan River Montessori Charter School Parent Handbook and Employee Handbook.
- B. The charter school will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)  
Minn. Stat. § 121A.08 (Smudging Permitted)  
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)  
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)  
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
SRMCS Student Discipline Policy

**Swan River Montessori Charter School**

**Adopted: 2005**

**Reviewed: December 2023**

**Chemical Use and Abuse Policy 417**

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

*Orig. 1995 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

**417 CHEMICAL USE AND ABUSE**

**[NOTE: This policy reflects mandatory provisions of state and federal law and is not discretionary.]**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. Use or possession of controlled substances, toxic substance, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in accordance with charter school policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The charter school shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every charter school that participates in a charter school chemical abuse program shall establish and maintain in every school a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The charter school shall establish a drug-free awareness program for its employees.

**[NOTE: Charter schools are required to establish a drug-free awareness program for charter school employees pursuant to the Drug-Free Workplace Act. In addition, state law requires that the written charter school discipline policy must include procedures for detecting and addressing chemical abuse problems of a student while on the school premises. Further, charter schools are required to develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement if receiving funding under the federal Student Support and Academic Enrichment Grants law.]**

**III. DEFINITIONS**

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that

induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the minor's normal function in academic, school, or social activities is chronically impaired.

- B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes, section 152.02 and "marijuana" as defined in Minnesota Statutes, section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.
- C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.
- D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including executive directors, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

#### **IV. STUDENTS**

##### **A. Charter School Discipline Policy**

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

##### **B. Programs and Activities**

- 1. The charter school shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
- 2. As part of its drug-free programs, the charter school may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

##### **C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance**

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

**[NOTE: Charter schools are not required to participate in a chemical abuse program or establish a chemical abuse preassessment team pursuant to state law. Schools are required to have procedures for detecting student chemical abuse and can obtain federal funding if they establish drug prevention, detection, intervention, and recovery support services. Thus, it is recommended that schools establish these programs and activities. For those schools that do not establish a chemical abuse preassessment team, those obligations could be assigned to a specified staff member such a school counselor or administrator.]**

2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes, section 121A.40-121A.56.
3. Searches by charter school officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with school board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

**Commented [A1]:** Wasn't there a state statute policy change where elementary students can no longer be expelled?

**D. Preassessment Team**

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

**E. Data Practices**

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes, section 13.32 and applicable federal law and regulations.

**2. Destruction of Records**

- a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or

community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.

- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the charter school.
- c. Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding Minnesota Statutes, section 138.163 (Preservation and Disposal of Public Records).

F. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

**[NOTE: State law permits schools to provide these services to minor students without the consent of a parent. If, however, a charter school provides these or other services pursuant to a grant received under the Student Support and Academic Enrichment Grants law, this funding could be jeopardized if the requirements of federal law, to obtain prior written, informed consent from the parent of each child who is under 18 years of age is not obtained.]**

V. EMPLOYEES

- A. The charter school shall establish a drug-free awareness program to inform employees about:
  1. The dangers of drug abuse in the workplace.
  2. The charter school's policy of maintaining a drug-free workplace.
  3. Available drug counseling, rehabilitation, and employee assistance programs.
  4. The penalties that may be imposed on employees for drug abuse violations.
- B. The director, or designee, shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)  
Minn. Stat. § 126C.44 (Safe Schools Levy)  
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse,

Abortion)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 299A.33 (DARE Program)  
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)  
20 U.S.C. § 5812 (National Education Goals)  
20 U.S.C. § 7175 (Local Activities)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
MSBA/MASA Model Policy 416 (Drug, Alcohol, and Cannabis Testing)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

## Swan River Montessori Charter School

**Adopted: 11.20.13**

**Revised: 2.18.25**

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

*MSBA/MASA Model Policy 426 Charter  
Orig. 2014 (as Charter Policy)  
Rev. 2024*

### **426 NEPOTISM POLICY**

#### **I. PURPOSE**

The purpose of this policy is to establish consistent employment guidelines

- and to prevent situations in which an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the charter school.

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

The charter school may employ family members of current employees. However, to be hired, transferred, or promoted, close family members may *not* be assigned to the following:

- A. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or
- B. Positions where one reports to, directs the work of, or otherwise has direct or indirect supervision of another close family member.

#### **III. DEFINITIONS**

##### **A. Close Family Member**

A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, stepmother, stepfather, stepsister and stepbrother, in-law relationships including father- and mother-in-law, daughter- and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

##### **B. Direct or Indirect Supervision**

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

#### **IV. APPLICATION TO BOARD MEMBERS**

Board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved.

#### **V. NEPOTISM**

The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for twenty (20) business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

## **VI. EXCEPTIONS; SPECIAL CIRCUMSTANCES**

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by the charter school's chief administrator. Any direct or indirect supervision relationship approved by the chief administrator shall be reported to the board of directors. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel or, if no other supervisory personnel exist, to the charter school's board of directors. Exceptions involving the charter school's chief administrator and a close family member of the chief administrator shall be approved in writing by the charter school's board of directors.

## **VII. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES**

Any charter school employee involved in a direct or indirect supervision relationship with a close family member that existed *prior to* the original approval date of this policy or that arises *after* the adoption of this policy shall promptly notify the charter school's chief administrator of such relationship. The chief administrator shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the chief administrator under Section V. shall be reported to the board of directors. The chief administrator shall promptly notify the charter school's board of directors of any direct or indirect supervision relationship which arises concerning a close family member of the chief administrator. All such direct or indirect supervision relationships involving the chief administrator shall be resolved by the board of directors in accordance with this policy.

## **VIII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS**

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by the charter school.

**Legal References:** Minn. Stat. § 124E.07, Subd. 6 (Board of Directors)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

**Cross References:** MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

**Swan River Montessori Charter School**

Adopted: 2005

Revised: 6.18.24

Adopted: \_\_\_\_\_

*MSBA/MASA Model Policy 420 Charter*

*Orig. 1995 (as ISD Policy)*

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

*Orig. 2022 (as Charter Policy)*

**420 STUDENTS AND EMPLOYEES WITH SEXUALLY TRANSMITTED INFECTIONS AND DISEASES AND CERTAIN OTHER COMMUNICABLE DISEASES AND INFECTIOUS CONDITIONS**

**[NOTE: Charter schools are not required by statute to have a policy addressing these issues. However, Minnesota Statutes, section 121A.23 provides that charter school must have a program that incorporates the provisions contained in this policy.]**

**I. PURPOSE**

Public concern that students and staff of the charter school be able to attend the school without becoming infected with serious communicable or infectious diseases, including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), Hepatitis B, and Tuberculosis, requires that the charter school board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected. The purpose of this policy is to adopt such measures.

**II. GENERAL STATEMENT OF POLICY**

**A. Students**

The policy of the charter school board is that students with communicable diseases not be excluded from attending school in their usual daily attendance setting so long as their health permits and their attendance does not create a significant risk of the transmission of illness to students or employees of the charter school. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the charter school in its IEP and Section 504 team process, if applicable, and in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include any applicable educational team planning processes, including the review of the educational implications for the student and others with whom the student comes into contact.

**B. Employees**

The policy of the charter school board is that employees with communicable diseases not be excluded from attending to their customary employment so long as they are physically, mentally, and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school.

**C. Circumstances and Conditions**

1. Determinations of whether a contagious individual's school attendance or job performance increases a significant risk of the transmission of the illness to

students or employees of the charter school will be made on a case-by-case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.

2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account when assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of the Minnesota Department of Health ("Commissioner"), the physician of the student or employee, and the parent(s)/guardian(s) of the student.

**D. Students with Special Circumstances and Conditions**

The School Director, along with the infected individual's physician, the infected individual or parent(s)/guardian(s), and others, if appropriate, will weigh risks and benefits to the student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the student shall be determined by the student's physician.

**E. Extracurricular Student Participation**

Student participation in nonacademic, extracurricular, and non-educational programs of the charter school are subject to a requirement of equal access and comparable services.

**F. Precautions**

The charter school will develop routine procedures for infection control at school and for educating employees about these procedures. The procedures shall be developed through cooperation with health professionals taking into consideration any guidelines of the Minnesota Department of Education and the Minnesota Department of Health. (These precautionary procedures shall be consistent with the school's procedures regarding blood-borne pathogens developed pursuant to the school's employee right to know policy.)

**G. Information Sharing**

1. Employee and student health information shall be shared within the charter school only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees' right to know requirements.
2. Employee and student health data shall be shared outside the charter school only in accordance with state and federal law and with the school's policies on

employee and student records and data.

H. Reporting

If a medical condition of a student or staff threatens public health, it must be reported to the Commissioner.

I. Prevention

The charter school shall, with the assistance of the Minnesota Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota Statutes, section 121A.23 that includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that is *deemed age appropriate* and includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts, charter schools, and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted diseases and infections, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for staff and school board members;
7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The charter school may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources, including public health funds and foundations, department professional development funds, federal block grants, or other federal or state grants.

J. Vaccination and Screening

Due to the size of SRMCS, there is no clinic on site. Therefore, no vaccines or screenings will be administered. Families are encouraged to talk to their primary care physicians regarding these matters.

The charter school will develop procedures regarding the administration of Hepatitis B

vaccinations and Tuberculosis screenings in keeping with current state and federal law. The procedures shall provide that the Hepatitis B vaccination series be offered to all who have occupational exposure at no cost to the employee.

**Legal References:** Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)  
Minn. Stat. § 124E.03 (Applicable Law)  
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)  
Minn. Stat. § 142 (Testing in School Clinics)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)  
29 C.F.R. 1910.1030 (Bloodborne Pathogens)  
*Kohl by Kohl v. Woodhaven Learning Center*, 865 F.2d 930 (8<sup>th</sup> Cir.), *cert. denied*, 493 U.S. 892 (1989)  
*School Board of Nassau County, Fla. v. Arline*, 480 U.S. 273 (1987)  
16 EHRL 712, OCR Staff Memo, April 5, 1990

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

## **Swan River Montessori Charter School**

*Adopted: 2.17.11*

*MSBA/MASA Model Policy 427 Charter*

*Orig. 2015 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

*Rev. 2023*

*Revised: 12.17.24*

### **427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS**

**[NOTE: Charter schools are required by Minnesota Rules, 3525.2340, subpart 4.B., to have a policy for determining the workload limits of special education staff who provide services to students who receive direct special education services sixty (60) percent or less of the instructional day.]**

**[NOTE: Minnesota Statutes, section 179A.07, subdivision 1, of the Public Employment Labor Relations Act (PELRA) provides that a public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction of personnel. MSBA's position is that this policy is not a mandatory subject of bargaining. Charter schools, therefore, are cautioned to not relinquish their inherent managerial right to determine workload limits for special education teachers.]**

#### **I. PURPOSE**

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services sixty (60) percent or less of the instructional day.

#### **II. DEFINITIONS**

##### **A. Direct services**

"Direct services" means special education services provided by a special education teacher or a related service professional when the services are related to instruction, including cooperative teaching.

##### **B. Indirect services**

"Indirect services" means special education services provided by a special education teacher or a related service professional which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe.

##### **C. Special Education Staff; Special Education Teacher**

"Special education staff" and "special education teacher" both mean a teacher employed by the charter school who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

D. Workload

"Workload" means a special education teacher's total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

**III. GENERAL STATEMENT OF POLICY**

- A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the executive director.
- B. In determining workload limits for special education staff, the charter school shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

**IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED**

This policy shall not be construed as a reopening of negotiations between the charter school and the special education teachers' exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the charter school set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the school and the special education teachers' exclusive representative.

**The SRMCS Board can choose to retain the language in the redline**

**Legal References:** Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)  
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions)  
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

**Cross References:** MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)  
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

## **Swan River Montessori Charter School**

Adopted: 2005

Adopted: \_\_\_\_\_

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

MSBA/MASA Model Policy 418 Charter

Orig. 2022 (as Charter Policy)

Rev. 2025

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

**[NOTE: Charter schools are required by statute to have a policy addressing these issues.]**

#### **I. PURPOSE**

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

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

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other charter school personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the charter school owns, leases, rents, contracts for, or controls.
- D. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

#### **III. DEFINITIONS**

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

- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the charter school; or during any period of time such employee is supervising students on behalf of the charter school or otherwise engaged in charter school business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.
- J. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another

in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

D. The charter school may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program or a Tribal medical cannabis program as a pupil solely because the patient or person is enrolled in the registry program or a Tribal medical cannabis program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

An employer or a school must provide written notice to a patient at least 14 days before the employer or school takes an action against the patient that is prohibited under Minnesota Statutes, section 342.57, subdivision 3 or 5. The written notice must cite the specific federal law or regulation that the employer or school believes would be violated if the employer or school fails to take action. The notice must specify what monetary or licensing-related benefit under federal law or regulations that the employer or school would lose if the employer or school fails to take action.

A school or an employer must not retaliate against a patient for asserting the patient's rights or seeking remedies under Minnesota Statutes, section 342.57 or section 152.32.

## **V. PROCEDURES**

A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the charter school's student medication policy.

**[NOTE: Charter schools are required by Minnesota Statutes, section 121A.22 to develop procedures for the administration of drugs and medicine. If the charter school does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The charter school's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, in accordance with charter school procedures."]**

B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

**[NOTE: The Drug-Free Workplace Act requires that charter school employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition (41 United States Code, section 8103; 34 Code of Federal**

**Regulations, Part 84). An acknowledgment will document satisfaction by the charter school of this federal requirement.]**

- D. Employees are subject to the charter school's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the School Director.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes, section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

**VI.**

**SCHOOL PROGRAMS**

- A. Starting in the 2026-2027 school year, the charter school must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
  - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
  - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

**[NOTE: MDE information on this requirement is provided in the Resources section of this model policy.]**

- B. Charter school efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the charter school shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The charter school must allow a parent or adult student to opt

out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

## **VII. ENFORCEMENT**

### **A. Students**

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service, which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in accordance with the charter school's discipline policy. Such discipline may include suspension or expulsion from school.

### **B. Employees**

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

### **C. The Public**

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

escort.

**Legal References:** Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01, Subd. 15a (Definitions)  
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)  
Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)  
Minn. Stat. § 342.56 (Limitations)  
Minn. Stat. § 609.684 (Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

**Resources:** To support the requirements for school districts and charter schools outlined in **Minnesota Statute 2024, section 120B.215**, subdivision 2, and in accordance with subdivision 1, MDE, in collaboration with MDH, the Minnesota Department of Human Services (DHS), and education experts, has created a

[List of Model Cannabis Education Programs for School District and Charter School Consideration.](#)

Schools may choose to implement one of the listed programs or they may implement their own program(s) identified through a local curriculum adoption process by the 2026-27 school year. While it is not required for a school district or charter school to use one of the programs in the list, the list and rubric provided may be useful to school districts and charter schools in their own decision-making process.

Please visit [MDE's Health Education webpage](#) for more information.

Swan River Montessori Charter School

Adopted: 2005  
Revised: 1.21.25

**Student Attendance Policy**

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

*MSBA/MASA Model Policy 503 Charter  
Orig. 1995 (as ISD Policy)  
Orig. 2022 (as Charter Policy)  
Rev. 2025*

**503 STUDENT ATTENDANCE**

**[NOTE: The provisions of this policy substantially reflect statutory requirements.]**

**I. PURPOSE**

- A. The Swan River Montessori Charter School (SRMCS) Board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

**II. GENERAL STATEMENT OF POLICY**

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility

to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

**4. School Director's Responsibilities**

- a. It is the School Director, or designee's responsibility to require students to attend all assigned classes and study halls. It is also the School Director's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the School Director, or designee's, responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of SRMCS are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the SRMCS School Board from attendance because the student has already completed state and charter school standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

**B. Attendance Procedures**

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

**1. Excused Absences**

- a. A parent, guardian, or other person having control of a child may apply to a charter school to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to a truant officer or the school official designated by the principal. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.
- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

**[NOTE: The charter school may choose to include subparagraph (b).]**

**c. Legitimate Exceptions**

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent

attendance at school or application to study for the period required, which includes:

- (a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth;
- (b) family emergencies;
- (c) the death or serious illness or funeral of an immediate family member;
- (d) active duty in any military branch of the United States;
- (e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
- (f) other exemptions included in this attendance policy.

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

**[NOTE: In 2024, the Minnesota legislature amended Minnesota Statutes, section 120A.22, subdivision 12. The legitimate exceptions set forth above quote this statute. Minnesota law provides that a charter school board may include other exemptions in the charter school's attendance policy. See Minnesota Statutes, section 120A.22, subdivision 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]**

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within \_\_\_\_\_ days from the date of the student's return to school. Any work

not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

- a. The following are examples of absences which will not be excused:
  - (1) Truancy. An absence by a student which was not approved by the parent and/or SRMCS.
  - (2) Any absence in which the student failed to comply with any reporting requirements of SRMCS's attendance procedures.
  - (3) Work at home.
  - (4) Work at a business, except under a school-sponsored work release program.
  - (5) Vacations with family.
  - (6) Personal trips to schools or colleges.
  - (7) Absences resulting from cumulated unexcused tardies ( \_\_\_\_\_ tardies equal one (1) unexcused absence).
  - (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) From the first through the \_\_\_\_\_ cumulated unexcused absence in a **[quarter or semester]** the student will not be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a **[quarter or semester]**, a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that,

after the **\_\_\_\_\_** unexcused absence, the student's grade shall be reduced by one (1) increment for each unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After **\_\_\_\_\_** cumulative unexcused absences in a **[quarter or semester]** the teacher will reduce the student's letter grade by one (1) increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After **\_\_\_\_\_** cumulated unexcused absences in a **[quarter or semester]**, the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the charter school will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

**[NOTE: MSBA encourages school boards to consider whether imposition of academic penalties for unexcused absences is consistent with the charter school's mission and pedagogical approach. If a school board determines that academic penalties should not be imposed, section 2(b) should be deleted or rewritten.]**

C. Tardiness

1. Definition

Students are expected to be in their assigned area at designated times. Failures to do so constitute tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after        unexcused tardies. In addition,        unexcused tardies are equivalent to one unexcused absence.

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

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. School-initiated absences will be accepted and participation permitted.
- 3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. RELIGIOUS AND CULTURAL OBSERVANCE ACCOMMODATION**

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

**IV. DISSEMINATION OF POLICY**

- A. Copies of this policy shall be made available to all students and parents at the commencement of each school year via the SRMCS website at [www.swanrivermontessori.org](http://www.swanrivermontessori.org). This policy shall also be available upon request in each principal's office.
- B. The charter school will provide annual notice to parents of the charter school's policy relating to a student's absence from school for religious observance.

## **V. REQUIRED REPORTING**

- A. Continuing Truant

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

1. Three (3) days if the child is in elementary school; or
2. Three or more class periods on three (3) days if the child is in middle school, junior high school, or high school.

- B. Reporting Responsibility

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

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

9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one (1) day.

**[NOTE: When truancy services and programs under Minnesota Statutes, chapter 260A are available within the charter school, the following provisions should also be included in the policy.]**

C. Habitual Truant

1. A habitual truant is a child under the age of seventeen (17) years who is absent from attendance at school without lawful excuse for seven (7) school days per school year if the child is in elementary school or for one or more class periods on seven (7) school days per school year if the child is in middle school, junior high school, or high school, or a child who is seventeen (17) years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven (7) school days per school year and who has not lawfully withdrawn from school.
2. A charter school attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

**Legal References:**

Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 124E.03, Subd. 2(g) and (j) (Applicable Law)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565 (1975)  
*Slocum v. Holton Bd. of Educ.*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Bd. of Educ. of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. Sch. Dist. R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Bd. of Educ.*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

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

**NOTE: The School Director reserves the right to address student attendance at any time for any reason. Any attendance issues/concerns that arise and do not fit within the policy guidelines as stated above will be dealt with on a case by case basis, if deemed necessary by the Director.**

*Adopted: August 29, 2005*

*Reviewed: 1.24.23*

**Harassment and Violence Prohibition**

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

*MSBA/MASA Model Policy 413 Charter*

*Orig. 2022 (as Charter Policy)*

*Rev. 2025*

**413 HARASSMENT AND VIOLENCE**

**[NOTE: State law (Minnesota Statutes, section 121A.03) requires that charter schools adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minnesota Statutes, section 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that charter schools incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minnesota Statutes, section 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minnesota Statutes, section 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon charter schools than required by law. For that reason, MSBA recommends the adoption of its model policy by charter school. Each charter school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the charter school is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other charter school personnel harasses a student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the charter school.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other charter school personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel based on a person's Protected Class.
- D. The charter school will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or

other school personnel found to have violated this policy.

**III. DEFINITIONS**

A. "Assault" is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. the intentional infliction of or attempt to inflict bodily harm upon another; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment or academic opportunities.

**[NOTE: In 2023, the Minnesota legislature amended the definition of "sexual orientation" in the Minnesota Human Rights Act as reflected in subpart 6 below. A charter school board may choose whether to retain the phrase "including gender identity or expression" in light of the legislative amendment.]**

C. "Immediately" means as soon as possible but in no event longer than twenty-four (24) hours.

D. Protected Classifications; Definitions

1. "Disability" means, with respect to an individual who
  - a. has a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
  - b. has a record of such an impairment;
  - c. is regarded as having such an impairment; or
  - d. has an impairment that is episodic or in remission and would materially limit a major life activity when active.
2. "Familial status" means the condition of one or more minors having legal status or custody with:

- a. the minor's parent or parents or the minor's legal guardian or guardians; or
- b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

- 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
- 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
- 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
- 6. "Sexual orientation" means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.

**[NOTE: The 2023 Minnesota legislature redefined 'sexual orientation' in the Minnesota Human Rights Act.]**

- 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

- F. Sexual Harassment; Definition
  - 1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or

*Harassment and Violence Prohibition Policy*

- b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other charter school personnel to avoid physical harm to persons or property;
  - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts;
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

**IV. REPORTING PROCEDURES**

A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other charter school personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel should report the alleged acts immediately to an appropriate school official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The charter school encourages the reporting party or complainant to use the report form available from the executive director, principal, or building supervisor or available from the school office, but oral reports shall be considered complaints as well.

C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a charter school human rights officer or to the executive director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the school human rights officer by the reporting party or complainant.

D. In Each School Building

The executive director, building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult charter school personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the charter school human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. Charter school personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

F. Upon receipt of a report, the building report taker must notify the charter school human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building

report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within twenty-four (24) hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

G. In the Charter School

The charter school board hereby designates the School Director and/or the Operations Coordinator as the charter school human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the executive director.<sup>1</sup>

H. The charter school shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.

(1) The Human Rights Officer is **Annette Vemuri**

Mailing address: 500 Maple Street Monticello MN 55362

Telephone number: 763-271-7926

Email address: director@swanrivermontessori.org

(2) The **superintendent** is **Annette Vemuri**

Mailing address: 500 Maple Street Monticello MN 55362

Telephone number: 763-271-7926

Email address: director@swanrivermontessori.org

(3) The school board contact information is: **Franco Fanucci**, Board President

Mailing address: 500 Maple Street Monticello MN 55362

Telephone number: 763-271-7926

Email address: francof@swanrivermontessori.org

I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

J. Use of formal reporting forms is not mandatory.

K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

L. The charter school will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.

N. False accusations or reports of violence or harassment against another person are prohibited.

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<sup>1</sup> In some charter schools the executive director may be the human rights officer. If so, an alternative individual should be designated by the charter school board.

O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the charter school's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from charter school property and events and/or termination of services and/or contracts.

**V. INVESTIGATION**

A. By authority of the charter school, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school officials or by a third party designated by the school.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy, the charter school should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

D. In addition, the charter school may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

F. The investigation will be completed as soon as practicable. The charter school human rights officer shall make a written report to the executive director upon completion of the investigation. If the complaint involves the executive director, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

**VI. CHARTER SCHOOL ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the charter school will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school policies and regulations.
- B. The school is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the charter school. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

**VII. RETALIATION OR REPRISAL**

The charter school will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. 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 individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the charter school from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each charter school building in areas accessible to students and staff members.
- B. This policy shall be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school.
- C. This policy shall appear in the student handbook.
- D. The charter school will develop a method of discussing this policy with students and employees.
- E. The charter school may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**[NOTE: The MDE model policy included X.F. State law does not mandate an annual review. School boards may determine whether to retain X.F.]**

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

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MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

**Swan River Montessori Charter School**

Adopted: 2005

Adopted: \_\_\_\_\_

*MSBA/MASA Model Policy 501 Charter*

*Orig. 1995 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

*Rev. 2025*

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

**501 SCHOOL WEAPONS POLICY**

**[NOTE: Charter schools are required by statute to have a policy addressing these issues. ATTENTION: This policy incorporates certain provisions of the Minnesota Citizens' Personal Protection Act (often referred to as the "conceal and carry" law).]**

**I. PURPOSE**

The purpose of this policy is to assure a safe school environment for students, staff, and the public.

**II. GENERAL STATEMENT OF POLICY**

No student or nonstudent, including adults and visitors, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. "Dangerous weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.
- B. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.
- C. "School location" includes any school building or grounds, whether leased, rented, owned, or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the charter school.
- D. "Weapon"
  - 1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and

other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

2. No person shall possess, use, or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

#### **IV. EXCEPTIONS**

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the Director's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the Director's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher, or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
  1. active licensed peace officers;
  2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under Minnesota Statutes, section 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statutes, sections 624.714 or 624.715 or other firearms in accordance with Minnesota Statutes, section 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
    - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.
  5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial

color guard;

7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the Director or other person having general control and supervision of the school
9. persons who are on unimproved property owned or leased by a child care center, school or charter school unless the person knows that a student is currently present on the land for a school-related activity.

**[NOTE: Nothing prevents a charter school from being more stringent in its weapons policy with respect to students and charter school employees than the criminal law, except that the charter school may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some charter schools may choose to incorporate all the exceptions to the criminal law, other charter schools may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a charter school may choose to require written permission from the executive director, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes, section 609.66, subdivision 1d (f) listed in Section IV.B. above. However, a charter school may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes, section 609.66, subdivision 1d.]**

C. Policy Application to Instructional Equipment/Tools

While the charter school does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A charter school may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minnesota Statutes, section 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The charter school does not allow the possession, use, or distribution of weapons by

students. Consequently, the minimum consequence for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the Director of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. The appropriate school official shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.

D. Administrative Discretion

While the charter school does not allow the possession, use, or distribution of weapons by students, the executive director may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## **VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS**

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and charter school policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

**[NOTE: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]**

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another charter school, that charter school may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON AND ACTIVE SHOOTER INCIDENTS IN SCHOOL ZONES**

- A. The charter school must electronically report to the Commissioner of the Minnesota Department of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.
- B. The charter school must electronically file an after-action review report for active shooter incidents and active shooter threats to the Minnesota Fusion Center as required under Minnesota Statutes, section 121A.06.
  1. "Active shooter incident" means an event involving an armed individual or individuals on campus or an armed assailant in the immediate vicinity of the school.
  2. "Active shooter threat" means a real or perceived threat that an active shooter incident will occur.

**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)  
Minn. Stat. § 121A.05 (Referral to Police)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 152.01, Subd. 14(a) (Definition of a School Zone)  
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)  
*In re A.D.*, 883 N.W.2d 251 (Minn. 2016)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 903 (Visitors to Charter School Buildings and Sites)

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

MSBA/MASA Model Policy 421 Charter  
Orig. 1995 (as ISD Policy)  
Orig. 2022 (as Charter Policy)  
Rev. 2025

## 421 GIFTS TO EMPLOYEES AND CHARTER SCHOOL BOARD MEMBERS

Commented [1]: There was no redline version of this in the cloud folder from MSBA.

### I. PURPOSE

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to charter school employees and school board members.

### II. GENERAL STATEMENT OF POLICY

- A. The charter school recognizes that students, parents, and others may wish to show appreciation to school employees. The policy of the charter school, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The executive director has discretion to determine what value is "insignificant."
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the charter school. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school.
- F. An elected or appointed member of a school board, an executive director, a school principal, or a charter school officer, including the school business official, may not accept a gift from an interested person. Members of charter school boards and persons employed as charter school directors and chief administrators are subject to the requirements of Minnesota Statutes, sections 10A.071 and 471.895.

### III. DEFINITIONS

- A. "Financial interest" means any ownership or control in an asset which has the potential to produce a monetary return.
- B. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.
- C. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a charter school board member, an executive director, a school principal, or a school officer is authorized to make.

**IV. PROCEDURES**

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

**V. VIOLATIONS**

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

**Legal References:** Minn. Stat. § 10A.07 (Conflicts of Interest)  
Minn. Stat. § 10A.071 (Prohibition of Gifts)  
Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)  
Minn. Stat. § 124E.03, subdivision 11 (Statement of Economic Interest; Gift Ban)  
Minn. Stat. § 124E.14 (Conflicts of Interest)  
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

**Cross References:** MSBA/MASA Model Policy 209 (Code of Ethics)  
MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

Swan River Montessori Charter School

Adopted: 2005

Revised: 1.21.25

**Student Attendance Policy**

Adopted: \_\_\_\_\_

*MSBA/MASA Model Policy 503 Charter*

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

*Orig. 1995 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

*Rev. 2025*

**503 STUDENT ATTENDANCE**

**[NOTE: The provisions of this policy substantially reflect statutory requirements.]**

**I. PURPOSE**

- A. The Swan River Montessori Charter School (SRMCS) Board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

**II. GENERAL STATEMENT OF POLICY**

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility

to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. School Director's Responsibilities

- a. It is the School Director, or designee's responsibility to require students to attend all assigned classes and study halls. It is also the School Director's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the School Director, or designee's, responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of SRMCS are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the SRMCS School Board from attendance because the student has already completed state and charter school standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

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

1. Excused Absences

- a. A parent, guardian, or other person having control of a child may apply to a charter school to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to a truant officer or the school official designated by the principal. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.
- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

**[NOTE: The charter school may choose to include subparagraph (b).]**

c. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent

attendance at school or application to study for the period required, which includes:

- (a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth;
- (b) family emergencies;
- (c) the death or serious illness or funeral of an immediate family member;
- (d) active duty in any military branch of the United States;
- (e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
- (f) other exemptions included in this attendance policy.

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

**[NOTE: In 2024, the Minnesota legislature amended Minnesota Statutes, section 120A.22, subdivision 12. The legitimate exceptions set forth above quote this statute. Minnesota law provides that a charter school board may include other exemptions in the charter school's attendance policy. See Minnesota Statutes, section 120A.22, subdivision 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]**

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within \_\_\_\_\_ days from the date of the student's return to school. Any work

not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

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

- (1) Truancy. An absence by a student which was not approved by the parent and/or SRMCS.
- (2) Any absence in which the student failed to comply with any reporting requirements of SRMCS's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Absences resulting from cumulated unexcused tardies (\_\_\_\_\_ tardies equal one (1) unexcused absence).
- (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) From the first through the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that,

after the **\_\_\_\_\_** unexcused absence, the student's grade shall be reduced by one (1) increment for each unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After **\_\_\_\_\_** cumulative unexcused absences in a **[quarter or semester]** the teacher will reduce the student's letter grade by one (1) increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After **\_\_\_\_\_** cumulated unexcused absences in a **[quarter or semester]**, the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the charter school will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

**[NOTE: MSBA encourages school boards to consider whether imposition of academic penalties for unexcused absences is consistent with the charter school's mission and pedagogical approach. If a school board determines that academic penalties should not be imposed, section 2(b) should be deleted or rewritten.]**

C. Tardiness

1. Definition

Students are expected to be in their assigned area at designated times. Failures to do so constitute tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after        unexcused tardies. In addition,        unexcused tardies are equivalent to one unexcused absence.

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

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. School-initiated absences will be accepted and participation permitted.
- 3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. RELIGIOUS AND CULTURAL OBSERVANCE ACCOMMODATION**

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

**IV. DISSEMINATION OF POLICY**

- A. Copies of this policy shall be made available to all students and parents at the commencement of each school year via the SRMCS website at [www.swanrivermontessori.org](http://www.swanrivermontessori.org). This policy shall also be available upon request in each principal's office.
- B. The charter school will provide annual notice to parents of the charter school's policy relating to a student's absence from school for religious observance.

## **V. REQUIRED REPORTING**

- A. Continuing Truant

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

1. Three (3) days if the child is in elementary school; or
2. Three or more class periods on three (3) days if the child is in middle school, junior high school, or high school.

- B. Reporting Responsibility

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

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

9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one (1) day.

**[NOTE: When truancy services and programs under Minnesota Statutes, chapter 260A are available within the charter school, the following provisions should also be included in the policy.]**

C. Habitual Truant

1. A habitual truant is a child under the age of seventeen (17) years who is absent from attendance at school without lawful excuse for seven (7) school days per school year if the child is in elementary school or for one or more class periods on seven (7) school days per school year if the child is in middle school, junior high school, or high school, or a child who is seventeen (17) years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven (7) school days per school year and who has not lawfully withdrawn from school.
2. A charter school attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

**Legal References:** Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 124E.03, Subd. 2(g) and (j) (Applicable Law)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565 (1975)  
*Slocum v. Holton Bd. of Educ.*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Bd. of Educ. of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. Sch. Dist. R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Bd. of Educ.*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

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

**NOTE: The School Director reserves the right to address student attendance at any time for any reason. Any attendance issues/concerns that arise and do not fit within the policy guidelines as stated above will be dealt with on a case by case basis, if deemed necessary by the Director.**

**Swan River Montessori Charter School**

Adopted: 2005

Adopted: \_\_\_\_\_

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

MSBA/MASA Model Policy 501 Charter

Orig. 1995 (as ISD Policy)

Orig. 2022 (as Charter Policy)

Rev. 2025

**501 SCHOOL WEAPONS POLICY**

**[NOTE: Charter schools are required by statute to have a policy addressing these issues. ATTENTION: This policy incorporates certain provisions of the Minnesota Citizens' Personal Protection Act (often referred to as the "conceal and carry" law).]**

**I. PURPOSE**

The purpose of this policy is to assure a safe school environment for students, staff, and the public.

**II. GENERAL STATEMENT OF POLICY**

No student or nonstudent, including adults and visitors, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. "Dangerous weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.
- B. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.
- C. "School location" includes any school building or grounds, whether leased, rented, owned, or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the charter school.
- D. "Weapon"
  - 1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and

other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

2. No person shall possess, use, or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

#### **IV. EXCEPTIONS**

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the Director's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the Director's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher, or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
  1. active licensed peace officers;
  2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under Minnesota Statutes, section 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statutes, sections 624.714 or 624.715 or other firearms in accordance with Minnesota Statutes, section 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
    - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.
  5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial

color guard;

7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the Director or other person having general control and supervision of the school
9. persons who are on unimproved property owned or leased by a child care center, school or charter school unless the person knows that a student is currently present on the land for a school-related activity.

**[NOTE: Nothing prevents a charter school from being more stringent in its weapons policy with respect to students and charter school employees than the criminal law, except that the charter school may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some charter schools may choose to incorporate all the exceptions to the criminal law, other charter schools may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a charter school may choose to require written permission from the executive director, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes, section 609.66, subdivision 1d (f) listed in Section IV.B. above. However, a charter school may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes, section 609.66, subdivision 1d.]**

C. Policy Application to Instructional Equipment/Tools

While the charter school does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A charter school may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minnesota Statutes, section 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The charter school does not allow the possession, use, or distribution of weapons by

students. Consequently, the minimum consequence for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the Director of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. The appropriate school official shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.

D. Administrative Discretion

While the charter school does not allow the possession, use, or distribution of weapons by students, the executive director may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## **VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS**

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and charter school policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

**[NOTE: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]**

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another charter school, that charter school may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON AND ACTIVE SHOOTER INCIDENTS IN SCHOOL ZONES**

- A. The charter school must electronically report to the Commissioner of the Minnesota Department of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.
- B. The charter school must electronically file an after-action review report for active shooter incidents and active shooter threats to the Minnesota Fusion Center as required under Minnesota Statutes, section 121A.06.
  1. "Active shooter incident" means an event involving an armed individual or individuals on campus or an armed assailant in the immediate vicinity of the school.
  2. "Active shooter threat" means a real or perceived threat that an active shooter incident will occur.

**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)  
Minn. Stat. § 121A.05 (Referral to Police)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 152.01, Subd. 14(a) (Definition of a School Zone)  
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)  
*In re A.D.*, 883 N.W.2d 251 (Minn. 2016)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 903 (Visitors to Charter School Buildings and Sites)

**Swan River Montessori Charter School**

Adopted: 2005

Revised: 6.18.24

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 420 Charter

Orig. 1995 (as ISD Policy)

Orig. 2022 (as Charter Policy)

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

**420 STUDENTS AND EMPLOYEES WITH SEXUALLY TRANSMITTED INFECTIONS AND DISEASES AND CERTAIN OTHER COMMUNICABLE DISEASES AND INFECTIOUS CONDITIONS**

[NOTE: Charter schools are not required by statute to have a policy addressing these issues. However, Minnesota Statutes, section 121A.23 provides that charter school must have a program that incorporates the provisions contained in this policy.]

**I. PURPOSE**

Public concern that students and staff of the charter school be able to attend the school without becoming infected with serious communicable or infectious diseases, including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), Hepatitis B, and Tuberculosis, requires that the charter school board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected. The purpose of this policy is to adopt such measures.

**II. GENERAL STATEMENT OF POLICY****A. Students**

The policy of the charter school board is that students with communicable diseases not be excluded from attending school in their usual daily attendance setting so long as their health permits and their attendance does not create a significant risk of the transmission of illness to students or employees of the charter school. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the charter school in its IEP and Section 504 team process, if applicable, and in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include any applicable educational team planning processes, including the review of the educational implications for the student and others with whom the student comes into contact.

**B. Employees**

The policy of the charter school board is that employees with communicable diseases not be excluded from attending to their customary employment so long as they are physically, mentally, and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school.

**C. Circumstances and Conditions**

1. Determinations of whether a contagious individual's school attendance or job performance increases a significant risk of the transmission of the illness to students or employees of the charter school will be made on a case-by-case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the

probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.

2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account when assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of the Minnesota Department of Health ("Commissioner"), the physician of the student or employee, and the parent(s)/guardian(s) of the student.

**D. Students with Special Circumstances and Conditions**

The School Director, along with the infected individual's physician, the infected individual or parent(s)/guardian(s), and others, if appropriate, will weigh risks and benefits to the student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the student shall be determined by the student's physician.

**E. Extracurricular Student Participation**

Student participation in nonacademic, extracurricular, and non-educational programs of the charter school are subject to a requirement of equal access and comparable services.

**F. Precautions**

The charter school will develop routine procedures for infection control at school and for educating employees about these procedures. The procedures shall be developed through cooperation with health professionals taking into consideration any guidelines of the Minnesota Department of Education and the Minnesota Department of Health. (These precautionary procedures shall be consistent with the school's procedures regarding blood-borne pathogens developed pursuant to the school's employee right to know policy.)

**G. Information Sharing**

1. Employee and student health information shall be shared within the charter school only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees' right to know requirements.
2. Employee and student health data shall be shared outside the charter school only in accordance with state and federal law and with the school's policies on employee and student records and data.

**H. Reporting**

If a medical condition of a student or staff threatens public health, it must be reported to the Commissioner.

**I. Prevention**

The charter school shall, with the assistance of the Minnesota Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota Statutes, section 121A.23 that includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that is *deemed age appropriate* and includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts, charter schools, and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted diseases and infections, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for staff and school board members;
7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The charter school may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources, including public health funds and foundations, department professional development funds, federal block grants, or other federal or state grants.

J. Vaccination and Screening

Due to the size of SRMCS, there is no clinic on site. Therefore, no vaccines or screenings will be administered. Families are encouraged to talk to their primary care physicians regarding these matters.

The charter school will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis screenings in keeping with current state and federal law. The procedures shall provide that the Hepatitis B vaccination series be offered to all who have occupational exposure at no cost to the employee.

**Commented [1]:** Is this for students or employees? Do we already do this or do we need to implement something to be compliant?

**Legal References:** Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)  
Minn. Stat. § 124E.03 (Applicable Law)  
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)  
Minn. Stat. § 142 (Testing in School Clinics)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)  
29 C.F.R. 1910.1030 (Bloodborne Pathogens)  
*Kohl by Kohl v. Woodhaven Learning Center*, 865 F.2d 930 (8<sup>th</sup> Cir.), *cert. denied*, 493 U.S. 892 (1989)  
*School Board of Nassau County, Fla. v. Arline*, 480 U.S. 273 (1987)  
16 EHRL 712, OCR Staff Memo, April 5, 1990

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

## Swan River Montessori Charter School

Adopted: 11.20.13

Revised: 2.18.25

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

MSBA/MASA Model Policy 426 Charter  
Orig. 2014 (as Charter Policy)  
Rev. 2024

### 426 NEPOTISM POLICY

#### I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines

- and to prevent situations in which an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the charter school.

Commented [1]: weird bullet point format

Commented [2]: add "may" be — seems like it's missing some language?

#### II. GENERAL STATEMENT OF POLICY

The charter school may employ family members of current employees. However, to be hired, transferred, or promoted, close family members may *not* be assigned to the following:

- A. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or
- B. Positions where one reports to, directs the work of, or otherwise has direct or indirect supervision of another close family member.

#### III. DEFINITIONS

##### A. Close Family Member

A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, stepmother, stepfather, stepsister and stepbrother, in-law relationships including father- and mother-in-law, daughter- and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

##### B. Direct or Indirect Supervision

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

#### IV. APPLICATION TO BOARD MEMBERS

Board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved.

#### V. NEPOTISM

The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for twenty (20) business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

**VI. EXCEPTIONS; SPECIAL CIRCUMSTANCES**

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by the charter school's chief administrator. Any direct or indirect supervision relationship approved by the chief administrator shall be reported to the board of directors. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel or, if no other supervisory personnel exist, to the charter school's board of directors. Exceptions involving the charter school's chief administrator and a close family member of the chief administrator shall be approved in writing by the charter school's board of directors.

**VII. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES**

Any charter school employee involved in a direct or indirect supervision relationship with a close family member that existed *prior to* the original approval date of this policy or that arises *after* the adoption of this policy shall promptly notify the charter school's chief administrator of such relationship. The chief administrator shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the chief administrator under Section V. shall be reported to the board of directors. The chief administrator shall promptly notify the charter school's board of directors of any direct or indirect supervision relationship which arises concerning a close family member of the chief administrator. All such direct or indirect supervision relationships involving the chief administrator shall be resolved by the board of directors in accordance with this policy.

**VIII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS**

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by the charter school.

**Legal References:** Minn. Stat. § 124E.07, Subd. 6 (Board of Directors)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

**Cross References:** MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

## **Swan River Montessori Charter School**

*Adopted: 2.17.11*

*MSBA/MASA Model Policy 427 Charter*

*Orig. 2015 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

*Rev. 2023*

*Revised: 12.17.24*

### **427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS**

**[NOTE: Charter schools are required by Minnesota Rules, 3525.2340, subpart 4.B., to have a policy for determining the workload limits of special education staff who provide services to students who receive direct special education services sixty (60) percent or less of the instructional day.]**

**[NOTE: Minnesota Statutes, section 179A.07, subdivision 1, of the Public Employment Labor Relations Act (PELRA) provides that a public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction of personnel. MSBA's position is that this policy is not a mandatory subject of bargaining. Charter schools, therefore, are cautioned to not relinquish their inherent managerial right to determine workload limits for special education teachers.]**

#### **I. PURPOSE**

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services sixty (60) percent or less of the instructional day.

#### **II. DEFINITIONS**

##### **A. Direct services**

"Direct services" means special education services provided by a special education teacher or a related service professional when the services are related to instruction, including cooperative teaching.

##### **B. Indirect services**

"Indirect services" means special education services provided by a special education teacher or a related service professional which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe.

##### **C. Special Education Staff; Special Education Teacher**

"Special education staff" and "special education teacher" both mean a teacher employed by the charter school who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

D. Workload

"Workload" means a special education teacher's total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

**III. GENERAL STATEMENT OF POLICY**

- A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the executive director.
- B. In determining workload limits for special education staff, the charter school shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

**IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED**

This policy shall not be construed as a reopening of negotiations between the charter school and the special education teachers' exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the charter school set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the school and the special education teachers' exclusive representative.

**The SRMCS Board can choose to retain the language in the redline**

**Legal References:** Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)  
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions)  
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

**Cross References:** MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)  
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

**Swan River Montessori Charter School**

Adopted: 2005

Adopted:

MSBA/MSA Model Policy 418 Charter

Orig. 2022 (as Charter Policy)

Revised:

Rev. 2025

**418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

**[NOTE: Charter schools are required by statute to have a policy addressing these issues.]**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other charter school personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the charter school owns, leases, rents, contracts for, or controls.
- D. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

**III. DEFINITIONS**

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

preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").

- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the charter school; or during any period of time such employee is supervising students on behalf of the charter school or otherwise engaged in charter school business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.
- J. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The charter school may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program or a Tribal medical cannabis program as a pupil solely because the patient or person is enrolled in the registry program or a Tribal medical cannabis program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

An employer or a school must provide written notice to a patient at least 14 days before the employer or school takes an action against the patient that is prohibited under Minnesota Statutes, section 342.57, subdivision 3 or 5. The written notice must cite the specific federal law or regulation that the employer or school believes would be violated if the employer or school fails to take action. The notice must specify what monetary or licensing-related benefit under federal law or regulations that the employer or school would lose if the employer or school fails to take action.

A school or an employer must not retaliate against a patient for asserting the patient's rights or seeking remedies under Minnesota Statutes, section 342.57 or section 152.32.

#### V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the charter school's student medication policy.

**[NOTE: Charter schools are required by Minnesota Statutes, section 121A.22 to develop procedures for the administration of drugs and medicine. If the charter school does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The charter school's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, in accordance with charter school procedures."]**

Commented [1]: The way this reads makes me think that this note is just for us and not intended to be a part of the final policy????

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

**[NOTE: The Drug-Free Workplace Act requires that charter school employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition (41 United States Code, section 8103; 34 Code of Federal Regulations, Part 84). An acknowledgment will document satisfaction by the charter school of this federal requirement.]**

- D. Employees are subject to the charter school's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the School Director.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor

child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.

G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes, section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VI. SCHOOL PROGRAMS**

A. Starting in the 2026-2027 school year, the charter school must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:

1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

**[NOTE: MDE information on this requirement is provided in the Resources section of this model policy.]**

B. Charter school efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.

C. Notwithstanding any law to the contrary, the charter school shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The charter school must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

## **VII. ENFORCEMENT**

### **A. Students**

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service, which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in

**Commented [2]: counseling - not British spelling**

accordance with the charter school's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

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

C. The Public

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

**Legal References:** Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01, Subd. 15a (Definitions)  
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)  
Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)  
Minn. Stat. § 342.56 (Limitations)  
Minn. Stat. § 609.684 (Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of

Charter School Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

**Resources:**

To support the requirements for school districts and charter schools outlined in Minnesota Statute 2024, section 120B.215, subdivision 2, and in accordance with subdivision 1, MDE, in collaboration with MDH, the Minnesota Department of Human Services (DHS), and education experts, has created a

[List of Model Cannabis Education Programs for School District and Charter School Consideration.](#)

Schools may choose to implement one of the listed programs or they may implement their own program(s) identified through a local curriculum adoption process by the 2026-27 school year. While it is not required for a school district or charter school to use one of the programs in the list, the list and rubric provided may be useful to school districts and charter schools in their own decision-making process.

**Commented [3]:** When should we decide what to implement and is this a director decision or board decision? Just want to get it on the radar if it should be the board.

Please visit MDE's Health Education webpage for more information.

## *Harassment and Violence Prohibition Policy*

*Adopted: August 29, 2005  
Reviewed: 1.24.23*

**Harassment and Violence Prohibition**

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

*MSBA/MASA Model Policy 413 Charter  
Orig. 2022 (as Charter Policy)  
Rev. 2025*

### **413 HARASSMENT AND VIOLENCE**

**[NOTE: State law (Minnesota Statutes, section 121A.03) requires that charter schools adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minnesota Statutes, section 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that charter schools incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minnesota Statutes, section 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minnesota Statutes, section 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon charter schools than required by law. For that reason, MSBA recommends the adoption of its model policy by charter school. Each charter school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]**

**Commented [1]: Is this new or do we already do that?**

**Commented [2R1]: I do this every year**

#### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

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

- A. The policy of the charter school is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other charter school personnel harasses a student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the charter school.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other charter school personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel based on a person's Protected Class.
- D. The charter school will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school personnel found to have violated this policy.

#### **III. DEFINITIONS**

- A. "Assault" is:

*Rev. August 2011*

***Harassment and Violence Prohibition Policy***

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. the intentional infliction of or attempt to inflict bodily harm upon another; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment or academic opportunities.

**[NOTE: In 2023, the Minnesota legislature amended the definition of "sexual orientation" in the Minnesota Human Rights Act as reflected in subpart 6 below. A charter school board may choose whether to retain the phrase "including gender identity or expression" in light of the legislative amendment.]**

C. "Immediately" means as soon as possible but in no event longer than twenty-four (24) hours.

D. Protected Classifications; Definitions

1. "Disability" means, with respect to an individual who
  - a. has a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
  - b. has a record of such an impairment;
  - c. is regarded as having such an impairment; or
  - d. has an impairment that is episodic or in remission and would materially limit a major life activity when active.
2. "Familial status" means the condition of one or more minors having legal status or custody with:
  - a. the minor's parent or parents or the minor's legal guardian or guardians; or
  - b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. The protections afforded against harassment or

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discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.

**[NOTE: The 2023 Minnesota legislature redefined 'sexual orientation' in the Minnesota Human Rights Act.]**

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
  - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by

***Harassment and Violence Prohibition Policy***

teachers, administrators, or other charter school personnel to avoid physical harm to persons or property;

- d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

**G. Sexual Violence; Definition**

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts;
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

**H. Violence; Definition**

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other charter school personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school personnel should report the alleged acts immediately to an appropriate school official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The charter school encourages the reporting party or complainant to use the report form available from the executive director, principal, or building supervisor or available from the school office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a charter school human rights officer or to the executive director. If the

**Commented [3]:** Do they have a copy of the report form we can use?

**Commented [4R3]:** A form has been created

*Harassment and Violence Prohibition Policy*

complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the school human rights officer by the reporting party or complainant.

D. In Each School Building

The executive director, building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult charter school personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the charter school human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. Charter school personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

F. Upon receipt of a report, the building report taker must notify the charter school human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within twenty-four (24) hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

G. In the Charter School

The charter school board hereby designates the School Director and/or the Operations Coordinator as the charter school human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the executive director.<sup>1</sup>

H. The charter school shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.

(1) The Human Rights Officer is **Annette Vemuri**  
Mailing address: 500 Maple Street Monticello MN 55362  
Telephone number: 763-271-7926  
Email address: director@swanrivermontessori.org

(2) The **superintendent is Annette Vemuri**  
Mailing address: 500 Maple Street Monticello MN 55362  
Telephone number: 763-271-7926  
Email address: director@swanrivermontessori.org

(3) The school board contact information is: **Franco Fanucci**, Board President  
Mailing address: 500 Maple Street Monticello MN 55362

**Commented [5]:** Jana Evink

<sup>1</sup> In some charter schools the executive director may be the human rights officer. If so, an alternative individual should be designated by the charter school board.

## *Harassment and Violence Prohibition Policy*

Telephone number: 763-271-7926

Email address: [francof@swanrivermontessori.org](mailto:francof@swanrivermontessori.org)

Commented [6]: "janae"

- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The charter school will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the charter school's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from charter school property and events and/or termination of services and/or contracts.

## **V. INVESTIGATION**

- A. By authority of the charter school, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school officials or by a third party designated by the school.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the charter school should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a

## *Harassment and Violence Prohibition Policy*

particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

- D. In addition, the charter school may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The charter school human rights officer shall make a written report to the executive director upon completion of the investigation. If the complaint involves the executive director, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. CHARTER SCHOOL ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the charter school will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school policies and regulations.
- B. The school is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the charter school. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The charter school will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. 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 individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

## *Harassment and Violence Prohibition Policy*

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

### **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the charter school from taking immediate action to protect victims of alleged harassment, violence, or abuse.

### **X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each charter school building in areas accessible to students and staff members.
- B. This policy shall be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school.
- C. This policy shall appear in the student handbook.
- D. The charter school will develop a method of discussing this policy with students and employees.
- E. The charter school may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**[NOTE: The MDE model policy included X.F. State law does not mandate an annual review. School boards may determine whether to retain X.F.]**

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)

*Harassment and Violence Prohibition Policy*

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

## Swan River Montessori Charter School

Adopted: 2005

Reviewed: December 2023

Chemical Use and Abuse Policy 417

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

Orig. 1995 (as ISD Policy)  
Orig. 2022 (as Charter Policy)

### 417 CHEMICAL USE AND ABUSE

**[NOTE: This policy reflects mandatory provisions of state and federal law and is not discretionary.]**

#### I. PURPOSE

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

#### II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in accordance with charter school policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The charter school shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every charter school that participates in a charter school chemical abuse program shall establish and maintain in every school a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The charter school shall establish a drug-free awareness program for its employees.

**[NOTE: Charter schools are required to establish a drug-free awareness program for charter school employees pursuant to the Drug-Free Workplace Act. In addition, state law requires that the written charter school discipline policy must include procedures for detecting and addressing chemical abuse problems of a student while on the school premises. Further, charter schools are required to develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement if receiving funding under the federal Student Support and Academic Enrichment Grants law.]**

Commented [1]: Who is our preassessment team? What does this look like?

Commented [2R1]: I would say this is our HR

Commented [3]: Do we have something like this?

Commented [4R3]: This is in our student handbook

#### III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the minor's normal function in academic, school, or social activities is chronically impaired.
- B. "Controlled substances," as applied to the chemical abuse assessment of students,

means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes, section 152.02 and "marijuana" as defined in Minnesota Statutes, section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.

- C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.
- D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including executive directors, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

#### **IV. STUDENTS**

##### **A. Charter School Discipline Policy**

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

##### **B. Programs and Activities**

- 1. The charter school shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
- 2. As part of its drug-free programs, the charter school may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

##### **C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance**

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

**[NOTE: Charter schools are not required to participate in a chemical abuse program or establish a chemical abuse preassessment team pursuant to state law. Schools are required to have procedures for detecting student chemical abuse and can obtain federal funding if they establish drug prevention, detection, intervention, and recovery support services. Thus, it is recommended that schools establish these programs and activities. For those schools that do not establish a chemical abuse preassessment team, those obligations could be assigned to a specified staff member such as a school counselor or**

**administrator.]**

2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, [Minnesota Statutes, section 121A.40-121A.56.]
3. Searches by charter school officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with school board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

**Commented [5]:** Wasn't there a state statute policy change where elementary students can no longer be expelled?

**D. Preassessment Team**

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

**E. Data Practices**

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes, section 13.32 and applicable federal law and regulations.
2. Destruction of Records
  - a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
  - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the charter school.
  - c. Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding Minnesota Statutes, section 138.163 (Preservation and Disposal of Public Records).

F. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

**[NOTE: State law permits schools to provide these services to minor students without the consent of a parent. If, however, a charter school provides these or other services pursuant to a grant received under the Student Support and Academic Enrichment Grants law, this funding could be jeopardized if the requirements of federal law, to obtain prior written, informed consent from the parent of each child who is under 18 years of age is not obtained.]**

**V. EMPLOYEES**

A. The charter school shall establish a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace.
2. The charter school's policy of maintaining a drug-free workplace.
3. Available drug counseling, rehabilitation, and employee assistance programs.
4. The penalties that may be imposed on employees for drug abuse violations.

B. The director, or designee, shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)  
Minn. Stat. § 126C.44 (Safe Schools Levy)  
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 299A.33 (DARE Program)  
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)  
20 U.S.C. § 5812 (National Education Goals)  
20 U.S.C. § 7175 (Local Activities)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

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

MSBA/MASA Model Policy 416 (Drug, Alcohol, and Cannabis Testing)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

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

**419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

**[NOTE: Charter schools are not required by statute to have a policy addressing these issues. However, Minnesota Statutes, section 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate. Additionally, Minnesota Statutes, section 120B.238 requires that vaping prevention instruction be provided as set forth in this policy.]**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

**II. GENERAL STATEMENT OF POLICY**

A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the charter school, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a charter school owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all charter school property and all off-campus events sponsored by the charter school.

B. A violation of this policy occurs when any student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a charter school owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all charter school property and all off-campus events sponsored by the charter school.

C. The charter school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

**[NOTE: The following language is not required by law, but is recommended by MSBA for inclusion in this policy.]**

D. *The charter school will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The charter school will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.*

Commented [1]: Again, seems like this note is for us to know but not to include in final policy????

**III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on charter school property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult non<sup>student</sup> possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the charter school.  
Commented [2]: should it be a hyphen here?
- C. An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging

must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The charter school must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The charter school may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the charter school's locally developed health standards.

**Commented [3]:** Is this just covered by dare for our 6th graders?

**[NOTE: In addition, charter schools may choose to require (a) evidence-based vaping prevention instruction to students in grades 9 through 12; and/or (b) a peer-to-peer education program to provide vaping prevention instruction.]**

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to charter school discipline procedures.
- C. Charter school administrators and other school personnel who violate this tobacco-free policy shall be subject to charter school discipline procedures.
- D. Charter school action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and charter school policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other charter school supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

#### **VII. DISSEMINATION OF POLICY**

- A. This policy shall be referenced and explained in the Swan River Montessori Charter School Parent Handbook and Employee Handbook.
- B. The charter school will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)  
Minn. Stat. § 121A.08 (Smudging Permitted)  
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)  
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)  
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)  
SRMCS Student Discipline Policy

**Swan River Montessori Charter School**

**Adopted: 2005**

**Reviewed: 1.16.24**

*Adopted:* \_\_\_\_\_

*MSBA/MASA Model Policy 502 Charter*

*Orig. 1995 (as ISD Policy)*

*Orig. 2022 (as Charter Policy)*

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

**502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON**

**[NOTE: Charter schools are required by statute to have a policy addressing these issues.]**

**I. PURPOSE**

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the charter school's policies against contraband.

**II. GENERAL STATEMENT OF POLICY**

**A. Lockers and Personal Possessions within a Locker**

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time will SRMCS allow lockers to be locked. At no time does the charter school relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

**B. Desks**

School desks are the property of the charter school. At no time does the charter school relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

**C. Personal Possessions and Student's Person**

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

**D. A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.**

**III. DEFINITIONS**

**A. "Contraband" means any unauthorized item possession of which is prohibited by charter**

school policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the charter school, and stolen property.

- B. "Personal possessions" includes, but is not limited to, purses, backpacks, bookbags, packages, and clothing.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.
- D. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of charter school policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

#### **IV. PROCEDURES**

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. This policy must be disseminated to parents and students in the way that other policies of general application to students are disseminated. The charter school shall provide a copy of this policy to a student the first time that the student is given the use of a locker.

#### **V. DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific

needs of the charter school, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

## **VI. SEIZURE OF CONTRABAND**

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

## **VII. VIOLATIONS**

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

<b>Legal References:</b>	U. S. Const., amend. IV Minn. Const., art. I, § 10 Minn. Stat. § 121A.72 (School Locker Policy) <i>New Jersey v. T.L.O.</i> , 469 U.S. 325 (1985) <i>G.C. v. Owensboro Public Schools</i> , 711 F.3d 623 (6 <sup>th</sup> Cir. 2013)
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**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 506 (Student Discipline)