



Newsletter

July 2022

Model Policy Updates

This update covers

1. Recent legislative changes, especially those regarding student data privacy and edible cannabinoids. Additional substantive changes, with brief explanations for each affected policy, are included in Section I.
2. Non-substantive revisions that reflect MSBA’s completion of its deep review of the Model Policy Manual. We are very grateful for your assistance and your support on this project.

We organized these updates in the order of importance, in recognition that significant time may be needed to complete all of the changes. Completion of Section 1 should be the priority.

I. Substantive Policy Changes

The revisions in this section create substantive change or additions to existing policies. Some of the revisions come directly from federal or Minnesota law. Because the revisions drawn from federal or Minnesota law potentially concern matters of stakeholder interest, MSBA recommends that school boards consider the substantive revisions and use the multiple meeting adoption process set forth in MSBA Model Policy 208.

Model Policy Number	Model Policy Title	Notes
208	Development of Policies	Updates list of annual review policies*
209	Code of Ethics	Add introductory note to consider
210	Conflict of Interest	Increase from \$8K to \$20K
410	Family Leave	Clarifies “parental care” and “employer”
415	Mandated Reporting/Adults	Update definitions
416	Drug and Alcohol Testing	Add Clearinghouse and cannabinoids
417	Chemical Use and Abuse	Updates statutory language and text
418	Drug-Free Workplace/School	Updates statutory language and text
515	Protection of Pupil Records	Adds “education support services data”
524	Internet Use	Adds notice and provider provisions
603	Curriculum Development	Updates District Advisory Committee
604	Instructional Curriculum	Adds Parental Curriculum Review
708	Transportation Nonpublic	Updates provisions
709	Student Transportation Safety	Update references; updates “serious traffic violation”
721	Uniform Grant Guidance	Updates micro-purchase limit
722	Public Data Requests	Adds annual review and posting

Policy 208: MSBA reviewed the policies for which required annual review was included:

Policies 410, 414, and 415: Annual review requirement is not in statute and likely reflects legal counsel advice at the time the policy was created. Districts may choose to continue annual review.

Policy 514: Minnesota law states that the policy should be reviewed “on a cycle consistent with other district policies.” Districts may choose to continue annual review.

Policies 506 and 722: Annual review is legally required.

Policy 524: Annual review was advised because of rapid changes in internet and technology. Annual review is not legally required. Districts may choose to continue annual review.

Policy 616: Annual review of the *goals* (not policy) is legally required. Annual review of policy may be appropriate as part of the annual review of the goals.

Policy 806: The Minnesota Department of Education included annual review in its model policy. It may be good practice to continue annual review of crisis management policies.

If your district chooses to drop annual review for a policy, it should remove the annual review language in that policy and in Policy 208.

Policy 209: The suggested introductory note offers context to consider as a school board adopts, reviews, and/or revises this policy. School boards have considerable latitude in creating a code of ethics.

Policy 210: The increase from \$8,000 to \$20,000 in potential school board member compensation for employment became effective July 1, 2022.

Policy 410: The revisions are proposed by MSBA’s law firm in light of federal and state law.

Policy 415: The Definitions (Article III) has been updated to include additional definitions and to place the definitions in alphabetical order (for ease of use). Article VI is revised to indicate that the provisions in A. and C. are recommended rather than required.

Policy 416: Provisions have been added regarding the federal government’s *Drug a& Alcohol Clearinghouse*, which is an online database that gives employers (including schools) real-time access to information about commercial driver’s license (CDL) drivers and drug and alcohol program violations (<https://clearinghouse.fmcsa.dot.gov/>).

In addition, this policy is updated in light of Minnesota’s recent legalization of edible cannabinoids

Policy 417: The revisions are proposed by MSBA’s law firm in light of federal and state law.

- The Definitions (Article III) has been updated to include additional definitions and to place the definitions in alphabetical order (for ease of use).
- Federal law changed by repealing the Safe and Drug-Free Schools and Communities Act, which explains why provisions in Article IV have been deleted.
- Some revisions can be found in the federal Student Support and Academic Enrichment Grants law. Changes regarding the Preassessment Team can be found in Minnesota Statutes.
- The Note in Article IV regarding students and consent seeks to explain a tension between federal and state law that may have funding implications.
- Article V is modified to match federal law.



Policy 418: The revisions include updates to definitions in light of laws that recently took effect. Article V is revised and reorganized due to the revised federal Student Support and Academic Freedom Act (which replaced the Safe and Drug-Free Schools and Communities Act).

In addition, this policy is updated in light of Minnesota's recent legalization of edible cannabinoids.

Policy 515: The Minnesota legislature added a definition of "education support services data" and designated such data as private data. Districts should ensure that staff are aware of this definition. The definition is part of the new Minnesota student data privacy and technology law (see Policy 524 below).

Policy 524: In 2022, the Minnesota legislature enacted notification, inspection, and other language related to student data privacy and technology. This may be a good opportunity for the district to review this policy in detail, including the added provisions. On July 1, a new law regarding preschool and kindergarten screen time became effective; this language has also been added to Policy 524.

Policy 603: This revision adds the District Advisory Committee and School Site Team statutory requirements to the policy.

Policy 604: This revision adds the Parental Curriculum Review statutory requirement to the policy. It also adjusts the policy's articles to separate CPR/AED training, College and Career Planning, and Civics Test provisions.

Policy 708: The revisions add Minnesota Rules language regarding students with disabilities. Statutory citations at the end of many provisions are removed to restore consistency with MSBA model policies.

Policy 709: This revision includes changes to the definition of "serious traffic violation" in light of federal regulations and Minnesota state law.

Policy 721: The revision adds a Procurement Note regarding districts' option to increase the micro-purchase threshold.

Policy 722: The revision adds the statutorily required annual review and posting requirements.

II. Non-substantive Policy Updates

Description: The following three charts list policies for which non-substantive changes are recommended. Some of the updates restore consistency in policy references and ensure that each reference reflects current federal and Minnesota statutory titles. Similarly, old citations and text are deleted. The text updates in these policies do not change the meaning of the policy.

Process: MSBA Model Policy 208 states:

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

The following non-substantive policy updates can be adopted in a single meeting under MSBA Model Policy 208. Districts may choose to use a multiple-meeting approach.



Series 100 - 600 Non-substantive Updates

Model Policy Number	Model Policy Title	Notes
104	School District Mission Statement	Delete rules citation
404	Employment Background Checks	Update Legal References
420	Sexually Transmitted Infections	Update Legal References
506	Student Discipline	Update references and language
508	ESY for Certain Students	Update Legal References
509	Enrollment of Nonresident Student	Update Legal References and text
517	Student Recruiting	Remove Service Manual
522	Title IX Sex Nondiscrimination	Update references
525	Violence Prevention	Update Legal References
527	Student Use and Parking	Update Legal References
528	Student Parental and Family	Update references
529	Staff Notification	Update references
532	Use of Peace Officers	Update Legal References
533	Wellness	Update references
601	School District Curriculum	Update Legal References and text
602	Organization of School Calendar	Update Legal References and text
613	Graduation Requirements	Removes outdated language
617	School District Ensurance	Update Legal References
618	Student Achievement	Update Legal References
619	Staff Development	Update Legal References
620	Credit for Learning	Update Legal References
624	Online Learning Options	Update Legal References

Series 700 Non-substantive Updates

MSBA discontinued its *Service Manual* (individual Law Bulletins continue to be available). The updates below address this change and update other references. As stated above, these reference changes could be adopted in a single meeting under MSBA Model Policy 208.

Model Policy Number	Model Policy Title	Note
701	Establishment District Budget	Updates references and Commissioner title
701.1	Modification of District Budget	Updates reference
702	Accounting	Updates references
703	Annual Audit	Updates references and Commissioner title
704	Fixed Assets	Updates reference
705	Investments	Updates references
706	Acceptance of Gifts	Update references
707	Transportation Public School	Updates reference, adds physician assistant and deletes "handicapped"
710	Extracurricular Transportation	Updates reference
711	Video Recording on Bus	Updates reference
712	Video Surveillance	Updates reference
713	Student Activity Accounting	Update reference
714	Fund Balances	Updates reference
720	Vending Machines	Update references



Series 800 Non-substantive Updates

MSBA discontinued its *Service Manual* (individual Law Bulletins continue to be available). The updates below address this change and update other references. As stated above, these changes could be adopted in a single meeting under MSBA Model Policy 208.

Model Policy Number	Model Policy Title	Note
801	Equal Access to School Facilities	Updates references
802	Disposition of Obsolete Equipment	Updates references
805	Waste Reduction and Recycling	Updates references
806	Crisis Management Policy	Updates references

Series 900: No updates

Instructions to access the Policy Manual online

1. Please visit www.mnmsba.org.
2. Go to the Resources tab and select Policies
3. Log into the Members area (access is limited to Policy Services subscribers)
4. Click on a desired policy
5. A clean version (e.g., Policy 418) and a redlined version (e.g., Policy 418 Redline) can be found at the bottom of the policy page, below the Legal References and Cross References.

NOTE: If you experience trouble viewing the **redlined** version, please go to the Review tab on Microsoft Word and ensure that “All Markup” is clicked in the Tracking section. If the “Simple Markup” box is checked, one cannot see the redlined changes.

Redlines: To clean up the policy library, we removed redlines that are more than ten years old to reduce possible confusion. The removed redlines are available upon request.

The current and recent Policy Services Newsletters can be found on the MSBA website under Services—>Policy Services,

If you have questions about Policy Services, how to navigate the online Policy Reference Manual, or the content of the model policies, please contact Terry Morrow at (507) 934-8126 or (800) 324-4459 or by email at tmorrow@mnmsba.org

Jaymyson Sillman (jsillman@mnmsba.org) can assist if technological issues arise related to accessing the model policies or the revisions.



