

Adopted: 11/12/2015

Revised: December, 2018

NASHA SHKOLA POLICY No. 1.1.1 STATEMENT OF MISSION

I. PURPOSE

The purpose of this policy is to inform the school community of Nasha Shkola's mission.

II. POLICY STATEMENT

- A. It is the policy of the Board of Nasha Shkola to adhere to and carry out the mission stated below in its governance, operational and financial decisions. Decisions made by the Board of Nasha Shkola, will be consistent with the mission statement.
- B. The following is a statement of the mission of Nasha Shkola, as contained in the contract with the school's authorizer:

Mission: Nasha Shkola aspires to be a multi-cultural charter school committed to exceptional education in all areas of academic inquiry with an emphasis on Russian Language and Culture, providing structured and responsive learning environment based upon educational best practices for all students and their families.

Vision: To be an academically rigorous school preparing students for continued success as motivated learners and global citizens.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: 11/12/2015

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NASHA SHKOLA POLICY No. 1.2 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

Nasha Shkola must operate in compliance with federal and state laws including the Minnesota Human Rights Act, regarding non-discriminatory practices in the school setting.

II. POLICY STATEMENT

- A. Nasha Shkola will provide equal educational opportunity for all students.
- B. Nasha Shkola will not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, age, marital status, parental status, status with regard to public assistance, disability, or sexual orientation.
- C. Nasha Shkola will make reasonable accommodations for disabled students.
- D. Each Nasha Shkola administrator and staff member must comply with this policy. Failure to comply will result in appropriate discipline.
- E. Students or parents should contact the Nasha Shkola Executive Director with any questions or concerns regarding this policy or its implementation.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Section 504 of the Rehabilitation Act of 1973, United States Code, Title 29, §794
42 U.S.C. §12101 *et seq.* (Americans with Disabilities Act)
20 U.S.C. §1681 *et seq.* (Title IX of the Education Amendments of 1972)

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.1 BOARD ELECTION PROCESS

I. PURPOSE

The Board shall appoint a Board Development Committee that will follow the election procedures described below for the Nasha Shkola Board of Directors.

II. POLICY STATEMENT

In accordance with the Nasha Shkola Bylaws and Minnesota law, elections for the Board of Directors will held in June of every year.

III. SELECTING POSSIBLE BOARD CANDIDATES

- A. The Board Development Committee should have to least 1-3 candidates to present to the Board.
- B. The Board of Directors Nomination Form (*see* Attachment A) should be completed for each candidate.
- C. The Board Development Committee shall present the list of prospective candidates to the Board of Directors.
- D. The Board of Directors must be composed of at least five members who are not related or affiliated with one another, with at least one of each of the following: 1) licensed teachers teaching in the classroom; 2) a parent or legal guardian who is not an employee of Nasha Shkola; and 3) a community member who is not an employee or parent of Nasha Shkola.
- E. Immediate family members of school employees are not eligible to serve on the Board.

IV. CONTACTING POSSIBLE BOARD CANDIDATES

- A. Once the Board has chosen the prospective Board candidates the Board Development Committee members will then contact the prospects. The Board Development Committee will use the following materials:

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

1. A personalized cover letter that informs the prospect of the Board's interest in him/her, a brief description of the recruitment and nominations process, and an invitation to be considered for the Nasha Shkola Board of Directors (*see* Attachment B).
 2. A copy of the position description that details the roles and responsibilities of a Board Director (*see* Attachment C).
 3. Additional material about the Nasha Shkola Board and its responsibilities.
 4. A response form that the prospect can return indicating he/she would like more information and/or they want to be considered for the Board of Directors (*see* Attachment D).
 5. A completed background check.
- B. This mailing will be followed by a personal phone call from designated members of the Board Development Committee. This will give Board Development Committee members a chance to respond to any questions that the prospect might have. During this conversation the Board Development Committee member will be able to determine the prospect's level of interest in being considered for the Board of Directors, to invite them to a school function if they are unfamiliar with Nasha Shkola, and to invite them to talk with administration and other staff.

V. ORIENTATION

- A. The Board Development Committee will then schedule an orientation with all prospective Board Directors who responded to the mailing and phone calls.

In this orientation, the agenda will consist of:

1. Welcome and introductions;
2. Overview of the mission, vision and educational goals of the school;
3. Overview of the roles and responsibilities of the Board of Directors;
4. Review of the individual job description detailing specific expectations (for example, committee work, meeting attendance, involvement in community outreach, etc.);
5. Opportunity for Board candidates to ask questions; and
6. Declarations of willingness to serve by the Board candidates.

- B. After the orientation session is completed, individuals who wish to continue in the process, will be asked to fill out the questionnaire that provides some background information (*see* Attachment E). Some of this information can be included in their profiles that will be distributed to all individuals who are eligible to vote (*see* Attachment F). A deadline date to return the questionnaire will be given or it will be sent to them prior to the orientation.

VI. FINAL SELECTION OF CANDIDATES

- A. After the orientation is completed, the Board Development Committee will meet to review all of the individuals who participated.
- B. When reviewing the prospective Board Directors, the Board Development Committee should ask the following questions:
 - 1. Does the candidate appear to be committed to the mission and educational philosophy of Nasha Shkola?
 - 2. Can the candidate contribute the time necessary to be an effective Board Director?
 - 3. Does the candidate possess some of the key skills, knowledge and other assets that match the Board to recruiting priorities?
 - 4. Does it appear that the candidate can place Nasha Shkola purposes and interest above their own professional and personal interest when making decisions as a Board Director?

VII. ELECTION

- A. After the Board Development Committee has finished the nomination process, it then will create ballots and other election materials. Each student's mother and father or legal guardians have one vote, with a maximum of two voters per family; each school employee has one vote.
- B. Nasha Shkola must notify eligible voters of the Board of Directors' election at least 30 days before the election. No elections will be held during holidays or school breaks. Elections must be held during the school year.
- C. Once all votes are in and tabulated, the new appointed Board of Directors will be notified, sign the Board Member Profile Agreement (*see* Attachment G), and take their place on the Board of Directors at the Organizational Meeting in July

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

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Nasha Shkola
INVITATION LETTER DRAFT
(Attachment B)

In [MONTH] of this year, new Board Directors will be appointed to the Board of Directors of Nasha Shkola. You have been recommended to our Board Development Committee as a possible candidate for Board service. We are requesting that you give serious consideration to this nomination for a Board position.

The next several years promise to be exciting ones for Nasha Shkola. Nasha Shkola will continue to have a positive impact on the children and families we serve. The Board of Directors will play a central role in this important work.

Because of your experience and involvement in Nasha Shkola and/or the community, we feel you are well qualified to be nominated for a Board position. As you consider this opportunity, we ask you to review the Board Director Position Description included in this mailing. As you will see, we are expecting the Board to be an active one.

A primary responsibility of Board Directors is to participate in the development of policy and major decision-making at Board meetings held at least 12 times a year. *Another key responsibility is to be active on an ongoing basis in a committee of the Board. Board nominees will be asked to make that commitment before they are voted onto the Board.*

Since its opening, Nasha Shkola has become recognized as an effective educational leader having real impact within the community. We invite you to become a part of this growing tradition.

A member of our Board Development Committee has been asked to contact you by phone to discuss this invitation with you. You may have already received this call. In the meantime, if you wish to be considered as a candidate for the Board of Directors, please send in the enclosed response form. If your answer is "yes," you will be asked to attend a short orientation meeting to review Board responsibilities in more detail and you will receive additional information about Nasha Shkola.

If you have any questions, please contact [NAME, PHONE NUMBER AND EMAIL ADDRESS].

Sincerely,

[NAME OF BOARD DIRECTOR]
Nasha Shkola Board of Directors

Nasha Shkola
BOARD DIRECTOR POSITION DESCRIPTION
(Attachment C)

1. Attend regular meetings of the Nasha Shkola Board, which are each approximately 2 hours in duration. The Board meets monthly. Be accessible for personal contact in-between Board meetings.
2. Provide leadership to Board committees. Each Board Director is expected to serve as an active, ongoing member of at least one committee. This requires a number of meetings per year plus individual committee task completions.
3. Commit time to attend important school related functions, such as staff meetings, staff workshops, open houses, and parent-teacher conference.
4. Responsibly review and act upon committee recommendations brought to the Board for action.
5. Prepare in advance for decision-making and policy formation at Board meetings; take responsibility for self-education on the major issues before the Board.
6. Participate in the annual Board Director self-review process.
7. Participate in the annual Board development and planning retreat/meeting.
8. In general, utilize personal and professional skills, relationships and knowledge for the advancement Nasha Shkola.
9. Be familiar with and act in accord with Nasha Shkola's Board of Directors' Policy Manual.
10. Meet the duty of care, obedience and loyalty as defined in Minnesota Statutes §317A.
11. Participate in the Board training required under Minnesota Statutes §124D.10.

I am aware that this Board Director Position Description is an expression of good faith and provides a common ground from which Board Directors can operate. Additional information on the mission of Nasha Shkola, educational program and Board responsibilities is contained in the Board orientation materials and bylaws which I have read.

Board Director's Signature

Date

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Nasha Shkola
BOARD NOMINATIONS RESPONSE FORM
(Attachment D)

Please Check One:

- _____ I am interested in being considered for a Nasha Shkola Board position. Contact me with information about the upcoming orientation session.
- _____ Contact me. I need more information before I can decide if I want to be considered for a Board position.

Name _____

Day Phone _____ Evening Phone _____

Return by Mail to:

[ADDRESS]

Or

Return by Fax to: [FAX NUMBER]

Nasha Shkola
BOARD APPLICATION FORM
(Attachment E)

Complete this form and return to the Nasha Shkola Board Development Committee.

Name: _____ Phone: _____

Address: _____

Relevant Community Experience and/or Employment (attach a resume if relevant): _____

Why are you interested in serving as a Board Director? _____

Area(s) of expertise/contributions you feel you can make to our school as a Board Director: _____

Other volunteer commitments: _____

Nominee: _____ Date: _____

For Board Committee Use

_____ Nominee has had a personal meeting with the Board Development Committee Chair, Board Chair, Charter School Administrator, or other Board Director. Date: _____

_____ Nominee reviewed by the Board Development Committee. Date _____

_____ Nominee attended a Board meeting. Date _____

_____ Nominee interviewed by the Board. Date _____

Action taken by the Board: _____

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Nasha Shkola
BOARD PROFILE WORKSHEET
(Attachment F)

Nominee Initials: _____

CONSTITUENCY:

_____ Parent _____ Guardian _____ Community Member
_____ Licensed Teacher Teaching in the Classroom

SKILLS:

Strategic Planning: _____

Public Relations: _____

Financial Management: _____

Community Development: _____

Administration: _____

Academic/Education: _____

Government Representative: _____

Law: _____

Personnel: _____

Charter School Law: _____

Other: _____

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Nasha Shkola
BOARD MEMBER PROFILE AGREEMENT
(Attachment G)

Nasha Shkola Board of Directors shall have a firm knowledge of creating an effective charter school governing Board. Directors shall be fully committed to the charter school concept. The purpose of the Board of Directors is to direct, not manage, the school. Board members should be able carry out the Nasha Shkola's vision, foster relationships with staff and the school community, and oversee the budget.

All Board members should attend at least two school related functions, such as staff meetings, staff workshops, open houses, and parent-teacher conferences per year to show support and encouragement for that vital aspect of our school. Board members may chair and serve on committees.

Prior Board experience is helpful. A high value for professionalism and the success of the school is mandatory. Motivation for serving on the Board shall be to help guarantee the educational success of students.

All Board members are expected to attend a yearly Board conference where the goals of the Board are defined, a Board self-evaluation critique is conducted, outside speakers present information on effective Board leadership, and other pertinent topics are discussed. The Board will annually attend a Board Visit Day. During this time, Directors will visit with the staff and become familiar with current school concerns. The Board will annually conduct a self-evaluation. Goals for the next year will also be determined at that time. Directors shall fulfill their responsibilities on the Board, Board committees or subcommittees to their fullest capability. All Board members should be the best public relations representatives the school has.

BEHAVIORAL EXPECTATIONS

Expectations include a professional demeanor at all Board meetings. Issues being discussed shall not be personalized and directed toward any other Board member, staff member, parent or anyone else. Confidentiality, consistent with state and federal law, is expected in all situations. Board members shall respect and listen to ideas being presented by other Board members.

Board members fulfilling their responsibilities to their fullest potential shall be encouraged by each of the Directors. When receiving criticisms from parents or other interested parties about staff, the Board member shall direct the speaker to the Executive Director who shall process the criticism in a manner consistent with Board policies. Board members are expected to present a positive image of staff and Board members to the school community or parties outside the school community.

Board members will commit to resolving conflict directly with each other or with the appropriate staff member and not share the conflict with anyone outside of the conflict, including, but not limited to other parents, other staff members or the media.

Board members shall exemplify integrity, honesty and respect. A dedication and commitment to the vision of Nasha Shkola and the charter school movement shall be the top priority for all

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Board members. Any Board member finding him or herself involved in an irresolvable conflict shall put the vision of the school first and step down from the Board.

Board members shall abide by the Open Meeting Law. The Opening Meeting Law states that anyone discussing Board business, policy, actions, resolutions, etc. with a quorum of the Board, except at regularly scheduled meetings, is illegal. A "meeting" is defined as communication of a quorum through person, telephone, e-mail, or any other means.

Board members missing more than two Board meetings a year shall be relieved of their Board involvement.

GOVERNANCE OF Nasha Shkola

Nasha Shkola shall be governed by a Board of Directors. The Executive Director of Nasha Shkola shall answer directly to the Board and serve at the pleasure of the Board. The Director shall make decisions on a day-to-day basis and fulfill all administrative duties for the school. The Board will maintain the vision and steer the school's direction as it carries out the Mission Statement.

As with all charter schools, Nasha Shkola is an entity separate from the school district in the area of governance. This unique characteristic of charters shall be guarded by each Board member.

If a Board Director questions a decision of the Executive Director, he or she shall immediately take that concern or disagreement to the administrator in a confidential and diplomatic format. Likewise, the Executive Director shall agree to the same commitment. Respect for each other shall remain constant.

While at the school, Board members shall be mindful of the different roles they play: parent, volunteer, Board member, etc. Board members will not use their position of authority while acting in their parent or volunteer roles. Board members shall foster good relationships with the administrator and staff on a personal level. With humility, each Board member will serve the best interests of the school.

Board members shall remember that stepping out of their advisory/Board capacity and attempting to run the school as an administrator will always cause problems.

The vision and mission statement of Nasha Shkola will serve to guide and direct the Board of Directors. The goal to continually improve, maintain integrity, serve Nasha Shkola families and ensure academic success for our students shall take precedence in all situations.

Signed, this ____ day of _____, 20____.

Board Member, Nasha Shkola

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.2

BOARD MEMBER TRAINING

I. PURPOSE

Nasha Shkola requires Board members to participate in training below and in compliance with Minnesota Charter School Law.

II. POLICY

- A. **Timing and Content of Training.** All new Board members shall attend initial training on the board's role and responsibilities, employment policies, and practices, and financial management.
- B. **Training Required.** Every member of the Board of Nasha Shkola shall attend annual training throughout the member's term on the board.
- C. **Consequences for Failure to Attend Training.** A new Board member who does not begin the required initial training within six months after being seated and complete that training within 12 months of being seated on the board is automatically ineligible to continue to serve as a Board member. The school shall include in its annual report the training attended by each Board member during the previous year.

Legal Reference: Minn. Stat. §124D.10, subd. 4(f) (Charter School law)

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.3 BOARD COMMITTEES

I. PURPOSE

The purpose of this policy is to set out the process for and criteria relating to establishment of Board Committees.

II. POLICY STATEMENT

The Board believes that most Board business should be processed in committees to enable the full Board to be more efficient and effective.

III. CREATION OF COMMITTEES

- A. A resolution approved by the affirmative vote of a majority of the Board may establish committees having the authority of the Board in the management of the business of Nasha Shkola to the extent provided in the resolution.
- B. Committees are subject at all times to the direction and control of the Board.
- C. The resolution creating the committee shall include the specific charge to the committee.

IV. MEMBERSHIP

- A. Committee members must be natural persons.
- B. [Unless the articles or bylaws of Nasha Shkola provides otherwise] a committee must consist of one or more persons, who need not be Board members. Committee members shall be appointed by the affirmative vote of a majority of the Board members present at a meeting.

V. MEETINGS AND MINUTES

- A. If a committee includes a quorum of the Board of Nasha Shkola, it is presumed that the meeting is subject to the requirements of the Open Meeting Law.

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- B. If the Board of Nasha Shkola delegates its authority to a committee to make binding decisions on its behalf, the committee meetings are subject to the requirements of the Open Meeting Law.
- C. Minutes, if any, of committee meetings must be made available upon request to members of the committee and to the Board.

VI. PERSONNEL COMMITTEE [Note to Users: Optional but Advised]

- A. The Board shall establish a Personnel Committee to gather information and conduct annual reviews of the Executive Director. The committee shall use the Executive Director's job description as a basis for the annual review.
- B. The Personnel Committee shall not have the authority to take any binding action on behalf of the Board.
- C. The Personnel Committee shall not include teachers employed by the school and shall be comprised of less than a quorum of the Board.
- D. The Personnel Committee shall be the body to receive complaints regarding the Executive Director. If deemed appropriate, the personnel committee shall appoint an independent party to conduct an investigation into complaints; that party shall report back to the committee with the results of the investigation. Recommendations for discipline shall be made by the committee to the full board in compliance with open meeting law requirements.
- E. The Personnel Committee shall also be charged with negotiating the terms of a recommended employment contract for the Executive Director. The contract shall be presented to the full board for its final consideration.

Legal References: Minn. Stat. §317A.241 (Non-Profit Law)
Minn. Stat. Chap. 13D (Open Meeting Law)

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.4.1

CONFLICT OF INTEREST – BOARD OF DIRECTORS

I. PURPOSE

The purpose of this policy is to ensure the Board of Directors does not engage in actions that create a conflict of interest.

II. POLICY STATEMENT

The Board of Nasha Shkola is committed to full compliance with the applicable provisions of state law.

III. DEFINITIONS

- A. “Board” means the duly appointed or elected Board members of Nasha Shkola.
- B. “Control” means the ability to affect the management, operations, or policy actions or decisions of a person.
- C. “Affiliate” means a person that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with another person.
- D. “Person” means an individual or entity of any kind.
- E. “Immediate Family” means an individual whose relationship by blood, marriage, adoption, or partnering is no more remote than first cousin.
- F. “Related Party” means an affiliate or immediate relative of the other party in question, an affiliate of an immediate relative, or an immediate relative of an affiliate.

IV. LIMITATIONS ON BOARD MEMBERSHIP

- A. An individual is prohibited from serving as a member of the Board if:
 - 1. The individual, an immediate family member, or the individual's partner;
 - 2. Is a full or part owner or principal with;

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3. A for-profit, or nonprofit entity, or independent contractor;
 4. With whom the Board contracts, directly or indirectly, for professional services, goods, or facilities.
- B. An individual is prohibited from serving as a Board member if an immediate family member is an employee of the school.
- C. Violations
1. Contract Voided. A violation of this policy renders a contract voidable at the option of the Commissioner of Education or the Board.
 2. Personal Liability. A member of the Board who violates this prohibition is individually liable to the school for any damage caused by the violation.
- D. Any employee, agent, or board member of Nasha Shkola's authorizer who participates in the initial review, approval, ongoing oversight, evaluation, or the charter renewal or nonrenewal process or decision is ineligible to serve on the Board.

V. LIMITATION ON CONTRACT ADMINISTRATION

- A. No Board member, employee, officer, or agent of Nasha Shkola shall participate in selecting, awarding, or administering a contract if a conflict of interest exists.
- B. A conflict exists when any of the following individuals or an organization employing one of these individuals, has a financial interest in an entity with which the school is contracting:
1. A board member, employee, officer, or agent of Nasha Shkola;
 2. The immediate family of the board member, employee, officer, or agent; or
 3. The partner of the board member, employee, officer, or agent.
- C. A violation of this paragraph renders the contract void.
- D. The conflict of interest provisions under this policy do not apply to compensation paid to a licensed teacher employed by Nasha Shkola who also serves as a member of the Board of Directors.

VI. LIMITATIONS ON LEASES AND OTHER CONTRACTS

- A. Contracts with Authorizer. Nasha Shkola will disclose to the Commissioner of Education any potential contract, lease, or purchase of service from its authorizer.
- B. Nasha Shkola will accept any such contract only through an open bidding process, properly documented, and the contract must be a separate contract from Nasha Shkola contract. Nasha Shkola will not enter into a contract with its authorizer to provide management and financial services for the school without documenting that it received at least two competitive bids.
- C. Leases of Property. Nasha Shkola will not enter a lease of real property with a related party unless the lessor is a nonprofit corporation under Chapter 317A or a cooperative under Chapter 308A, and the lease cost is reasonably based on current market values.

Legal References: Minn. Stat. §124D.10, subd. 4a (Charter School Law–Conflict of Interest)
Minn. Stat. §124D.10, subd. 4(d) (Charter School Law– Formation of School)
Minn. Stat. §124D.10, subd. 23a. (Charter School Law–Related Party Lease Costs)
Minn. Stat. §317A (Non-Profit Law)

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.4.2

PROHIBITION OF SEXUAL, RELIGIOUS, AND RACIAL HARASSMENT AND VIOLENCE

I. PURPOSE

The purpose of this policy is to state Nasha Shkola's intent to create an environment that is free from harassment and violence against students and employees, or agents based on actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, and religion.

II. POLICY STATEMENT

Nasha Shkola prohibits any form of harassment or violence by a student or employee against another student or employee through unwelcome conduct or communication that is based on actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, or religion. For purposes of this policy, an employee includes a school board member, employee, agent, volunteer, or person subject to the supervision and control of Nasha Shkola. Violation of this policy will be cause for disciplinary action.

III. DEFINITIONS

A. "Sexual Harassment" consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;
2. 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
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.

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- B. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

IV. EXAMPLES OF PROHIBITED HARASSMENT OR VIOLENCE

A. Harassment includes, but is not limited to the following conduct:

1. Verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.
2. Unwelcome conduct if the student or employee did not request or invite it and/or considered the conduct to be undesirable or offensive.
3. Conduct that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the charter school's programs.

B. Racial, color, creed or national origin harassment/violence

1. Intimidation or abusive behavior toward a student or employee, based on perceived or actual race, color, creed or national origin, that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the charter school's programs.
2. Racial violence is a physical act of aggression or force, or the threat thereof, which is directed toward a student or employee based upon their perceived or actual race, color, creed, or national origin.

C. Religious harassment/violence

1. Intimidation or abusive behavior toward a student or employee based on perceived or actual religious beliefs that create a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the charter school's programs.
2. Religious violence is the threat of or an actual physical act of aggression or force which is directed toward a student or employee based upon their perceived or actual religion.

- D. Sexual harassment is based upon sex/gender and/or sexual orientation, considering the following:
1. The conduct is unwelcome, meaning that the student or employee did not request or invite the conduct and considered the conduct undesirable or offensive. Whether the conduct is unwelcome should be determined by consideration of all circumstances and not be determined by submission or failure to complain.
 2. The conduct may include, but is not limited to the following:
 - 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 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 gender.
- E. Sexual violence: Sexual violence is a physical act of aggression or force or the threat thereof which 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 Statute §609.341, includes the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.
1. Sexual violence includes but is not limited to the following:
 - a. Rape, sexual assault, and coerced sexual intercourse or other sexual acts. The physical act is considered nonconsensual if a person is incapable of giving consent due to alcohol or drug use or due to an intellectual or other disability.
 - b. Touching, patting, grabbing, or pinching another student's or employee's intimate parts or the clothing covering the intimate parts.
 - c. Coercing or forcing or attempting to coerce or force a student or employee to touch anyone's intimate parts.

2. A police report does not relieve the school of its responsibilities under Title IX.

F. “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.

V. REPORTING PROCEDURE

- A. Victims of alleged sexual, religious, or racial harassment or violence and third persons with knowledge of such conduct must report the alleged act immediately to school officials. A report of harassment or violence should be made to Nasha Shkola’s Human Rights Officer, whether in oral or written form.
- B. The name, address, phone number and email of Nasha Shkola’s Human Rights Officer will be posted online. If the report involves the Human Rights Officer, the report should be made directly to the charter school board.
- C. Reports made to other school officials, including but not limited to teachers, administration, staff, volunteers or agents, must be acted on immediately:
 1. The school official must immediately notify the Human Rights Officer, without investigation of the report.
- D. Submission of a good faith complaint or report of sexual, religious, or racial harassment or violence will not affect the individual's future employment, grades, or work assignments.
- E. The school will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform with any discovery or disclosure obligations.

VI. INVESTIGATION AND SCHOOL ACTION

- A. Upon receiving any report alleging sexual, religious, or racial harassment or violence, Nasha Shkola’s Human Rights Officer will conduct or authorize an investigation to the extent it is appropriate.
- B. In determining whether the alleged conduct constitutes a violation of this policy the school will take into consideration all the facts and surrounding circumstances of the

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

allegation. The investigation may be conducted by the Human Rights Officer, another school official or by a neutral third party.

- C. The investigation may consist of personal interviews with the parties involved or those with knowledge of the report. The investigation may also consist of any other methods and documents deemed pertinent and appropriate by the investigator.
- D. During the investigation, the school may take appropriate action, at its discretion, to protect any person involved in the investigation, pending completion of the investigation. The investigation will be completed as soon as practicable.
- E. The Human Rights Officer will submit a written report to the Executive Director upon completion of the investigation. If the Executive Director is the subject of investigation, the report will be submitted to the charter School Board. The report shall include a determination of whether the allegations have been substantiated and whether a violation of this policy has occurred, along with proposed resolution.
- F. Upon completion of the report, the Human Rights Officer will inform the reporter of his or her rights to review the written report, in accordance with state and federal law regarding data or records privacy.
- G. Upon receipt of the results of the investigation, the Executive Director will authorize appropriate action consistent with State and Federal law and school policies.

VII. RETALIATION

The School will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to sexual, religious, or racial harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VIII. HARASSMENT OR VIOLENCE AS ABUSE

Under certain circumstances, alleged harassment or violence may also constitute abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. §626.556 may be applicable. Nothing in this policy will prevent the school from taking immediate action to protect victims of alleged harassment, violence or abuse.

IX. STUDENTS

Sexual, religious, or racial harassment or violence will be considered a matter of school discipline subject to student discipline policy.

X. DISSEMINATION

This policy will be displayed online and on school property. It will be given to each school employee and independent contractor at the time of entering into the contract. Students will receive an annual communication presenting this policy. Nasha Shkola will annually review this policy for compliance with state and federal law.

XI. 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, initiating civil action or seeking redress under state criminal statutes and/or federal law.

Legal References: Minn. Stat. §121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. §363A (Minnesota Human Rights Act)
Minn. Stat. §609.02 (Criminal Definitions)
Minn. Stat. §626.556 *et seq.* (Reporting of Maltreatment of Minors)
42 U.S.C. §2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: 20 U.S.C. §1701-1758 (Equal Educational Opportunity)
Minn. Stat. §13.43 (Public and Private Personnel Data)
Minn. Stat. §121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. §121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §128C.02 (Minnesota State High School League)

Adopted: 11/12/2015

Revised: 1/15/2019

NASHA SHKOLA POLICY No. 2.4.3

GIFTS TO EMPLOYEES AND BOARD MEMBERS

I. PURPOSE

From time to time students, parents, and community groups may desire to show their appreciation to Nasha Shkola employees and Board members. However, the Board recognizes the need to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school employees or Board members.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to discourage gift giving to employees and Board members and to require compliance with this policy.

III. DEFINITIONS

“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.

IV. PROHIBITION ON GIFTS

Prohibition on Gifts of More than Nominal Value. It is a violation of this policy for an employee or Board member to accept a gift from a student, parent, community member or community group if the gift has greater than nominal value.

V. ACCEPTABLE TOKENS OF APPRECIATION

A. It is not a violation of this policy for an employee or Board member to accept from a student, parent, community member, or community group the following:

1. Thank you notes or letters expressing appreciation; or
2. Small tokens of appreciation such as plaques if such token has only nominal value.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. When questions arise as to what constitutes “nominal value” for gifts to employees, the Executive Director shall determine whether the gift has more than nominal value. For gifts to Board members the full Board shall determine whether the gift has more than nominal value.

VI. SOLICITATION OF GIFTS

It is a violation of this policy for an employee or Board member to solicit or receive anything of value from any person or entity doing business with or seeking to do business with Nasha Shkola.

VII. EXCEPTIONS

This policy does not prohibit teachers and educational staff from accepting free samples of textbooks or teaching materials. This policy also does not prohibit employees or Board members from accepting promotional items of nominal value (water bottles, binder clips, golf balls, etc.) provided by vendors at educational fairs or conferences.

VIII. NON-APPLICABILITY

This policy does not apply to gifts given to employees or Board members by personal friends, family members, or others where the reason for the gift does not arise out of the employee or Board member’s employment with Nasha Shkola or service on the Board.

Cross References: Minn. Stat. §127A.10 (Disinterested School Board Members)
Minn. Stat. §43A.38 (Code of Ethics for Executive Branch)
Minn. Stat. §10A.071 (Gifts by Lobbyists and Principals)
Minn. Stat. §471.895 (Gifts to Local Officials)

Adopted: 11/12/2015

Revised: 2/19/2019

NASHA SHKOLA POLICY No. 2.5 OPEN AND CLOSED MEETINGS

I. PURPOSE

The purpose of this policy is to ensure members of the school community remain informed of school decisions and discussions relevant to Nasha Shkola in accordance with applicable laws and regulations.

II. POLICY STATEMENT

All Nasha Shkola Board of Director meetings will be open to the public except where closed as authorized by law. For purposes of this policy, a “meeting” is a gathering of a quorum or more members of the Board, or a quorum of a committee or subcommittee of Board members, at which members have been delegated the authority to act on behalf of the full Board. The term does not include chance or social gatherings or meetings of committees to receive information, but who have no authority to bind the full Board.

III. NOTICE OF MEETINGS

- A. A schedule of the regular meetings of the Board will be kept on file at Nasha Shkola’s primary offices. If the Board decides to meet at a time or place different from the time or place stated in the regular schedule, it will provide notice in the same manner as for a special meeting.
- B. For a special meeting, the Board will post written notice of the date, time, place, and purpose of the meeting on Nasha Shkola’s bulletin Board or on the door of the Board’s usual meeting room if there is no bulletin Board. The Board’s actions at the special meeting are limited to those topics included in the notice.
- C. The notice of special meetings will also be mailed or otherwise delivered at least three days before the meeting to each person who has filed a written request for notice of special meetings.
- D. As an alternative to mailing this notice, the Board may publish the notice once, at least three days before the meeting, in Nasha Shkola’s official newsletter or on Nasha Shkola website.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- E. The Board will establish an expiration date on requests for notice of special meetings and require re-filing once each year. Within 60 days of the expiration date of request for notice, the Board will send notice of the re-filing requirement to each person who filed during the preceding year.
- F. The Board may call an emergency meeting if, in the judgment of the Board, circumstances require immediate consideration. The Board will make good faith efforts to provide notice of the emergency meeting to news mediums that have filed a written request for notice if the request includes the news medium's telephone number. The notice will be provided by telephone and include the subject of the emergency meeting. Posted or published notice of emergency meetings is not required. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting must include a specific description of those matters.
- G. If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.
- H. The Board will provide notice of closed meetings in the same manner as notice is provided for open meetings.

IV. CLOSED MEETINGS

- A. As authorized by Minnesota Statutes, the Board must or may close meetings for the following:
 - 1. Preliminary Consideration of Allegations or Charges. The Board must close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the Board members conclude that discipline may be warranted as a result of the allegations, further meetings or hearings relating to those specific charges or allegations must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. If closed, the meeting must be electronically recorded. The recording is not available to the public.
 - 2. Discussion of Non-Public Data. The Board must close the portion of a meeting in which the following types of data are discussed:
 - a. Data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
 - b. Active investigative data collected or created by a law enforcement agency;

- c. Educational data, health data, medical data, welfare data, or mental health data that are not public data; or
 - d. An individual's personal medical records.
- 3. Performance Evaluations of Personnel. The Board may close a meeting to evaluate the performance of an individual subject to its authority. Prior to closing the meeting, the Board will identify the individual to be evaluated and at its next open meeting, the Board will summarize its conclusions regarding the evaluation. The meeting must be open at the request of the individual who is the subject of the meeting. If closed, the meeting must be electronically recorded. The recording is not available to the public.
- 4. Attorney – Client Discussions. The Board may close a meeting if permitted by the attorney-client privilege. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state and federal law. By law, such meetings do not need to be recorded.
- 5. Pupil Fair Dismissal Act Meetings. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act will be closed unless the student or parent requests an open hearing. If closed, the meeting must be electronically recorded. The recording is not available to the public.
- 6. Purchase and Sale of Property. The Board may close a meeting:
 - a. To determine the asking price for real or personal property to be sold by the school;
 - b. To review confidential or nonpublic appraisal data; and
 - c. To develop or consider offers or counteroffers for the purchase or sale of real or personal property. Before closing the meeting, the Board must identify on the record the particular real or personal property that is the subject of the closed meeting. The meeting must be recorded and the recording preserved for eight years and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the Board has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of Board members and all other persons present at the closed meeting must be made available to the public after the closed meeting. The sale is contingent on its approval by the Board at an open meeting and the purchase or sale price is public data.

7. Security Matters. The Board may close a meeting to discuss certain school security matters as authorized by Minnesota Statutes Chapter 13D.
 8. Other Meetings. The Board may close other meetings if authorized by law. The Board must provide notice of a closed meeting just as for an open meeting. A meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the Board will state on the record the specific authority permitting the meeting to be closed and describe the subject to be discussed.
- B. If closed, the meeting must be electronically recorded. The recording is not available to the public.

V. JOURNAL

The votes of Board members will be recorded in a journal kept for that purpose, and the journal will be available to the public during all normal business hours at Nasha Shkola's administrative offices.

VI. WRITTEN MATERIALS

In any open meeting, a copy of any printed materials relating to the agenda items prepared or distributed by the Board or its employees and distributed to or available to all Board members will be made available in the meeting room for inspection by the public while the Board considers their subject matter. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

Legal References: Minn. Stat. §124D.10 (Minnesota Charter School Law)
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. §121A.47 (Student Dismissal Hearing)
Department of Administration Advisory Opinion 04-004 (February 3, 2004)
Brainerd Daily Dispatch v. Dehen, 693 N.W.2d 435 (Minn. App. 2005)
The Free Press v. County of Blue Earth, 677 N.W.2d 471 (Minn. App. 2004)
Prior Lake American v. Mader, 642 N.W.2d 729 (Minn. 2002)
Star Tribune v. Board of Education, Special School District No. 1, 507 N.W.2d 869 (Minn. App. 1993)
Minnesota Daily v. University of Minnesota, 432 N.W.2d 189 (Minn. App. 1988)
Moberg v. Independent School District No. 281, 336 N.W.2d 510 (Minn. 1983)
Sovereign v. Dunn, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)

Adopted: 11/12/2015

Revised: 2/19/2019

NASHA SHKOLA POLICY No. 2.6
ACCEPTANCE AND ADMINISTRATION OF GIFTS
TO NASHA SHKOLA

I. PURPOSE

The purpose of this policy is to guide the Board of Directors in accepting gifts on behalf of Nasha Shkola.

II. POLICY STATEMENT

This policy provides guidelines for the acceptance of and administration of gifts to Nasha Shkola. The Board will accept gifts that are consistent with Nasha Shkola's mission as a Minnesota public charter school in the progressive education tradition, are not duly risky or burdensome to administer, and are in compliance with law.

III. ACCEPTANCE OF GIFTS

A. The Board of Directors may receive, for the benefit of the school, bequests, donations or gifts for any proper purpose. The board has the sole authority to determine whether any gifts or any precondition, condition, or limitation on use included in a proposed gift furthers the interest of or benefits Nasha Shkola and whether it should be accepted or rejected. The board shall not accept gifts if its restrictions involve unlawful discrimination based upon race, religion, sex, age, national origin, color, disability or any other basis prohibited by federal, state, and local laws and regulations, or may violate Nasha Shkola's charter contract with its authorizer, articles of incorporation, or bylaws.

1. Gifts in cash, by check, or by credit card may be accepted in any amount.
2. Publicly traded securities closely held or unlisted securities may be accepted and should be sold as soon as feasible.
3. Gifts of personal property having a value of \$500 or less may be accepted by the Executive Director or designee on behalf of the Board without the necessity of Board action.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

4. Gifts of real property (regardless of value) and gifts of personal property having a value of more than \$500 require acceptance by the Board upon approval by two-thirds of the members. The resolution should describe any conditions placed on the gifts.

IV. ADMINISTRATION OF GIFTS

- A. Professional appraisal and other fees required to complete a gift are to be paid by the donor, unless the Board authorizes payment by the school.
- B. If the Board accepts any bequest, donation, gift, grant or devise which has preconditions, conditions or limitations on use, the Board shall administer the gift in accordance with those terms.
- C. A gift becomes the property of Nasha Shkola upon acceptance, unless the Board accepts it upon other terms as described in the school board resolution.
- D. No gift may be used for religious or sectarian purposes.

Legal Reference: Minn. Stat. §123B (School District Power and Duties)

Adopted: 11/12/2015

Revised: 2/19/2019

NASHA SHKOLA POLICY No. 2.7
EXECUTIVE DIRECTOR (PRINCIPAL) HIRING,
SUPERVISION AND EVALUATION

I. PURPOSE

The purpose of this policy is to ensure that Nasha Shkola has processes in place governing the hiring, supervision and evaluation of the Executive Director.

II. POLICY STATEMENT

The Board of Nasha Shkola hereby adopts this policy to ensure that the Executive Director possesses the necessary skills and experience to effectively and successfully manage Nasha Shkola.

III. QUALIFICATIONS

- A. A person may be hired to perform administrative, supervisory, or instructional leadership duties at Nasha Shkola if that person does not hold a valid administrative license.
- B. The qualification of the Executive Director of Nasha Shkola shall include experience with or knowledge of at least the following areas:
 - 1. Instruction and assessment;
 - 2. Human resource and personnel management;
 - 3. Financial management;
 - 4. Legal and compliance management;
 - 5. Effective communication; and
 - 6. Board, authorizer, and community relationships.

[Note to user: not all of these skills are required of all executive directors. However, those skill sets that are omitted must be included in the qualifications for other leadership, supervisory or administrative positions].

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

IV. JOB DESCRIPTION

The job description of the Executive Director shall contain at least the following responsibilities:

- A. Oversight of instruction and assessment at Nasha Shkola;
- B. Oversight of human resource and personnel management at Nasha Shkola;
- C. Oversight of financial management of the school Nasha Shkola;
- D. Oversight of legal and compliance management for Nasha Shkola;
- E. Oversight of effective communications between staff, board, authorizer and the community; and
- F. Oversight of board, authorizer, and community relationships.

V. SUPERVISION AND EVALUATION

- A. The job description shall be provided to the Executive Director at the start of employment. If the Executive Director's contract extends beyond one year, the personnel committee of the Board shall review the job description and update it as necessary.
- B. The job description shall be the basis for performance evaluations, which shall be conducted by the personnel committee at least annually.

VI. PROFESSIONAL DEVELOPMENT PLAN

If the Executive Director does not hold an administrative license, the Board and the Executive Director shall develop a professional development plan. Documentation of the implementation of the professional development plan of these persons shall be included in Nasha Shkola's annual report.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: 11/12/2015
Revised: 2/19/2019

NASHA SHKOLA POLICY No. 2.8

TORT LIABILITY

I. PURPOSE

The purpose of this policy is to inform Board members and employees regarding defense claims.

II. POLICY STATEMENT

- A. Nasha Shkola will meet its statutory obligations with respect to providing assistance to Board members and employees who are sued in connection with performance of school duties. Pursuant to Minn. Stat. §466.07, subd. 1, and to the extent permitted by Minn. Stat. §124D.10, Nasha Shkola will defend and indemnify any Board member or school employee for damages in school-related litigation, including punitive damages, claimed or levied against the Board member or employee, provided that he or she was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.
- B. Nasha Shkola's authorizer, members of the Board of the authorizer in their official capacity, and employees of the authorizer are immune from civil or criminal liability with respect to all activities related to Nasha Shkola.
- C. Nasha Shkola's Board of Directors will obtain at least the amount of and types of insurance up to the applicable tort liability limits under Minnesota Statutes Chapter 466. The Board must submit changes in its insurance carrier or policy to its authorizer within 20 business days of the change.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §466 *et. Seq.* (Tort Liability, Political Subdivisions)

Adopted: 11/12/2015
Revised: 2/19/2019

NASHA SHKOLA POLICY No. 2.9 NEPOTISM

I. PURPOSE

Charter Schools are required to have a Nepotism Policy. The purpose of this document is to provide Nasha Shkola's policy on nepotism.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to address the issue of nepotism while ensuring that the school complies with the Minnesota Human Rights Act.

III. DEFINITIONS

- A. "Nepotism" means the inappropriate action regarding appointment, employment, promotion or the advocacy of such action, by a public official in a position to influence directly or indirectly, these personnel decisions.
- B. "Relative" for this policy means an individual who is related to an employee as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandchild, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, or legal guardian. It also includes individuals of the same sex or the opposite sex living together in a committed relationship whether married or not.

IV. POLICY

- A. Employees and independent contractors or consultants will be hired based on meeting the objective criteria established by the administration for the position or the contract.

Employees will be hired or dismissed upon a majority vote of school board members.
- B. An employee may not hire, supervise, promote, evaluate or participate in the evaluation of a relative employed by or contracted with the school.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 11/12/2015

Revised: 3/19/2019

NASHA SHKOLA POLICY No. 3.1 RECORD RETENTION/DESTRUCTION

I. PURPOSE

Nasha Shkola must establish a process so that staff may identify records, assess their value and determine how long to keep them in compliance with state requirements concerning record retention and destruction law.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with the state law regarding record retention and destruction.

III. ADOPTION OF GENERAL SCHEDULE

Nasha Shkola hereby adopts the General Record Retention Schedule for School Districts established by the state Records Disposition Panel pursuant to Minn. Stat. §138.17.

- A. Nasha Shkola staff is directed to take the steps necessary to notify the State Archives that Nasha Shkola has officially adopted the general schedule.
- B. Nasha Shkola staff is also directed to develop a process for retaining and disposing of school records in a manner consistent with that schedule.

Legal References: Minn. Stat. §138.17 (Government Records; Administration)
Minn. Stat. §124D.10 (Charter School Law)

Resources: The schedule is available online at:
www.mnhs.org/preserve/records/retentionsched.html

Adopted: 11/12/2015
Revised: 3/19/2019

NASHA SHKOLA POLICY No. 3.2
ADMINISTRATION OF THE MINNESOTA GOVERNMENT DATA
PRACTICES ACT

I. PURPOSE

The purpose of this policy of the Board of Nasha Shkola is to fully comply with the Minnesota Government Data Practices Act (MGDPA).

II. POLICY STATEMENT

This policy will address the appointment of the Responsible Authority, Designee and Data Practices Compliance Official. It will also establish the duties of these officials.

III. APPOINTMENT AND DUTIES OF THE RESPONSIBLE AUTHORITY

A. The Executive Director (“ED”) is hereby appointed by the Board to be Nasha Shkola’s Responsible Authority. (*NOTE TO USER: the ED does not have to be the Responsible Authority but it should be a senior administrator.*) The Responsible Authority (“RA”) is ultimately responsible for the collection, use, and dissemination of all Nasha Shkola’s data, and for all of the school’s data practices decisions. The RA must also ensure that the school complies with all of the requirements of the MGDPA and the accompanying rules.

B. The specific duties of the RA are as follows:

1. To prepare access procedures for members of the public and data subjects;
2. To establish procedures to ensure that data on individuals are accurate, complete and current;
3. To establish security safeguards for data on individuals;
4. To establish procedures to ensure that Nasha Shkola responds to requests for government data appropriately and promptly;
5. To prepare summary data;

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

6. To apply to the Commissioner of Administration for temporary classification of data;
7. To ensure that Nasha Shkola complies with the MGDPA and the accompanying rules;
8. To appoint designees;
9. To appoint a Data Practices Compliance Official;
10. To respond to requests for data;
11. To be responsible for files and systems containing government data; and
12. To answer inquiries from the public concerning the MGDPA and the accompanying rules.

IV. APPOINTMENT AND DUTIES OF THE DESIGNEE

- A. The RA may appoint a Designee if appropriate. *(NOTE TO USER: the law does not require the RA to appoint a Designee. A Designee is most helpful if the school has different administrative departments; in that case the Designee is often the head of a particular division.)*
- B. The Designee shall help administer and implement the requirements of the MGDPA and the accompanying rules. These duties include:
 1. Receiving and complying with requests for government data;
 2. Answering inquiries from the public concerning the MGDPA and the accompanying rules;
 3. Being in charge of and responsible for individual files or systems containing government data.

V. APPOINTMENT OF THE DATA PRACTICES COMPLIANCE OFFICIAL

- A. The RA may appoint a Data Practices Compliance Official (“DPCO”) if appropriate.
- B. If appointed, the DPCO will receive and respond to questions or concerns about data practices problems, including problems in obtaining access to data that Nasha Shkola maintains.

Legal References: Minn. Stat. §124D.10 (Charter School law)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Minn. Stat. §13.02 (Compliance with MGDPA)
Minn. Stat. §13.03 (Access Procedures Under MGDPA)
Minn. Stat. §13.05 (Procedures to Ensure Accuracy Under MGDPA)

Resources:

Data Practices sample access policies are available at:
www.ipad.state.mn.us/docs/accesspol.html

Adopted: 12/10/2015
Revised: 4/16/2019

NASHA SHKOLA POLICY No. 4.5.1
PROHIBITION AGAINST UNFAIR DISCRIMINATORY PRACTICES IN
EMPLOYMENT AND GRIEVANCE PROCEDURES

I. PURPOSE

The purpose of this policy is to establish definitions, reporting processes, grievance and investigation procedures regarding claims of employment discrimination.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with all state and federal laws prohibiting employment discrimination.

III. PROHIBITIONS

- A. It shall be a violation of this policy for any Nasha Shkola student or employee to discriminate against, or engage in unlawful discriminatory conduct with regard to a Nasha Shkola employee, through conduct (e.g., physical, oral, graphic or written) that is based upon that employee's actual or perceived race, color, creed, national origin, religion, sex/gender, sexual orientation, disability, public assistance, or marital status or age [hereinafter referred to as "protected class"] as defined by this policy. For purposes of this policy, a Nasha Shkola employee includes Nasha Shkola board members, Nasha Shkola school employees, Nasha Shkola agents, Nasha Shkola volunteers, Nasha Shkola contractors, or persons subject to the supervision and control of Nasha Shkola.
- B. Nasha Shkola will investigate all complaints, formal or informal, oral or written, of discrimination or unlawful discriminatory conduct based upon an employee's perceived or actual membership in one or more protected classes identified above and to discipline or take appropriate action against any student or school district employee who is found to have violated this policy.

IV. DEFINITIONS

- A. Disability. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who: (1) has a physical, sensory, or mental impairment which materially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. Discriminate. The term "discriminate" includes segregate or separate and, for purposes of discrimination based on sex, it includes sexual harassment. It also includes:
 - 1. An "unfair discriminatory practice", as described in Minn. Stat. §§363A.08, 363A.13, 363A.14, 363A.15 and 363A.19;
 - 2. Any violation of federal laws prohibiting discrimination in employment (including but not limited to "Title II"; "Title VI"; Title "VII"; and the "Americans with Disabilities Act").
- C. National origin. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
- D. Sexual harassment. "Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:
 - 1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education;
 - 2. 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;
 - 3. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment.
- E. Sexual orientation. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness.

V. APPLICABILITY OF THIS POLICY

- A. The anti-discrimination laws and this policy apply to all of the academic and nonacademic (e.g. athletic and extracurricular) programs of Nasha Shkola, whether conducted in school facilities or elsewhere.
- B. For purposes of this policy, any employee who is discriminated against, including being subjected to violence, by students or Nasha Shkola employees based upon that employee's actual or perceived membership in a protected class, may file a complaint as described more fully in section VI below.
- C. This policy also applies to alleged harassment/violence that is not directed at a particular person, but instead consists of harassing conduct (e.g. physical, oral, graphic, or written) that creates a hostile environment for employees based upon actual or perceived membership in a protected class.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

VI. COMPLIANCE OFFICER DESIGNATIONS, REPORTING PROCEDURES

A. Title IX Coordinator. Pursuant to Title IX, Nasha Shkola designates Yelena Hardcopf, Executive Director, to coordinate its efforts to comply with and carry out its responsibilities under the regulations, including Title IX complaint investigation (Title IX Coordinator) and Section 504 compliance.

B. Human Rights Officer Designation.

1. The Board of Nasha Shkola hereby designates Yelena Hardcopf, Executive Director, as the school's human rights officer to receive reports or complaints of harassment or violence based upon actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age.
2. If the complaint involves the designated human rights officer, the complaint will be filed directly with the Executive Director.

C. Reporting Procedures. For purposes of meeting state and federal reporting requirements, the following reporting procedure will be made available for staff who wish to report an incident(s) that may involve discrimination or unlawful discriminatory conduct, based upon actual or perceived membership in a protected class.

An employee may make an oral or written report to his or her supervisor. If this supervisor is unavailable, or the employee believes that it would be inappropriate or uncomfortable to contact that person, an employee may immediately contact the human rights officer. These reporting procedures are not intended to prevent a person from reporting harassment or violence incident(s) to another school official.

D. Any school official to whom a report is made must immediately notify the Executive Director, who must then submit the oral or written complaint/report to the human rights officer without screening or investigating the credibility of the report. If the Executive Director is not available on the date of the report, then the school official receiving the report must forward the oral or written report/complaint directly to the human rights officer.

1. If the report was given orally, the Executive Director will personally reduce it to written form within 24 hours and forward it to the human rights officer.
2. If the Executive Director fails to forward any harassment or violence report or complaint (written or oral) to the human rights officer within 24 hours, the Executive Director will be subject to disciplinary action.

E. If the complaint involves the Executive Director, the complaint will be made or filed directly with the human rights officer, by the school official receiving the report, or by the reporting party or complainant.

- F. The human rights officer may request, but not insist, upon a written complaint. The Nasha Shkola Board encourages the reporting party to complete the complaint form for written complaints. It is available from the Executive Director or the school office. Alternative means of filing a complaint, such as through a personal interview or by tape recording, will be made available upon request for qualified persons with a disability.
- G. Nasha Shkola will conspicuously post the name of the human rights officer(s), Executive Director and Board members, including mailing addresses and telephone numbers as follows:
 - 1. The Human Rights Officer is: Yelena Hardcopf
 - 2. Mailing address: 6717 85th Ave North, Brooklyn Park, MN 55455
 - 3. Telephone number: 763-496-5550
 - 4. Email address: yelena.hardcopf@nashashkolamn.org
 - 5. The Executive Director is: Yelena Hardcopf
 - 6. Mailing address: 6717 85th Ave North, Brooklyn Park, MN 55455
 - 7. Telephone number; 763-496-5550
 - 8. Email address: yelena.hardcopf@nashashkolamn.org
 - 9. The Nasha Shkola Board Chair is: Mark Eilers
 - 10. Mailing address: 6717 85th Ave North, Brooklyn Park, MN 55455
 - 11. Telephone number: 763-496-5550
 - 12. Email address: meilers33@comcast.net

VII. INVESTIGATION

- A. The human rights officer upon receipt of a complaint alleging discrimination toward an employee will promptly undertake an investigation if deemed appropriate. Alternatively, the human rights officer may designate a neutral third party to do the investigation. The investigation will be completed as soon as is feasible under the circumstances.
- 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, Nasha Shkola will consider the facts and the surrounding circumstances, such as the nature

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of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.

- D. Nasha Shkola may take immediate steps to protect the parties involved in the complaint process, pending completion of an investigation of alleged unlawful discrimination of an employee.
- E. Upon completion of the preliminary investigation, a draft report will be made to the Executive Director. If the complaint involves the human rights officer or the Executive Director, the draft report must be filed directly with the Nasha Shkola Board Chair. The draft report will include the facts, a determination of whether the allegations have been substantiated and whether a violation of this policy has occurred, as well as a description of any proposed resolution which may include alternate dispute resolution. The Executive Director, or Board Chair if the complaint is against the Executive Director, will make a final determination regarding whether or not the complaint is substantiated.
- F. Upon completion of the investigation and upon determination of substantiation by the Executive Director, the human rights officer will inform the complainant/reporter of his or her right to review the written report at the school building where the complainant/reporter is employed in accordance with state and federal law regarding data or records privacy.
- G. Upon completion of the investigation and upon determination of substantiation by the Executive Director or Board Chair, if the complainant/reporter is a student, the human rights officer will inform the parent/guardian of his or her right to review the written report at the school building where the student reporter is enrolled in accordance with state and federal law regarding data or records privacy.
- H. Nasha Shkola will comply with federal and state law pertaining to retention of records.

VIII. APPEAL

If the grievance has not been resolved to the satisfaction of the complainant/reporter, s/he may appeal to the full Board by submitting a request to the Board Chair within ten (10) school days of receipt of the findings of the investigation. The Board will conduct a review of the appeal and, within ten (10) school days of receipt of the appeal, will affirm, reverse, or modify the findings of the report. The decision of the Board is final, and action will occur as addressed in IX below.

IX. ACTION BASED ON FINDINGS

- A. Upon conclusion of the investigation and receipt of the findings, the school will take appropriate and effective action. If it is determined that a violation of this policy has occurred, such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Actions may also include alternate dispute resolution, including restorative justice programs, school or district wide training, counseling, and class transfer. Any action taken for

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violation of this policy will be consistent with the requirements of applicable contracts, state and federal law, and school policies.

- B. The result of the school's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school in accordance with state and federal law regarding data or records privacy.

X. REPRISAL

Nasha Shkola will take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful discrimination toward an employee or any person who testifies, assists, participates in an investigation or hearing related to alleged unlawful discrimination covered by this policy. Reprisal also includes retaliation against a student or district employee who associates with a person or group or persons who are disabled or who are of different race, color, creed, religion, sexual orientation, or national origin. Retaliation includes, but is not limited to, any form of intimidation or harassment. Reprisal is also prohibited based upon a request for a religious or disability accommodation.

XI. CONFLICT OF INTEREST

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third party investigator to conduct the investigation, or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

XII. DISSEMINATION OF POLICY AND TRAINING

- A. This policy will be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy will be given to each Nasha Shkola employee and independent contractor at the time of entering into the person's employment contract.
- C. This policy will be included in the employee handbook and the school's student handbook on school policies.
- D. The school has developed the following process for discussing the school's harassment and violence policy with students and school employees:
 - 1. This policy will be reviewed with employees at the time of their hiring and as part of any staff training regarding discrimination.
 - 2. This policy will be reviewed with students at the beginning of the school year or as needed with students who enroll after the start of the school year.
- E. The Nasha Shkola Board will review this policy periodically for compliance with state and federal law.

F. Nasha Shkola will post this policy on its website and ensure that it is easily accessible to view and download.

XIII. 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 agencies below, filing a report with a law enforcement agency, or initiating action in state or federal court. For claims of unlawful discrimination/harassment:

Minnesota Department of Human Rights
Freeman Building
625 Robert Street North
St. Paul, MN 55155
toll free: 800.657.3704
tty: 651.296.1283
fax: 651.296.9042
www.humanrights.state.mn.us

U.S. Department of Education
Office for Civil rights, Region V
500 W. Madison Street- Suite 1475
Chicago IL 60661
Tel: 312.730.1560
TDD: 312.730.1609

Employment Discrimination/Harassment

Equal Employment Opportunity Commission (EEOC)
330 South 2nd Ave., Room 430
Minneapolis, MN 55401
(612) 335-4040
1-800-669-4000
Fax: (612) 335-4044
TTY: (612) 335-4045
www.eeoc.gov/minneapolis/index.html

Legal References: Minn. Stat. §121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. §363A (Minnesota Human Rights Act)
42 U.S.C. §2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: 20 U.S.C. §1701-1758 (Equal Educational Opportunity)
Minn. Stat. §13.43 (Public and Private Personnel Data)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 12/10/2015
Revised: 4/16/2019

NASHA SHKOLA POLICY No. 4.5.2
CODE OF CONDUCT FOR EMPLOYEES
LICENSED BY THE BOARD OF TEACHING

I. PURPOSE

The purpose of this policy is to inform all employees licensed by the Minnesota Board of Teaching (“BOT”) of their professional obligations.

II. POLICY STATEMENT

It is the policy of Nasha Shkola that all licensed employees conduct themselves according to the rules established by the BOT and comply with the highest standards of professional conduct.

III. STANDARDS OF CODUCT

- A. All employees licensed by the BOT, referred to in this policy as “teacher”, shall adhere to the following:
1. The teacher shall provide professional education services in a nondiscriminatory manner.
 2. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.
 3. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.
 4. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.
 5. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
 6. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.

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7. A teacher shall not deliberately suppress or distort subject matter.
 8. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.
 9. A teacher shall not knowingly make false or malicious statements about students or colleagues.
 10. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.
- B. To the extent this policy differs from BOT standards, the BOT standards govern.

IV. CONSEQUENCES

A teacher who fails to comply with BOT standards shall be subject to discipline, up to and including termination.

Legal Reference: Minn. R. 8700.7500 (Code of Ethics for Minnesota Teachers)

Adopted: 12/10/2015
Revised: 4/16/2019

NASHA SHKOLA POLICY No. 4.5.3

EMPLOYEE ETHICS & CONFLICTS OF INTEREST

I. PURPOSE

The purpose of this policy is to ensure that employees will avoid even the appearance of unethical behavior and that employees will not participate in any activity that creates a conflict of interest with their responsibilities at the school.

II. POLICY STATEMENT

An employee must uphold the ethical standards of Nasha Shkola and avoid all conflicts of interest.

III. CONFLICTS OF INTEREST

A. The following will be deemed conflicts of interest. Nasha Shkola employees will not:

1. Accept gifts or favors in the course of or in relation to their official duties, whether directly or indirectly, including any payment of expense, compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except Nasha Shkola.
2. However, the acceptance of any of the following is permissible: gifts of nominal value; recognition plaques or similar mementos; reimbursement of pre-approved, actual expenses for travel or meals; honoraria or expenses paid for papers, talks, demonstrations, or appearances during non-work time.

B. Use confidential information from Nasha Shkola to further their own, private interests or engage in outside employment or activities that will require disclosure or use of such confidential information.

C. Use or allow the use of school time, supplies, property and equipment for their own, private interests or any other use not in the interest of the school.

D. Use or attempt to use their official position to secure benefits, privileges, exemptions or advantages, which are not available to the general public, for the private interests of themselves, their immediate family, or an organization with which they are associated.

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- E. Accept employment or enter into a contractual relationship that will affect their independence of judgment in the exercise of their official duties.
- F. Solicit a financial agreement for services with any entity other than the school when the school currently provides the same services or has expressed an intention to provide the services.

IV. PROCEDURE

A. Determination of Conflicts of Interest. A conflict of interest exists when any one of the following conditions is determined by the administration or Board to be present, subject to any exceptions in this policy:

- 1. Use of school time, facilities, equipment or supplies or badge, uniform, prestige or influence of school office or employment for private gain or advantage;
- 2. Receipt or acceptance of any money or other thing of value from anyone other than the school for the performance of an act which would be required or expected to be performed in the regular course or hours of the employment or as part of the duties of the employee;
- 3. Employment by a business which is subject to the direct or indirect control, inspection, review, audit or enforcement by the employee;
- 4. The performance of an act other than in the employee's official capacity which may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by the employee; and
- 5. Such other relationships or conflicts as determined by the Board.

B. Resolution of Conflicts of Interest.

- 1. All employees must disclose conflicts of interest or potential conflicts of interest and obtain written approval from the Executive director in order to continue on any and all projects involving that conflict.
- 2. Failure to disclose conflicts or potential conflicts may result in disciplinary action of any kind as imposed by the Executive Director and approved by the Board, including termination of employment.
- 3. If a conflict of interest exists, the matter shall be assigned to another employee who does not have a conflict of interest or if reassignment is not possible, interested persons shall be notified of the conflict and the employee's assignment may continue.

Legal References: Minn. Stat. §124D.10 (Charter School)
Minn. R. 8700.7500 (Code of Ethics for Minnesota Teachers)

Adopted: 12/10/2015
Revised: 4/16/2019

NASHA SHKOLA POLICY No. 4.5.4 OUTSIDE EMPLOYMENT

I. PURPOSE

The purpose of this policy is to define the parameters of permissible outside employment for Nasha Shkola employees.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to ensure that employees do not begin employment or self-employment that may constitute a conflict of interest.

III. OBTAINING CONSENT FOR OUTSIDE EMPLOYMENT

- A. Before commencing self-employment or accepting employment with any other entity, an employee must obtain consent from his or her supervisor.
- B. Outside employment must not:
 - 1. Create any actual or potential conflict of interest;
 - 2. Interfere with the performance of the employee's responsibilities and duties; or
 - 3. Interfere with the employee's attendance requirements.

Legal References: Minn. Stat. §124D.10 (Charter School)
Minn. R. 8700.7500 (Code of Ethics for Minnesota Teachers)

Adopted: 12/10/2015
Revised: 5/4/2019

NASHA SHKOLA POLICY No. 4.5.5

GIFTS TO EMPLOYEES AND BOARD MEMBERS

I. PURPOSE

It is the purpose of this policy to define Nasha Shkola's prohibitions on gifts of more than nominal value and the permissible acceptance of nominal tokens of appreciation.

II. POLICY STATEMENT

From time to time students, parents, and community groups may desire to show their appreciation to Nasha Shkola employees and Board members. However, the Board recognizes the need to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school employees or Board members. Therefore, it is the policy of Nasha Shkola to discourage gift giving to employees and Board members.

III. DEFINITIONS

"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.

IV. PROHIBITION ON GIFTS

It is a violation of this policy for an employee or Board member to accept a gift from a student, parent, community member or community group if the gift has greater than nominal value.

V. ACCEPTABLE TOKENS OF APPRECIATION

It is not a violation of this policy for an employee or Board member to accept from a student, parent, community member, or community group the following: (1) thank you notes or letters expressing appreciation, (2) small tokens of appreciation such as plaques if such token has only nominal value. When questions arise as to what constitutes nominal value for gifts to employees, the Executive Director shall determine whether the

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gift has more than nominal value; for gifts to Board members, the full Board shall determine whether the gift has more than nominal value.

VI. SOLICITATION OF GIFTS

It is a violation of this policy for an employee or Board member to solicit or receive anything of value from any person or entity doing business with or seeking to do business with Nasha Shkola.

VII. EXCEPTIONS

This policy does not prohibit teachers and educational staff from accepting free samples of textbooks or teaching materials. This policy also does not prohibit employees or Board members from accepting promotional items of nominal value (water bottles, binder clips, golf balls, etc.) provided by vendors at educational fairs or conferences.

VIII. NON-APPLICABILITY

This policy does not apply to gifts given to employees or Board members by personal friends, family members, or others where the reason for the gift does not arise out of the employee or Board member's employment with Nasha Shkola or service on the Board.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: 12/10/2015
Revised: 5/14/2019

NASHA SHKOLA POLICY No. 4.5.6
USE OF REASONABLE FORCE AND
PROHIBITION ON USE OF CORPORAL PUNISHMENT

I. PURPOSE

It is the purpose of this policy to set forth Nasha Shkola's prohibitions on corporal punishment and allowances of reasonable force.

II. POLICY STATEMENT

Corporal punishment of students is prohibited by Nasha Shkola and reasonable force is allowed by law under certain circumstances.

III. POLICY

It is the policy of Nasha Shkola to ensure that administrators, teachers, staff, and other agents of the school comply with Minnesota law regarding the use of reasonable force in dealing with students and to prohibit the use of corporal punishment.

IV. CORPORAL PUNISHMENT PROHIBITED

- A. The authority to use reasonable force does not authorize the use of "corporal punishment" defined by Minnesota Statute §121A.58 to mean conduct involving (1) hitting or spanking a person with or without an object; or (2) unreasonable physical force that causes bodily harm or substantial emotional harm.
- B. Nasha Shkola employees and agents shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

V. REASONABLE FORCE

- A. Nasha Shkola administrators, teachers, staff, and other agents may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- B. Students with an Individualized Education Program (IEP) or Section 504 Plan.

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Students with an IEP or Section 504 Plan may not be restrained or physically held except in an emergency where immediate intervention is required to protect a person from physical injury. (See Policy 5.6.3, Use of Restraints)

Legal References: Minn. Stat. §124D.10 Subd. 8(i) (Charter Schools)
Minn. Stat. §121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §121A.67 (Aversive and Deprivation Procedures)
Minn. Stat. §125A.0941 (Definitions)
Minn. Stat. §609.06 (Authorized Use of Force)
Minn. Stat. §609.379 (Permitted Actions)

Adopted: 12/10/2015
Revised: 5/14/2019

NASHA SHKOLA POLICY No. 4.6.1
HEALTH AND SAFETY
INCLUDING EMPLOYEE RIGHT TO KNOW

I. PURPOSE

The purpose of this policy of Nasha Shkola is to provide for its employees, students and members of the public visiting Nasha Shkola an environment that is as free from safety and health hazards as is possible, to promote health and safety, reduce injuries, and comply with local, state and federal health and safety law.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to comply with all local, state and federal laws regarding health and safety. Each employee and independent contractor or vendor shall comply with occupational health and safety standards.

III. EMPLOYEE RIGHT TO KNOW PROGRAM

The Board directs the administration to ensure that Nasha Shkola is in compliance with the Minnesota Employee Right to Know Act of 1983. In that regard, the administration is to ensure the development of and provide ongoing updates through an employee training program that is consistent with the Employee Right to Know Model Program developed by the Minnesota Department of Labor and Industry, Occupational Health and Safety Division, in April, 2009.

IV. HEALTH AND SAFETY COMMITTEE

(NOTE TO USER: This requirement only applies to employers with 25 or more employees.)

Nasha Shkola shall establish a health and safety committee. The membership shall consist of employee representatives chosen by their peers. The employee representatives shall be equal to or exceed the number of management representatives. Being a member of the Health and Safety Committee is considered part of the employee's job and time spent on the committee's work shall be considered as time worked. Recommendations from the committee shall be considered by the Board; the Board is not required to adopt

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the recommendations. The Health and Safety Committee must meet in regularly scheduled meetings and records of the meetings and recommendations must be retained for two years.

Legal References: Minn. Stat. §182.65 subd. 1 (Occupational Safety and Health Act of 1973)
Minn. Stat. §182.65 subd. 1a (Employee Right to Know Act)
Minn. Stat. §182.6555 (Reducing Exposure to Blood Borne Pathogens through Sharps Injuries)
Minn. Stat. §182.676 (Safety Committees)
Minn. Rule 5208.0030 (Membership in Safety Committees)
Minn. Rule 5208.0050 (Other Duties and Record Keeping)

Adopted: 12/10/2015
Revised: 5/14/2019

NASHA SHKOLA POLICY No. 4.6.2 BLOODBORNE PATHOGENS

I. PURPOSE

The purpose of this policy is to direct the administration of Nasha Shkola to develop procedures to implement OSHA's bloodborne pathogens standards.

II. POLICY STATEMENT

The Board of Nasha Shkola is committed to full compliance with OSHA's bloodborne pathogens standard and its hazard communications standard.

III. EXPOSURE CONTROL PLAN

To ensure that a healthful work environment is created for staff and students, the administration of Nasha Shkola is directed to develop an exposure control plan that includes all of the elements required by federal regulations.

IV. HAZARDOUS INFORMATION PLAN

To ensure that information about the dangers of all hazardous chemicals used by Nasha Shkola is known by all affected employees, administration is directed to develop a hazardous information plan that includes all of the elements required by federal regulations.

V. TIMELINE

Both plans shall be presented to the Board of Nasha Shkola by [DATE].

Legal References: 29 C.F.R. §1910.1030 (Bloodborne Pathogens)
29 C.F.R. §1910.1200 (Hazard Communication)

Resource: Model exposure control plan and model hazardous information plans are available at: www.osha.gov/Publications/osh3186.pdf

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 2/11/2016
Revised: 9/17/2019

NASHA SHKOLA POLICY No. 5.1.1 ADMISSIONS POLICY WITH LOTTERY

I. PURPOSE

The purpose of this policy is to explain the application and enrollment process at Nasha Shkola so that families will have information to make decisions regarding their children's school attendance.

II. POLICY STATEMENT

This policy establishes guidelines for admission into Nasha Shkola that are consistent with the admission requirements of Minnesota Statutes §124D.10 and other applicable laws.

III. LIMITATIONS ON ENROLLMENT [*NOTE TO USER: Optional—use only if your school limits enrollment to one of the following categories.*]

Pursuant to the contract with its authorizer, Nasha Shkola has limited eligible pupils to:

1. Pupils within [5-14][age group];
2. Pupils who are eligible to participate in the graduation incentives program under Minnesota Statutes §124D.68; or
3. Residents of a specific geographic area in which the school is located because the majority of students served by Nasha Shkola are members of underserved populations.

IV. GENERAL ENROLLMENT PROVISIONS

- A. Nasha Shkola is a public school and pursuant to state law, must enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of the program, class, grade level, or building. When that occurs, students will be accepted by lot and admitted as further described in section VI.
- B. Before admitting a student on the lottery list, Nasha Shkola shall give preference for enrollment to siblings of an enrolled student and to a foster child of that pupil's parents.
- C. Before accepting students by lot, Nasha Shkola will give preference to enrolling children of the school's staff before accepting other pupils by lot.

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- D. Nasha Shkola shall not discriminate against any student based on race, color, ethnicity, sex, age, national origin, ancestry, religion or creed, status with regard to public assistance, sexual orientation, disability, intellectual ability, prior measures of achievement or aptitude, athletic ability, or for any other basis that would be unlawful for a public or charter school.
- E. Nasha Shkola shall not seek any information about any applicant that may be used to discriminate against the applicant in either school's policies or governing laws. This does not preclude the school from seeking such information for a lawful purpose about a student after the student has been admitted.
- F. Notwithstanding any other provision of this policy to the contrary, in compliance with the requirements of the Minnesota Department of Education and with the 2011 settlement agreement in *ACLU v. TIZA, et al.* litigation, Nasha Shkola shall not select students based on religious preference.
- G. Nasha Shkola will not distribute any services or goods of value to students, parents or guardians as an inducement, term or condition of enrolling a student unless required to do so by Minnesota's Pupil Fee Law.

V. APPLICATION AND ENROLLMENT PROCEDURES

- A. Interested families will submit applications up until September 1 of each school year. The board of directors may change the deadline for applications for the next school year by resolution without changing this policy.
- B. Nasha Shkola will accept applications for admission to Grades [K through 8], for which up to 25 students will be accepted in each grade. The board of directors may increase one or more grades' capacity by resolution and without changing this policy prior to the date on which applications close.
- C. Formal recruitment of incoming students will begin before or during November of each year. The school will encourage families to meet with the faculty, staff and/or board members to discuss the value of Nasha Shkola, and its expectations of students and their families.
- D. Once the application period is closed, if there are more applicants than spots available, all timely applicants will be placed on one of two lists by grade: (a) a preference list of students given preference by state law or this policy, and (b) all other applicants. Both lists will be shuffled and offers of enrollment will be made to students in the order in which they are listed for each grade until classes are full, first exhausting the preference list, and then proceeding to the non-preference applicants.
 - 1. This lottery will be held no later than the first Monday after the student application deadline, sufficiently prior to the annual April 1 deadline for notifying the students' district of residence for transportation services.
 - 2. Notice of the lottery will be made public via website and local news outlets.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

VI. LOTTERY

- A. A "sibling" is defined as a student applicant who is related to an enrolled student with the same father and/or mother either (1) genetically, or (2) through legal process, i.e., adoption, guardianship, or foster parent. Sibling preference does not apply until one of the siblings is actually enrolled.
- B. Siblings of currently enrolled students will be given first priority. If there are more sibling applicants than spots for a particular grade, the sibling applicants will be shuffled by lot each year and then offers of enrollment will be made in the order drawn.
- C. Second priority will be given to children of school staff. If a staff member's employment is ended for any reason, the child moves to the end of the non-preferential waiting list.
- D. Once all sibling applicants and children of school staff have been placed, other applicants will be offered enrollment in their order on the non-preferential applicant waiting list determined by lottery.
- E. If any student, whether enrolled or on the waiting list, cancels their application or withdraws from Nasha Shkola, they shall lose their place. If they later re-apply, they shall be treated as a new applicant.
- F. All applicants still on a waiting list at the beginning of the next enrollment period must submit a new application for enrollment and will be subject to the enrollment process described above. The waiting lists do not carry over from year to year.

VII. STUDENT RECRUITMENT ACTIVITIES

- A. Nasha Shkola shall vigorously market itself before and during the enrollment period to recruit students to meet its enrollment goals as set by the board of directors.
- B. In accordance with its marketing strategy, Nasha Shkola may use the measures below, among others, to recruit student applicants.
 - 1. Post flyers and notices in local newspapers and/or blogs and online newspapers.
 - 2. Post the admissions policy and application (available for download) on the school's website.
- C. Nasha Shkola will provide translation services, as necessary, for all promotional materials and any person-to-person interaction.

VIII. KINDERGARTEN AND FIRST GRADE ADMISSIONS

- A. Nasha Shkola does not accept applications for kindergarten students who are not age five on or before September 1st of the calendar year in which the school year for which the student seeks admission commences.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. Nasha Shkola does not accept applications for first grade students who are not age six on September 1 of the calendar year in which the school year for which the pupils seeks admission commences or has completed kindergarten.

Legal References: Minn. Stat. §124D.10 subd. 9 (Admission Requirements)
Minn. Stat. §§123B.36-.37 (Authorized Fees; Prohibited Fees)

Adopted: 2/11/2016
Revised: 9/17/2019

NASHA SHKOLA POLICY No. 5.2.1 ATTENDANCE AND ABSENCES

I. PURPOSE

The purpose of this policy is to set forth attendance requirements at Nasha Shkola.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with state laws regarding student attendance at public schools.

III. APPLICATION OF THIS POLICY

A. Students between the ages of 7 and 17.

1. Every person between the ages of 7 and 17 years of age must receive instruction unless the person has graduated.
2. Any student who is 17 years old and is enrolled in Nasha Shkola who seeks to withdraw from school, must meet with school representatives along with the student's parent or guardian to discuss alternative educational opportunities and to sign a written election to withdraw from school.

B. Students under age 7 enrolled in kindergarten.

1. Every student under the age of 7 who is enrolled in a full-day kindergarten program shall receive instruction.
2. Once a student under the age of 7 is enrolled in kindergarten or a higher grade in Nasha Shkola, the pupil is subject to the compulsory attendance provisions of this policy.
3. Withdrawal of pupil. A parent or guardian of a student under age 7 who is enrolled may withdraw the student from enrollment in Nasha Shkola, for good cause by notifying the Executive Director. Good cause includes, but is not limited to, enrollment of the student in another school or the immaturity of the student. Once a student under age 7 withdraws, the student is no longer required to attend school for the remaining academic year.

IV. EXCUSED ABSENCES

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- A. Legitimate exceptions to required attendance. The Administration of Nasha Shkola may approve of absences when a student's physical or mental health is such as to prevent attendance at school. Such absences include:
 - 1. Student illness, medical, dental, orthodontic, or counseling appointments;
 - 2. Family emergencies;
 - 3. The death or serious illness or funeral of an immediate family member;
 - 4. Active duty in any military branch of the United States;
 - 5. The student has a condition that requires ongoing treatment for a mental health diagnosis; or
 - 6. *[Note to user: other exceptions should be included here]*.
- B. Kindergarten students. Nasha Shkola shall excuse a kindergarten student from part of a school day at the request of the student's parent.
- C. Release for religious instruction. Nasha Shkola shall excuse a student for a period or periods not exceeding in the aggregate three hours in any week, in order for the student to attend a school for religious instruction conducted and maintained by some church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This school for religious instruction must be conducted and maintained in a place other than Nasha Shkola].

V. PROCESS FOR OBTAINING EXCUSED ABSENCE; REPORTING

- A. A parent, guardian, or other person having control of a student may apply to Nasha Shkola to have the student 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 the Nasha Shkola administrative staff.
- B. Nasha Shkola may ask the student's parent or legal guardian to verify in writing the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- C. The Administrative staff must issue and keep a record of such excuses, under such rules as the Nasha Shkola may from time to time establish.

VI. CONTINUING TRUANTS; DEFINITIONS

- A. Elementary student. An elementary student is a "continuing truant" if that student is absent from instruction in Nasha Shkola without valid excuse within a single school year for three days.

- B. Middle school, junior high school, or high school. A middle school, junior high school, or high school student is a “continuing truant” if the student is absent without a valid excuse within a single school year for three or more class periods on three days.
- C. Upon a student’s initial classification as a continuing truant, 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 student is truant;
 - 2. That the parent or guardian should notify the school if there is a valid excuse for the student’s absences;
 - 3. That the parent or guardian is obligated to compel the attendance of the student at school and that parents or guardians who fail to meet this obligation may be subject to prosecution;
 - 4. That this notification serves as the notification required by Minnesota Statutes section 120A.34;
 - 5. *[If applicable]* That alternative educational programs and services may be available in Nasha Shkola or in the student’s resident district;
 - 6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the student’s truancy;
 - 7. That if the student continues to be truant, the parent and student may be subject to juvenile court proceedings under Minnesota Statutes section 260C;
 - 8. *[If applicable]* That if the student is subject to juvenile court proceedings, the student may be subject to suspension, restriction, or delay of the student’s driving privilege pursuant to Minnesota Statutes section 260C.201; and
 - 9. That it is recommended that the parent or guardian accompany the student to school and attend classes with the student for one day.

VII. HABITUAL TRUANTS; DEFINITIONS AND REPORTING REQUIREMENTS

- A. Elementary school. A habitual truant in elementary school means a student who is absent from attendance without lawful excuse for seven school days per school year.
- B. Middle school, junior high school or high school student under age 17. A habitual truant in middle school, junior high school or high school means a student who is absent from attendance without lawful excuse for one or more class periods on seven school days per school.
- C. 17 year old student. A habitual truant includes a student who is absent from attendance at school without lawful excuse for one or more class periods on seven

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school days per school year and who has not lawfully withdrawn from school under section.

D. When Nasha Shkola's administrative staff learns of any case of habitual truancy or continued nonattendance of any student required to attend school the Administrative Staff must:

1. Immediately notify the person having control of the student to send and keep the student in school.
2. If the student's resident school district or Nasha Shkola offers truancy programs and services the parents shall be notified of those programs and services.
3. Attendance officers or other designated school officials must ensure that the notice required for a student who is a continuing truant is sent.
4. The Nasha Shkola Administrative staff must act under the general supervision of the Executive Director.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §120A.22 (Compulsory Instruction)
Minn. Stat. §120A.32 (Neglect of Duty)

Adopted: 2/11/2016
Revised: 9/13/2019

NASHA SHKOLA POLICY No. 5.2.2 COMPULSORY ATTENDANCE

I. PURPOSE

The purpose of this policy is to reiterate Nasha Shkola's commitment to ensuring that all families and students comply with Minnesota's Compulsory Attendance Law.

II. POLICY STATEMENT

It is the policy of Nasha Shkola that all members of the school community, including all teachers, staff, parents and students understand the importance of all students' regular attendance at school. To that end, all members of the school community, teachers, staff, parents and students are responsible for ensuring that students meet the attendance requirements contained in Nasha Shkola's Policy 5.2.1 on attendance and to promptly report any unexcused absences so that they might be dealt with in a timely and effective manner.

III. NONCOMPLIANCE WITH POLICY

Any Nasha Shkola officer, truant officer, teacher, principal, administrator or person providing instruction who refuses, willfully fails or neglects to perform any duty imposed by Policy 5.2.1 will be subject to discipline up to and including termination.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §120A.22 (Compulsory Instruction)
Minn. Stat. §120A.32 (Neglect of Duty)

Adopted: 2/11/2016
Revised: 9/13/2019

NASHA SHKOLA POLICY No. 5.3.1

STUDENT EDUCATIONAL DATA

I. PURPOSE

The purpose of this policy is to define education data, to identify various protections afforded to such data, and to establish procedures required by state and federal law.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with state and federal laws regarding the classification, maintenance and use of education data. Education data is governed by state law, Minn. Stat. §13.32. Education data is also governed by federal law, the Family Educational Rights and Privacy Act (FERPA) and its regulations in 34 CFR, Part 99.

III. DEFINITIONS AND GENERAL PROVISIONS

- A. Education Data. “Education data” means data on students maintained by the school, or by a person acting for the school, which relates to a student.
- B. Private Education Data. Unless there is a specific exception providing otherwise, education data is generally classified as “private” under state and federal law. With certain exceptions, (e.g., directory information, health and safety emergencies), education data may only be accessed by parents, students, and school officials with a legitimate educational interest as determined by the educational agency.
- C. School Official. “School officials” who have access to student education records are those individuals at Nasha Shkola who need to know the contents of a student’s education record in order to provide education services to the student. School officials will be allowed access to private education data without the consent of the parent or student, if they have a legitimate “need to know”.
- D. Directory Information. “Directory information” means education data that is available to anyone in the public. Nasha Shkola will notify parents each year which education data is designated as “directory information.” Parents have the right to opt out of including any of their students’ data as directory information.
- E. Parent. “Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. Nasha Shkola school officials may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution,

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separation or child custody, or a legally binding instrument which provides to the contrary.

IV. STATEMENT OF RIGHTS

A. Rights of Parents and Students. Parents and students have the following rights under this policy:

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

B. Transfer of Rights to Students Over Eighteen (18). All rights and protections given parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. However, the parents of a student who is also a "dependent student" for federal tax purposes are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of applicable federal regulations.

V. WHEN PRIOR INFORMED CONSENT TO RELEASE EDUCATION RECORDS IS NOT REQUIRED

A. In certain circumstances, Nasha Shkola may release information from the education records of a student without the prior informed consent of the parent of the student if the disclosure is consistent with state and federal laws governing such release. These circumstances include:

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1. Pursuant to a valid court order. However, Nasha Shkola must make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with:
 - a. Federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
 - b. Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
 - c. An *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331.
2. Pursuant to a statute specifically authorizing access to the private data;
3. The disclosure is to other school officials, including teachers, within [SCHOOL NAME] if the officials are determined to have legitimate educational interests.
4. The disclosure is to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
5. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
6. To appropriate school officials to the extent necessary to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a postsecondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;
7. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
8. To the Commissioner of Education for purposes of an assessment or investigation of a report of alleged maltreatment of a student. Upon request by the Commissioner data that are relevant to a report of maltreatment and are from the

school's investigations of alleged maltreatment of a student must be disclosed to the commissioner, including, but not limited to, the following:

- a. Information regarding the student alleged to have been maltreated;
 - b. Information regarding student and employee witnesses;
 - c. Information regarding the alleged perpetrator; and
 - d. What corrective or protective action was taken, if any, by the school facility in response to a report of maltreatment by an employee or agent of the school or school district.
9. If Nasha Shkola initiates legal action against a parent or student Nasha Shkola] may disclose to the court, without a court order or subpoena, the education records of the student that are relevant in order to proceed with the legal action as plaintiff.
 10. If a parent or eligible student initiates legal action against Nasha Shkola, the school may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the educational agency or institution to defend itself.
 11. The disclosure is information that Nasha Shkola has designated as "directory information".

VI. HEALTH AND SAFETY EMERGENCIES; DISCIPLINARY ACTIONS

- A. Nasha Shkola may disclose personally identifiable information from an education record to appropriate parties, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, Nasha Shkola may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If Nasha Shkola determines that there is an articulable and significant threat to the health or safety of a student or other individuals, the school may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- B. Nasha Shkola may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community; additionally, Nasha Shkola may provide the same information to teachers and school officials within the school who have a legitimate educational interests in the behavior of the student.
- C. Nasha Shkola may disclose information described above to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

VI. RECEIPT OF RECORDS REGARDING JUVENILE ADJUDICATIONS; SHARING INFORMATION

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

B. Access by Juvenile Justice System.

1. Request. Authorities in the juvenile justice system may request data if such data concerns the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released. The authorities to whom the data are released must first submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file. All requests must also include an explanation of why access to the data is necessary to serve the student.
2. After a request under B.1 has been made, Nasha Shkola must disclose the following education data to the juvenile justice system: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
3. After a request under B.1 has been made, the school may also disclose the *existence* of the following data about a student:
 - a. Use of a controlled substance, alcohol, or tobacco;
 - b. Assaultive or threatening conduct that could result in dismissal from school;
 - c. Possession or use of weapons or look-alike weapons;
 - d. Theft; or
 - e. Vandalism or other damage to property.

However, the school may not disclose the *actual data* or other information contained in the student's education record and the school must notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the school within ten days of receiving the certified notice that the parent or guardian objects to the disclosure, the school must not disclose the information. The school must inform the requesting member of the juvenile justice system of the objection. The school must respond to a data request within 14 days if no objection is received from the parent or guardian.

4. Notice to Parents. If Nasha Shkola receives a request to disclose information about a student to the juvenile justice system the school shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail

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of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the school within ten days of receiving the certified notice that the parent or guardian objects to the disclosure, the school must not disclose the information. The school must inform the requesting member of the juvenile justice system of the objection.

VII. MILITARY INFORMATION

- A. *[NOTE TO USER: only applicable to high schools]* Nasha Shkola shall release to military recruiting officers the names, addresses, and home telephone numbers of students in grades 11 and 12 within 60 days after the date of the request. Nasha Shkola shall give parents and students notice of the right to refuse release of this data to military recruiting officers. Notice may be given by any means reasonably likely to inform the parents and students of the right.
- B. Limits on Use of Information. Data released to military recruiting officers:
1. May be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
 2. Shall not be further disseminated to any other person except personnel of the recruiting services of the armed forces.

VIII. WHEN PARENTS MAY BE DENIED ACCESS TO EDUCATION RECORDS

- A. Minor's Requests for Denial of Access. In order to deny parental access to education data regarding a minor student, that student must request that Nasha Shkola deny such access in writing, must set forth the reasons for denying access to the parent and must sign the request. Upon receipt of such request the school will determine if honoring the request to deny the parent access would be in the best interest of the minor student. In making this determination, the school will consider the following factors:
1. Whether the minor student is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 2. Whether the personal situation of the minor student is such that denying parental access may protect the student from physical or emotional harm;
 3. Whether there are grounds for believing that the minor student's reasons for precluding parental access are reasonably accurate;
 4. Whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 5. Whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. Reports under the Maltreatment of Minors Reporting Act. Pursuant to Minn. Stat. §626.556, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school.
- C. Conditions Related to the Release of Investigative Data. Data collected by the school as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or which are retained in anticipation of a pending civil legal action are classified as “confidential data” and shall not be provided to individuals not associated with the investigation. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school students, school employees, and/or attorney data as defined in Minn. Stat. §13.393.
 - 1. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.
- D. Release of Information Related to Chemical Abuse. To the extent that the school maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

IX. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

- A. Responsible Authority. The responsible authority shall be responsible for the maintenance and security of student records.
- B. Record Security. The principal of Nasha Shkola shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.
- C. Plan for Securing Student Records. The principal shall submit to the responsible authority a written plan for securing students records annually each school year. The written plan shall contain the following information:
 - 1. A description of records maintained;
 - 2. Titles and addresses of person(s) responsible for the security of student records;
 - 3. Location of student records, by category, in the buildings;
 - 4. Means of securing student records; and
 - 5. Procedures for access and disclosure.

- D. Review of Written Plan for Securing Student Records. The responsible authority shall review the plans submitted pursuant to paragraph “C” above for compliance with the law, this policy and the various administrative policies of the school. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall become a part of this policy.
- E. Record Keeping. The Responsibility Authority shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
1. The parties who have requested or received personally identifiable information from the education records of the student;
 2. The legitimate interests these parties had in requesting or obtaining the information; and
 3. The names of the state and local educational authorities and federal officials and agencies who may make further disclosures of personally identifiable information from the student’s education records without consent.
- F. In the event that Nasha Shkola discloses personally identifiable information from an education record of a student pursuant to this policy, the record of disclosure required under this section shall also include:
1. The names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 2. The legitimate interests of this policy which each of the additional parties has in requesting or obtaining the information; and
 3. A copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in accordance with 34 C.F.R. §99.32 and to whom the school disclosed information from an education record.
- G. The school shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

Legal References: Minn. Stat. §13.02 (Definitions)
Minn. Stat. §13.05 (Duties of Responsible Authority)
Minn. Stat. §13.32 (Educational Data)
20 U.S.C. 1232g(b)(1)(l) and (h) (Family Educational and Privacy Rights)
34 C.F.R. Part 99 (Family Education Rights and Privacy Act)
Minn. R. 1205.0500 (Access to Private Data on Minors)

Adopted: _____ 2/11/2016 _____
Revised: _____ 9/17/2019 _____

NASHA SHKOLA POLICY No. 5.3.2 ADJUDICATED JUVENILES

I. PURPOSE

The purpose of the policy is to inform students and Nasha Shkola employees when the school district must receive information from juvenile authorities regarding adjudication of a juvenile and when the school district must share data concerning adjudicated juveniles in compliance with relevant law and regulation.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to establish a system regarding access of juvenile authorities to education records that complies with the requirements of state law.

II. ADJUDICATED DATA

Juvenile authorities will inform Nasha Shkola if a student is adjudicated for committing an act against the school or for other crimes, including murder, assault, robbery, sexual conduct, arson, controlled substance crime, and possession of a dangerous weapon.

III. ORDER FOR DISTRIBUTION

- A. Upon receipt of an adjudicated order for disposition, a school administrator must place the order in the permanent education records and notify Nasha Shkola's counselor as well as others with a legitimate educational purpose, such as employees in order to work with the student.
- B. An adjudicated order for disposition is considered private educational data and may only be disseminated to those with a legitimate educational interest, the student, and the student's parents, as allowed by law.
- C. The adjudicated order must be destroyed from the educational record when the student graduates or at the end of the school year when the student reaches age 23.

IV. PROBABLE CAUSE NOTICE

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- A. If notice is given to the school pursuant to Minn. Stat. §260B.171, subd. 5, of probable cause for arrest, the school must place a copy of the notice in the student's educational record.
- B. The notice must be destroyed after one year if the school does not receive an adjudicated order for disposition related to the probable cause notice.

V. DISSEMINATION OF PRIVATE DATA

- A. Without consent from a federal or state education agency and upon explanation of why the data is being requested, Nasha Shkola may release education records to state and local juvenile officials. The data to be released includes the following:
 - 1. Student's full name;
 - 2. Home address;
 - 3. Telephone number;
 - 4. Date of birth;
 - 5. Student school schedule;
 - 6. Attendance record;
 - 7. Photographs;
 - 8. Parent's name, address and telephone number; and
 - 9. If the student is on probation, the use of drugs, tobacco or alcohol, assaults or threats, possession of weapons, and theft or vandalism.
- B. Nasha Shkola, including psychologists and social workers, must release education data in compliance with a court order or subpoena. Reasonable efforts must be made to notify parents of the court's order or subpoena before the educational record is disclosed.

Legal References: Minn. Stat. §13.32 (Educational Data)
Minn. Stat. §121A.75 (Receipt of Records; Sharing)
Minn. Stat. §260B.171 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. §120A.22 (Compulsory Instruction)
34 C.F.R. 99.31(a)(9)(iii)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: __2/11/2016
Revised: __10/15/2019

NASHA SHKOLA POLICY No. 5.3.3
DIRECTORY INFORMATION
Family Educational Rights and Privacy Act (FERPA)

I. PURPOSE

Under the federal *Family Educational Rights and Privacy Act* (FERPA), certain student information designated as “directory information” may be disclosed without a parent’s written consent. The purpose of this policy is to designate certain student information as “directory information.” Nasha Shkola shall annually provide parents notice that the School has designated certain types of student information “directory information”. The notice will also inform parents of their right to refuse to allow the School to designate the information as “directory information” and indicate the period of time within which the parent has to notify the School of the parent’s refusal.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to comply with the provisions of FERPA and the Minnesota Government Data Practices Act concerning directory information.

III. DESIGNATION OF DIRECTORY INFORMATION

Nasha Shkola has designated the following information as directory information:

- Address;
- Telephone Listing;
- Photograph;
- Degrees, Honors, and Awards Received;
- Date and Place of Birth;
- Most Recent Educational Agency or Institution Attended;
- Dates of Attendance;
- School;
- Grade Level;
- Participation in officially recognized activities and sports;

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- Weight and height of members of athletic teams; and
- Pictures or video images for school district-approved publications, newspapers, or website.

IV. RELEASE OF DIRECTORY INFORMATION TO OUTSIDE ORGANIZATIONS

- A. Directory information may be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.
- B. If a parent does not want Nasha Shkola to disclose directory information from child's education records without prior written consent, parents must notify the school by October 1st. To make this request, the parent should call (952) 746-1880.

[NOTE TO USER: the Directory Information Notice should be provided every fall to parents and we generally suggest 2-4 weeks after distribution as the date by which parents should notify the school of their refusal.]

V. RELEASE OF INFORMATION TO MILITARY RECRUITERS

Under the federal No Child Left Behind Act, military recruiters can request from Nasha Shkola the names, addresses, and home telephone numbers of students in 11th and 12th grades. The law states that information released to military recruiting officers may only be used for the purpose of providing information about career and educational opportunities. The information may not be further disseminated to any other person except armed forces recruiting personnel. Schools have 60 days after the date of the request to provide the information to military recruiters. Parents can refuse the release of this information. To make this request, the parent should call (952) 746-1880.

Nasha Shkola shall annually notify parents that the school must release names, addresses and home telephone numbers to military recruiters unless the parent refuses. The annual notice may be made in conjunction with the annual Directory Information Notice. A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents is sufficient to satisfy the parental notification requirements of both FERPA (regarding "directory information") and §9528 (regarding military recruiter information).

Legal References: Minn. Stat. §124D.10 (Charter School Law)
20 U.S.C. §1232g *et seq.* and 34 CFR Part 99 (Family Educational Rights and Privacy Act)

Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. §7908), as amended by the No Child Left Behind Act of 2001 (P.L. No. 107-110)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

10 U.S.C. §503, as amended by §544 of the National Defense
Authorization Act for Fiscal Year 2002 (P.L. No. 107-107)
Minn. Stat. §13.32 (Education Data Provisions of Minnesota Government
Data Practices Act)

Adopted: ____ 2/11/2016 ____
Revised: ____ 10/15/2019 ____

NASHA SHKOLA POLICY No. 5.3.4 PUPIL FAIR DISMISSAL PROCESS

I. PURPOSE

In order to maximize learning and create a positive classroom environment for all students, a student may need to be removed from class for a period of time in order to redirect learning. Therefore, Nasha Shkola may remove a student from class, including a student with a disability, in compliance with Minnesota Pupil Fair Dismissal Act.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with the Minnesota Pupil Fair Dismissal Act.

III. DEFINITIONS

- A. "Removal from class" and "removal" mean any actions taken by a teacher, Charter School Director, or other school employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.
- B. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.
- C. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the Charter School Director with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except as may be provided in federal law for a student with a disability.
- D. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
- E. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

IV. REMOVAL OF STUDENT FROM CLASS

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy.
- B. Grounds for removal from class shall include any of the following:
 - 1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
 - 2. Willful conduct that endangers surrounding persons, including school employees, the student or other students, or the property of the school;
 - 3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
 - 4. Other conduct, which in the discretion of the teacher or administration requires removal of the student from class.
- C. Removal of a student from class shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.
- D. If a student is removed from class more than ten (10) times in a school year, the school shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- E. Procedures for Removal From Class. The authority to remove a student from class rests with the classroom teacher. If removal is for part of one class period simply to provide the student with some time to avoid problems, the formal procedures of this section need not be followed. If the removal is for an entire period or more, the following procedures must be followed:
 - 1. The teacher should send the student to the Executive Director's office or another area designated by the Executive Director. The Executive Director or designee will provide custodial care of the student.
 - 2. The teacher should provide the Director or Director's designee the following information:
 - a. The reason for the removal;

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- b. Length of removal; and
 - c. Whether there is reason to consider the need for additional assessment or review of the IEP for a special education student, or to consider the need for identifying and addressing chemical abuse problems of a student while on school premises.
3. The teacher should provide the student and parent the reason for the removal.

V. DISMISSAL OF STUDENT FROM CLASS

- A. The school shall not deny due process or equal protection of the law to any student involved in a dismissal preceding that may result in suspension, exclusion or expulsion.
- B. The school shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.
- C. The school shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
- D. Grounds for Dismissal. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
 - 1. Willful violation of any reasonable school board regulation, including those found in this policy;
 - 2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
 - 3. Willful conduct that endangers the student or other students, or surrounding persons, including school employees, or property of the school.

VI. MEETING WITH PARENTS

If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the pupil. The district is not required to pay for the mental health screening. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a mental health disorder.

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VII. SUSPENSION PROCEDURES

- A. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
- B. All suspension proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56, and school policy.
- C. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another school or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. §120B.02, although in a different setting.

VIII. EXPULSION AND EXCLUSION PROCEDURES

- A. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56, and school policy.
- B. A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving student conduct. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

IX. STUDENTS WITH A DISABILITY

Students who are currently identified as disabled under IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 Plan specifies a necessary modification.

A. Suspension

- 1. Where a student with a disability has been suspended for more than five (5)

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consecutive days, or has accumulated more than ten (10) days of dismissal over the course of the school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting and to progress toward meeting the goals in the child's individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

2. The school administration shall implement alternative educational services when the suspension exceeds five (5) days.
 3. The notice requirements for suspension of a student with a disability do not apply to a dismissal of one day or less.
- B. **Expulsion and Exclusion.** Before initiating an expulsion or exclusion under Minn. Stat. §§ 121A.40 to 121A.56, the school, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the student's behavior was caused by or had a direct and substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is excluded or expelled under Minn. Stat. § 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the school shall continue to provide special education and related services during the exclusion or expulsion.

X. STUDENT DISCIPLINE RECORDS

It is the policy of the school that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

Legal References: Minn. Stat. §13 (Government Data Practices)
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. §§121A.60-121A.61 (Definitions; Discipline and Removal of Students from Class)

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Adopted: 2/11/2016

Revised: 10/15/2019

NASHA SHKOLA POLICY No. 5.4.1
PROHIBITION AGAINST UNFAIR DISCRIMINATORY PRACTICES IN
EDUCATION AND GRIEVANCE PROCEDURES

I. PURPOSE

The purpose of this policy is to establish definitions, reporting processes, grievance and investigation procedures regarding claims of unfair discriminatory practices in education.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with all state and federal laws prohibiting unfair discriminatory practices in education.

III. PROHIBITIONS

- A. It shall be a violation of this policy for any Nasha Shkola student, employee or agent to discriminate against, or engage in unlawful discriminatory conduct with regard to a Nasha Shkola student through conduct (e.g., physical, oral, graphic or written) that is based upon that student's race, color, creed, national origin, religion, sex/gender, sexual orientation, disability, status with regard to public assistance, marital status or age [hereinafter referred to as "protected class"] as defined by this policy.
- B. Nasha Shkola will investigate all complaints, formal or informal, oral or written, of discrimination or unlawful discriminatory conduct based upon a student's membership in a protected class.

IV. DEFINITIONS

- A. Disability. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who (1) has a physical, sensory, or mental impairment which materially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.
- B. Discriminate. The term "discriminate" includes segregate or separate and, for purposes of discrimination based on sex, it includes sexual harassment. It also includes:
 - 1. An "unfair discriminatory practice", as described in Minn. Stat. §§363A.13, 363A.14 and 363A.15;

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2. Any violation of federal laws prohibiting discrimination in education (including “Title IX”; “Section 504 of the Rehabilitation Act of 1973” and the “Americans with Disabilities Act”).
- C. National Origin. “National origin” means the place of birth of an individual or of any of the individual's lineal ancestors.
- D. Sexual Harassment. “Sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:
1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education;
 2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education;
 3. 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 educational environment.
- E. Sexual Orientation. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness.

V. APPLICABILITY OF THIS POLICY

- A. The antidiscrimination laws and this policy apply to all of the academic and nonacademic (e.g. athletic, and extracurricular) programs of Nasha Shkola, whether conducted in school facilities or elsewhere.
- B. For purposes of this policy, any student who is discriminated against, including being subjected to violence, by peers or Nasha Shkola employees or agents based upon that student’s membership in a protected class, may file a complaint as described more fully in section VI below.
- C. For purposes of this policy, any Nasha Shkola student who is harassed or discriminated against, including being subjected to violence by students or Nasha Shkola employees based upon that student’s membership in a protected class may file a complaint as described more fully in section IV below.

VI. COMPLIANCE OFFICER DESIGNATIONS, REPORTING PROCEDURES

- A. Title IX Coordinator.

Pursuant to Title IX, Nasha Shkola designates [*Yelena Hardcopf, Executive Director*] to coordinate its efforts to comply with and carry out its responsibilities under the regulations, including Title IX complaint investigation (Title IX Coordinator) and Section 504 compliance.

B. Human Rights Officer Designation.

1. The Board of Nasha Shkola hereby designates [*Yelena Hardcopf, Executive Director*] as the school's human rights officer to receive reports or complaints of discrimination, harassment or violence based upon a student's membership in a protected class.
2. If the complaint involves the designated human rights officer, the complaint will be filed directly with the Executive Director.

C. Reporting Procedures

For purposes of meeting state and federal reporting requirements, the following reporting procedure will be made available for students and staff who wish to report an incident(s) that may involve discrimination or unlawful discriminatory conduct, based upon actual or perceived sex/gender status, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance or marital status and age.

1. Any individual may make an oral or written report regarding alleged discrimination against a student to any staff supervisor or the Executive Director, who must then submit the oral or written complaint/report to the human rights officer without screening or investigating the credibility of the report. If the Executive Director is not available on the date of the report, or if the Executive Director is the subject of the complaint, then the school official receiving the report must forward the oral or written report/complaint directly to the human rights officer.
2. If the report was given orally, the staff supervisor or Executive Director will personally reduce it to written form within 24 hours and forward it to the human rights officer.
3. If the staff supervisor or the Executive Director fails to forward any harassment or violence report or complaint (written or oral) to the human rights officer within 24 hours, that individual will be subject to disciplinary action.

- D. The human rights officer may request, but not insist, upon a written complaint. The Nasha Shkola Board encourages the reporting party to complete the complaint form for written complaints. It is available from the Executive Director or the school office. Alternative means of filing a complaint, such as through a personal interview or by tape recording, will be made available upon request for qualified persons with a disability.

E. Nasha Shkola will conspicuously post the name of the human rights officer(s), Executive Director and Board members, including mailing addresses and telephone numbers as follows:

1. The Human Rights Officer is: Yelena Hardcopf
2. Mailing address: 6717 85th Ave North, Brooklen Park, MN 55445
3. Telephone number: 763-496-5550
4. Email address: yelena.hardcopf@nashashkolamn.org
5. The Executive Director is: Yelena Hardcopf
6. Mailing address: 6717 85th Ave North, Brooklen Park, MN 55445
7. Telephone number: 763-496-5550
8. Email address: yelena.hardcopf@nashashkolamn.org
9. The Nasha Shkola Board Chair is: Mark Eilers
10. Mailing address: 6717 85th Ave North, Brooklen Park, MN 55445
11. Telephone number: 763-496-5550
12. Email address: meilers33@comcast.net

VII. INVESTIGATION

- A. The human rights officer, Title IX coordinator or designated neutral party, upon receipt of a complaint alleging discrimination, harassment or violence toward a student will promptly undertake an investigation if deemed appropriate. The investigation will be completed within 30 calendar days from receipt of the complaint, unless impractical.
- 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, Nasha Shkola will consider the facts and the surrounding circumstances, such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.

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- D. Nasha Shkola may take immediate steps to protect the parties involved in the complaint process, pending completion of an investigation of alleged unlawful discrimination of an employee.
- E. Upon completion of the preliminary investigation, a draft report will be made to the Executive Director. If the complaint involves the human rights officer or the Executive Director, the draft report must be filed directly with the Nasha Shkola Board Chair. The draft report will include the facts, a determination of whether the allegations have been substantiated and whether a violation of this policy has occurred, as well as a description of any proposed resolution which may include alternate dispute resolution. The Executive Director, or Board Chair if the complaint is against the Executive Director, will make a final determination regarding whether or not the complaint is substantiated.
- F. Upon completion of the investigation and upon determination of substantiation by the Executive Director, the human rights officer will inform the complainant/reporter of his or her right to review the written report at the school building where the complainant/reporter is employed in accordance with state and federal law regarding data or records privacy.
- G. Upon completion of the investigation and upon determination of substantiation by the Executive Director or Board Chair, if the complainant/reporter is a student, the human rights officer will inform the parent/guardian of his or her right to review the written report at the school building where the student reporter is enrolled in accordance with state and federal law regarding data or records privacy.
- H. Nasha Shkola will comply with federal and state law pertaining to retention of records.

VIII. APPEAL

If the grievance has not been resolved to the satisfaction of the complainant/reporter, s/he may appeal to the Board Chair within ten (10) school days of receipt of the findings of the investigation. The Board Chair will conduct a review of the appeal and, within ten (10) school days of receipt of the appeal, will affirm, reverse, or modify the findings of the report. The decision of the Board Chair is final, and action will occur as addressed in IX below.

IX. ACTION BASED ON FINDINGS

- A. Upon conclusion of the investigation and receipt of the findings, the school will take appropriate and effective action. If it is determined that a violation of this policy has occurred, such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Actions may also include alternate dispute resolution, including restorative justice programs, school or district wide training, counseling, and class transfer. Any action taken for violation of this policy will be consistent with the requirements of applicable contracts, state and federal law, and school policies.

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- B. The result of the school's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school in accordance with state and federal law regarding data or records privacy.

X. REPRISAL

Nasha Shkola will take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful discrimination toward an employee or student or any person who testifies, assists, participates in an investigation or hearing related to alleged unlawful discrimination covered by this policy. Reprisal also includes retaliation against a student or district employee who associates with a person or group or persons who members of a protected class. Retaliation includes, but is not limited to, any form of intimidation or harassment. Reprisal is also prohibited based upon a request for a religious or disability accommodation.

XI. CONFLICT OF INTEREST

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third party investigator to conduct the investigation, or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

XII. DISSEMINATION OF POLICY AND TRAINING

- A. This policy will be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy will be given to each Nasha Shkola student at the beginning of each school year, and to each employee and independent contractor at the time of entering into the person's employment contract.
- C. This policy will be included in the employee handbook and the school's student handbook on school policies.
- D. The school has developed the following process for discussing the school's harassment and violence policy with students and school employees:
 - 1. This policy will be reviewed with employees at the time of their hiring and as part of any staff training regarding discrimination.
 - 2. This policy will be reviewed with students at the beginning of the school year or as needed with students who enroll after the start of the school year.
- E. The Nasha Shkola Board will review this policy periodically for compliance with state and federal law.

- F. Nasha Shkola will post this policy on its website and ensure that it is easily accessible to view and download.

XIII. 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 agencies below, filing a report with a law enforcement agency, or initiating action in state or federal court. For claims of unlawful discrimination/harassment:

Minnesota Department of Human Rights
Freeman Building
625 Robert Street North
St. Paul, MN 55155
toll free: 800.657.3704
tty: 651.296.1283
fax: 651.296.9042
www.humanrights.state.mn.us

U.S. Department of Education
Office for Civil rights, Region V
500 W. Madison Street- Suite 1475
Chicago IL 60661
Tel: 312.730.1560
TDD: 312.730.1609

Legal References: Minn. Stat. §121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. §363A (Minnesota Human Rights Act)
42 U.S.C. §2000e *et seq.* (Title IX of the Civil Rights Act)
Section 504 of the Rehabilitation Act
Americans with Disabilities Act

Adopted: __2/11/2016__

Revised: __10/15/2019__

NASHA SHKOLA POLICY No. 5.4.2 BULLYING PREVENTION AND RESPONSE

I. PURPOSE

It is the purpose of Nasha Shkola to define acts of bullying and to clearly delineate the consequences of bullying behavior.

II. POLICY STATEMENT

Nasha Shkola is committed to making Nasha Shkola a safe and caring environment for all students. We will treat each other with respect and refuse to tolerate bullying of any kind. We will endeavor to be kind and respectful in our interactions with others. It is especially important for adults to model these behaviors (even when disciplining) in order to provide positive examples for student behavior.

III. DEFINITIONS

- A. The term “bullying” means any gesture or written, verbal, graphic, or physical act (including cyber bullying, i.e., acts transmitted through the use of internet, cell phone, or other electronic device) that is or is likely to be reasonably perceived as being intimidating, mocking, belittling, hostile, humiliating, threatening, or is otherwise likely to evoke fear of physical harm or emotional distress. Bullying includes, but is not limited to, the following:
1. Hurting another physically by hitting, kicking, tripping, or pushing;
 2. Stealing or damaging another person’s things;
 3. Ganging up on another person;
 4. Teasing another person in a hurtful way;
 5. Calling another person hurtful names;
 6. Using put-downs, such as insulting another person’s race, making fun of another person because of their characteristics as a boy or girl, or denigrating another person for other personal characteristics;

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7. Spreading rumors or untruths about another person.

IV. THE SCOPE OF THIS POLICY

- A. This policy applies to school related bullying wherever it occurs, including:
 1. On Nasha Shkola grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;
 2. At a school activity, function, or event, including field trips and other school activities which take place off of school grounds;
 3. Traveling to or from school or a school activity, function or event; or
 4. On school computers or other equipment.
- B. Off campus student behavior, including behavior on computers, cell phones, or other electronic devices whether at home or in other places is subject to consequences under this policy if the behavior creates a material and substantial disruption of the educational process at school for one or more students.

V. STUDENT EXPECTATIONS

Nasha Shkola students must not bully others, must not be a bystander to bullying, and must report bullying to an adult. Students are expected to do the following:

- A. Treat others with kindness and respect;
- B. Refuse to bully others;
- C. Refuse to let others be bullied;
- D. Refuse to watch, laugh, or join in when someone is being bullied;
- E. Try to include everyone in activities, especially those who are often left out;
- F. Report bullying to an adult.

VI. STAFF EXPECTATIONS

Teachers and staff at Nasha Shkola are expected to do the following things to prevent bullying and help children feel safe at school:

- A. Closely supervise students in all areas of the school and playground;

- B. Watch for signs of bullying and stop it when it happens;
- C. Respond quickly and sensitively to bullying reports using an appropriate response process;
- D. Report bullying to the Nasha Shkola principal;
- E. Notify the executive director when efforts to address the bullying prove unsuccessful;
- F. Help create a school culture of respect and kindness by modeling and fostering these traits.

VII. EXPECTATIONS FOR SCHOOL ADMINISTRATORS

Nasha Shkola administrators are expected to foster a school culture of respect and kindness. Administrators are expected to oversee the following, at a minimum:

- A. Ensure that the topic of bullying prevention is addressed on a regular basis at staff meetings;
- B. Identify and schedule appropriate staff training opportunities on the topic of bullying prevention;
- C. Use annual parent surveys or other appropriate methods to obtain from stakeholders input relevant to the topic of bullying prevention at Nasha Shkola;
- D. Ensure that this policy is annually disseminated to all Nasha Shkola staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur on school property, at school-sponsored functions, or on a school bus, and to off campus behavior if that behavior that materially and substantially disrupts the educational process for one or more students at school.

VIII. CONSEQUENCES

- A. Depending on the severity and nature of the bullying, Nasha Shkola will take one or more of the following steps, as appropriate:
 - 1. Intervention, Warning, and Redirection. A teacher, principal, or staff member will ensure that the immediate behavior stops and reinforce to the student that bullying will not be tolerated. The staff member will redirect the student and may help the student identify better choices the student can make in the future.

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2. Notification of Parents. School staff will notify the parents of involved students. The parents may be asked to meet with the principal or other members of the school staff, including the student's teacher and/or the school counselor.
3. Resolution with the Target of the Bullying. A student who violates this policy may be required to participate in appropriate resolution, e.g., writing a letter of apology to the student who was bullied, participating in peer mediation, etc.
4. Referral to Professional School Support Staff. A student who violates this policy may be asked to meet with a school counselor or other staff to work on positive behavioral interventions to help prevent future violations.
5. Loss of School Privileges. The student may lose recess for one or more days, may lose school privileges, or be suspended, as appropriate.
6. Suspension/ Expulsion. In cases of severe or repeated bullying, the student may be suspended or expelled.
7. Staff Consequences. A Nasha Shkola employee who fails to immediately and appropriately address bullying may be asked to participate in additional staff training or may be mentored. A staff member's repeated failure to address bullying behavior may result in discipline up to and including discharge, as appropriate.

IX. RETALIATION IS PROHIBITED

The school board prohibits reprisal or retaliation against any person who reports an act of bullying or harassment or cooperates in an investigation. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation will be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

X. FALSE REPORTS AS A MEANS OF BULLYING PROHIBITED

- A. The school board prohibits any person from falsely accusing another as a means of bullying. The consequences and appropriate remedial action for a school student found to have falsely accused another as a means of bullying may range from positive behavioral interventions up to and including suspension or expulsion.
- B. A school employee found to have falsely accused another as a means of bullying is subject to appropriate discipline ranging from a letter of reprimand up to including discharge, as appropriate.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §121A.0695 (Bullying Policy legislation)
Minn. Stat. §120B.232 (Character Development Education)
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)

Adopted: 2/11/2016
Revised: 10/15/2019

NASHA SHKOLA POLICY No. 5.4.3 ANTI-HAZING

[NOTE: This policy largely replicates the Model Policy which has been developed by the Minnesota Department of Education and made available to schools pursuant to Minn. Stat. §121A.69.]

I. PURPOSE

Hazing activities of any type, including initiation into an athletic team, are inconsistent with the educational goals of Nasha Shkola and are prohibited at all times. Hazing is about abuse of power and violation of human dignity. Hazing is a form of abuse and victimization.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to create policies that identify and prevent hazing practices to the fullest extent possible.

III. POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of Nasha Shkola shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school shall permit, condone, or tolerate hazing. This includes being aware that hazing has occurred in the past and not making clear to students that it is no longer acceptable behavior and will lead to disciplinary action. For example, if a school has a tradition of hazing new members of an athletic team, the staff members involved in that athletic team and school administration must make it clear to the current and new team members that hazing is not acceptable behavior and students involved in hazing will be suspended or expelled/excluded from school.
- C. Students or school staff/volunteers/contractors involved in hazing will be disciplined even if the student being hazed consents or appears to give permission or consent to being hazed.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- D. Students or school staff/volunteers/contractors involved in hazing will be disciplined for hazing that occurs on or off school property and during, before, or after the school day. This includes weekends and other non-school days.
- E. Students or staff involved in the hazing of students will be disciplined as described in this hazing policy.
- F. The Executive Director or Lead Teacher will investigate all complaints or reports of hazing and will discipline any student, teacher, administrator, volunteer, contractor, or other employee of the school who is found to have been involved in the hazing of one or more students.

IV. DEFINITIONS

- A. “Hazing” is defined in Minn. Stat. §121A.69, Subdivision 1(a) as “committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person in order for the student to be initiated into or affiliated with a student organization.”
- B. Hazing includes any activity that humiliates, degrades, or risks emotional and/or physical harm, regardless of the person's willingness to participate. As set forth at www.stophazing.org, students in middle and high school are particularly vulnerable to peer pressure due to their need to belong, make friends, and find approval in a particular peer group.
- C. The term “hazing” includes but is not limited to:
 - 1. Any type of physical brutality such as striking, paddling with a board, branding, electric shocking, sexual contact, or placing a harmful substance on a student’s body.
 - 2. Any type of physical activity such as sleep deprivation, restrictions on personal hygiene, exposure to weather, confinement in a restricted area, public nudity, being forced to wear embarrassing or humiliating attire in public, calisthenics, personal servitude, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3. Any activity involving the consumption of any alcoholic beverage, tobacco, controlled substance (prescription medication not belonging to the student, synthetic or illegal drug), product or other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from remaining in school. This may include verbal abuse, such as yelling, swearing, and insulting the student.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of a charter school policy or a school regulation. This includes, but is not limited to, abuse or mistreatment of animals, public nudity, and theft.
- D. “Student Organization” as defined in Minn. Stat. §121A.69, subd. 1(b) “means a group, club, or organization having students as its primary members or participants.” It includes all grade levels, classes, teams, activities, or particular school events. Hazing, as part of initiation into an athletic team or any other student organization, will not be tolerated. A student organization may include an unofficial school organization.
- E. The hazing policy applies to hazing that occurs before, during, or after school hours and on or off school premises. This includes weekends and non-school days.

V. REPORTING PROCEDURES

- A. As set forth in Minn. Stat. §121A.69, subd. 3, school’s hazing policy must include reporting procedures that enable students to report hazing and disciplinary consequences for violating the school’s hazing policy.
- B. Any student who believes he or she has been the victim of hazing, or any student or staff person who has personally observed or has knowledge or belief that a student has been hazed, shall report the possible hazing immediately to the Executive Director or Lead Teacher. That person can be contacted in person, by email at paul.kinsley@nashashkolamn.org or yelena.hardcopf@nashashkolamn.org or by telephone at (952)746-1880.
- C. The Executive Director or Lead Teacher is responsible for receiving and investigating reports of hazing at the building level. Any person may report hazing directly to Nasha Shkola’s:
1. Human Rights Officer: [Yelena Hardcopf 763-496-5550
 2. Executive Director: Yelena Hardcopf 763-496-5550
 3. School Board: Mark Eilers – 763-496-5550

- D. School staff/contractors/volunteers or other employees of the school shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the Executive Director or Lead Teacher immediately.
- E. A student or school staff member who makes a good faith report of possible hazing will not face negative consequences, such as future employment, grades, or work assignments.

VI. SCHOOL ACTION

- A. When hazing is reported, the Executive Director or Lead Teacher must either personally investigate the hazing report, or authorize a third party designated by the school to investigate the hazing report. Nasha Shkola must ensure that the investigation begins within 2 school days of receipt of a hazing report or complaint.
- B. The school may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of an investigation, the school will take appropriate action against students/staff that planned, directed, encouraged, aided, or engaged in hazing. School action taken for violation of this policy will be consistent with applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, and other school policies and regulations.
- D. As required by Minn. Stat. §121A.69, subd. 3, disciplinary consequences must be sufficiently severe to deter hazing and to appropriately discipline prohibited behavior.
 - 1. For students involved in hazing, discipline may include, but is not limited to, removal from the athletic team or other school team activity, out of school suspension, exclusion, or expulsion.
 - 2. For school staff/volunteer/contractors or other school employees involved in hazing, discipline may include, but is not limited to, written reprimand, suspension, termination, or discharge.
 - 3. In addition, Nasha Shkola may also offer students/staff involved in the hazing incident the opportunity to participate in a face-to-face meeting with affected parties of the hazing with the intent to repair the harm caused by the hazing, to make amends, and to make a plan to work with athletic and extracurricular coaches to prevent future incidents of hazing and encourage a welcoming approach for incoming members to the athletic or extracurricular team/activity.

VII. RETALIATION

- A. The school will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the district who retaliates against any person who:
 - 1. Makes a good faith report of alleged hazing; or
 - 2. Testifies, assists, or participates in an investigation or a proceeding or hearing relating to a hazing incident.
- B. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VIII. DISSEMINATION OF POLICY – HOW STUDENTS AND STAFF ARE NOTIFIED OF THE HAZING POLICY

- A. As required by Minn. Stat. §121A.69, subd. 3, the school's hazing policy will be printed in the student handbook on school policies. The hazing policy will also be included in the school's student discipline policy manual, and in the administrative policy manual.
- B. In addition, the policy will be published so that parents and other community members can read and be educated about the school's hazing policy. This will include communication of the hazing policy to parents and students at all student organization orientation meetings and in the written communication sent home with a student participant.
- C. If applicable, the athletic director or other person responsible for athletics in the school must include in coaches' training a review of the hazing policy and stress that any hazing of members of an athletic team is not acceptable and will result in serious disciplinary action. The athletic director will also discuss with the coaches how to create a welcoming approach for new team members.
- D. The school must ensure that all coaches or teacher representatives of other teams, clubs, and student organizations, such as speech, debate, math, drama, student council, etc., receive training on the school's hazing policy and stress that any hazing of members of teams or clubs is not acceptable and will result in serious disciplinary action.
- E. Prior to the beginning of each school year, the school will review its bullying prevention, health promotion, social sciences, and other social skills curricula to ensure that education regarding hazing is included.

- F. At the beginning of each school year when the student handbook is provided to students, students will be informed of the hazing policy either in advisory classes, school-wide assemblies, or another mode of oral communication to emphasize that hazing is not allowed and will be punished severely. The oral communication will go over the definition of hazing and give examples.
- G. At the end of each school year and during the initial practices prior to or at the beginning of the school year, the coach of each athletic team will review the hazing policy with the current and new team members and stress that regardless of tradition, hazing is prohibited and will lead to serious disciplinary action.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §121A.69 (Hazing Policy legislation)
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. §120B.232 (Character Development Education)

Adopted: 2/11/2016
Revised: 11/2019

NASHA SHKOLA POLICY No. 5.4.4

STUDENT DISCIPLINE

I. PURPOSE

Proper student conduct is necessary to create an atmosphere conducive to high student achievement. The purpose of this Student Discipline policy is to ensure that students are aware of and comply with the school's expectations for student conduct. Nasha Shkola will take appropriate disciplinary action when a student violates school rules.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to establish policies that identify behaviors and/or activities that could subject students to disciplinary consequences.

III. RESPONSIBILITY

- A. Nasha Shkola's Executive Director is responsible for ensuring that discipline matters are handled in conformance with this policy. All teachers and other school personnel must enforce this policy.
- B. Nasha Shkola's Director and any teacher, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another. A school employee, school bus driver, or other agent of the school, acting in his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- C. Parents are expected to cooperate with school authorities and to address the behavior of their children. All students shall be held individually responsible for their behavior and for knowing and following the Code of Student Conduct and this policy.

IV. STUDENT RESPONSIBILITIES

- A. The following list of student responsibilities is not exhaustive. All students have the responsibility to:
 - 1. Be on time and attend every class every day, unless excused.
 - 2. Arrange to make up work when absent from school.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

3. Attain satisfactory academic achievement consistent with an individual's ability and complete all homework and other assignments.
4. Assume personal responsibility for acting with respect and common courtesy.
5. Exhibit honest behavior as it applies to tests, assignments, and other school work.
6. Be respectful in communications with peers and those in authority.
7. Accept disciplinary consequences with dignity and make a commitment to improve one's own individual performance and conduct.
8. Comply with school rules governing appropriate dress and grooming
9. Comply with school rules governing the proper use of electronic devices.
10. Understand and comply with school rules regarding appropriate conduct on the bus and at extra-curricular or other school-related activities.
11. Respect school property and not damage it.
12. Refrain from the use of non-prescription drugs at school and at school-related activities unless in accordance with school policy and procedural requirements, including written authorization provided by the parent/guardian to the school.
13. Refrain from using and/or possessing alcohol, tobacco, controlled substances, and other dangerous or illegal substances at school, on school property or school buses, and at extra-curricular or other school-related activities.

V. CODE OF STUDENT CONDUCT

- A. Disciplinary Action. Disciplinary action may be taken for any student conduct that interferes with the operations of the school or the welfare of the student or others. This discipline policy applies to all school buildings; school grounds; school property; school-sponsored activities or trips; school bus stops; school buses; school vehicles; school contracted vehicles; vehicles approved for school purposes; the area of entrance or departure from school premises or events; and all school-related functions. It applies to behavior that occurs outside of school when that behavior interferes with or impacts the learning of any student.
- B. Examples of Unacceptable Behavior. The following are examples of unacceptable behavior subject to disciplinary action by the school. This is not intended to be an exhaustive list. Any student who engages in any of these activities will be disciplined in accordance with this discipline policy. The Executive Director and teachers have discretion and authority to impose appropriate discipline based on the facts and circumstances at hand.
 1. Causing damage to or attempting to damage school property or property belonging to another person;

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

2. Stealing or attempting to steal school property or property belonging to another person;
3. Fighting;
4. Physical assault or attempted physical assault;
5. Verbal assault including, but not limited to, use of language that can reasonably be expected to create fear, intimidation, humiliation, or language that is abusive, harassing, or derogatory;
6. Possessing, using, or transmitting any firearm, knife, explosive, weapon, or other object capable of causing bodily injury; or a look-a-like of the same;
7. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant, or controlled or regulated substance of any kind;
8. Possessing, using, or transmitting tobacco or tobacco paraphernalia;
9. Verbal or physical acts of defiance of school authority;
10. Truancy, skipping class, tardiness;
11. Use of profanity or vulgar language, or defamatory language, or the use of language which may reasonably be expected to incite violence or create a substantial disruption to the educational process; wearing attire depicting the same
12. Threats of violence, bomb threats, or threats of injury to individuals or property;
13. Violating any local, state, or federal law;
14. Violating bus rules;
15. Violating school parking or school traffic rules;
16. Leaving school property without permission;
17. Creating, possessing, or transmitting pornographic, slanderous, or libelous images or material of any kind;
18. Gambling;
19. Hazing;
20. Bullying;
21. Cheating on a test or other dishonesty in school work;
22. Violating locker rules or improperly accessing another student's locker;
23. Violating any school policy or regulation;

- 24. Behavior that is detrimental to the health, welfare, or safety of other students;
 - 25. Any student behavior that is detrimental or disruptive to the educational process, as determined by the school's Executive Director.
- C. Disciplinary Action Options. The specific form of discipline chosen in a particular case will be based on the facts and circumstances of the misconduct and is solely within the discretion of the school. Any violation of school rule will result in disciplinary action. Disciplinary action may range from a simple verbal warning, parent contact, removal from class, in-school suspension, detention, or other appropriate disciplinary action up to and including expulsion or exclusion, depending on the nature of the infraction
- D. Detention. "Detention" means to require a student to remain outside of normal school hours as a disciplinary action or because of some misbehavior on the part of the student. A student may be detained for disciplinary action or academic need. Reasons for detaining will be clarified.
- 1. Detention may be given by the Executive Director or a teacher. If a teacher assigns more than two hours of detention, it must, in each instance, be approved by the Executive Director or designee.
 - 2. The student must be given 24 hour notice if transportation is a factor. Detention does not preclude the student from using school bus transportation when available.
 - 3. Students in elementary grades may not be kept after school without first contacting the parents. Parents of students in middle school are contacted for each detention assigned. Parents of high school students will be contacted at least after five incidents of detention. Suspension usually occurs after 10 detentions.
 - 4. Supervision of detention is the responsibility of school administration and staff.
 - 5. When detention conflicts with after school activities, detention shall be given higher priority. Exceptions can be determined by the teacher, School Director or designee.

VI. OPEN ENROLLED STUDENTS

The school may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. §124D.03) or Enrollment in Nonresident District (Minn. Stat. §124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school may also terminate the enrollment of a nonresident student over the age of sixteen (16) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods of fifteen (15) school days and has not lawfully withdrawn from school.

VII. DISTRIBUTION OF POLICY

The Director shall ensure that this policy is distributed to students and parents at the beginning of each school year and upon enrollment of a new student. This policy will also be available in the School Director's office upon request.

VIII. REVIEW OF POLICY

The School Director and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, to determine if the policy is accomplishing its purposes, and to assess whether the discipline policy has been enforced. Any recommended changes must be submitted to the School Director for consideration by the school board. The school board will conduct an annual review of this policy.

Legal References: Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. §124D.10 (Minnesota Charter School Law)
Minn. Stat. §121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. §§121A.60-121A.61 (Removal From Class)
Minn. Stat. §124D.03 (Enrollment Options Program)
Minn. Stat. §124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch. 260A (Truancy)

Adopted: 2/11/2016
Revised: 11/2019

NASHA SHKOLA POLICY No. 5.5.1 CHEMICAL USE AND ABUSE

I. PURPOSE

Nasha Shkola recognizes that chemical use and abuse creates 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 creates significant problems for society in general.

II. POLICY STATEMENT

Under Nasha Shkola's Drug-Free Workplace/Drug-Free School Policy, use of controlled substances, toxic substances, and alcohol is prohibited in the school setting. Nasha Shkola wishes to establish a program to educate and assist employees, students and others in understanding the goals of achieving drug-free schools and workplaces.

III. PROGRAM FOR STUDENTS

- A. Instructional Program. Nasha Shkola will provide and make available to students an instructional program in chemical abuse and the prevention of chemical dependency. The program will educate students about the dangers of chemical abuse, address the consequences of the illegal use of chemicals, promote a sense of individual responsibility, and encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about illegal drug or alcohol use.
- B. Pre-Assessment Team. In compliance with state statutes, Nasha Shkola will establish a chemical abuse pre-assessment team. The team is responsible for addressing reports of student chemical abuse problems and making recommendations for appropriate responses in the individual cases. 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 parent(s) with information about school and community services in connection with chemical abuse. Under state statute, a minor student may give 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.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- C. Pre-Assessment Team Records. Notwithstanding the Records Management Act, Minn. Stat. §138.163, if the pre-assessment team decides not to provide the student and, in the case of a minor, the student's parent(s) with information about school or community services in connection with chemical abuse, the pre-assessment team records must be destroyed no later than six months after the determination is made. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parent(s) with such information, the pre-assessment team records must be destroyed no later than six months after the student is no longer enrolled in Nasha Shkola.
- D. Disciplinary Consequences. Students who abuse, possess, or distribute illicit chemicals will be suspended in compliance with Nasha Shkola's student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. §121A.40-121A.56, and proposed for expulsion.

IV. DRUG FREE AWARENESS AND PREVENTION PROGRAM

- A. Prevention Program. The Director or his/her designee will maintain a drug-free awareness and prevention program to inform employees, students and others about: (1) the dangers and health risks of chemical abuse in the workplace/school, (2) the school's Drug-Free Workplace/Drug-Free School policy, and (3) any available drug or alcohol counseling, treatment, rehabilitation, re-entry and/or assistance programs available to employees and/or students.
- B. Notice of Conviction. The Director or his/her designee will notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the conviction to the Director. Notice to the federal granting agency within 10 days is required by the Drug Free Workplace Act, 41 U.S.C.A. § 8103.

Legal References: Minn. Stat. §§121A.25-121A.29 (Chemical Abuse)
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. §144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
41 U.S.C. §§8101-8106 (Drug-Free Workplace Act)
20 U.S.C. §§7101-7165 (Safe and Drug-Free Schools and Communities Act)
34 C.F.R. Part 84

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 2/11/2016
Revised: 11/2019

NASHA SHKOLA POLICY No. 5.5.2

DRUG-FREE WORKPLACE / DRUG-FREE SCHOOL

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 and controlled substances without a physician's prescription.

II. POLICY STATEMENT

It is a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use alcohol, toxic substances, or controlled substances in any school location or at any school function. Nasha Shkola will discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. ENFORCEMENT

- A. Students. A student who violates the terms of this policy is subject to discipline in accord with Nasha Shkola's discipline policy up to and including suspension or expulsion. Nasha Shkola may also refer the student to a drug or alcohol assistance program and/or to law enforcement officials when appropriate.
- B. Employees. Nasha Shkola employees must abide by the terms of this policy. An employee who violates the terms of this policy is subject to appropriate disciplinary action up to and including discharge. Nasha Shkola may also require an employee who violates the terms of this policy to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school. An employee's failure to satisfactorily participate in and complete such a program may result in nonrenewal, suspension, or termination as deemed appropriate by the Director or the Board.
- C. An employee must notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring on Nasha Shkola property or in any place where Nasha Shkola work is performed. This notice must be provided no later than five calendar days after the employee's conviction.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- D. Employees representing Nasha Shkola at meetings, conferences, or other events must not unlawfully use drugs or other controlled substances or use alcohol in a manner that results in impaired judgment or performance, reflects negatively on the school, or poses a risk to self or others. This prohibition applies even if students are not present to observe the behavior.

IV. STUDENT MEDICATION

The provisions governing student medication in school are set forth in Policy 5.5.8 (Student Medicine in School).

V. STAFF MEDICATION

An employee who has a prescription from a physician for medical treatment with a controlled substance is permitted to possess the medication (and associated medical supplies such as an inhaler or syringe) on school property after informing his or her supervisor. The employee may be required to provide a copy of the prescription to the Director.

VI. EXCEPTIONS

It is also not a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. §624.701, subd. 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) and has been approved by the Board of Directors.

VII. NOTICE

Each employee will be provided written notice of this Drug-Free Workplace/Drug-Free School policy and must acknowledge receipt of the policy.

VIII. DEFINITIONS

A. For purposes of this policy, the following terms shall mean:

1. “Alcohol” includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
2. “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 U.S.C. §812, including analogues and look-alike drugs.

3. “Toxic substances” includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
4. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
5. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
6. “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 school; or during any period of time such employee is supervising students on behalf of the school otherwise engaged in school business.

Legal References: Minn. Stat. §124D.10 (Minnesota Charter School Law)
Minn. Stat. §624.701 (Liquor in Certain Buildings or Grounds)
41 U.S.C. §§8101-8106 (Drug-Free Workplace Act)
20 U.S.C. §§7101-7165 (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. §812 (Schedules of Controlled Substances)
21 C.F.R. §§1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84

Adopted: 2/11/2016
Revised: 11/2019

NASHA SHKOLA POLICY No. 5.5.3 TOBACCO FREE ENVIRONMENT

I. PURPOSE

The Board of Nasha Shkola recognizes that the use of tobacco presents a health hazard to both the user of tobacco and to persons subject to second hand smoke. The purpose of this policy is to describe the Board's policy with respect to tobacco use on school property and at extracurricular events.

II. POLICY STATEMENT

For the health and well-being of students, employees, and the public who visit Nasha Shkola buildings and grounds, it is the policy of Nasha Shkola to prohibit tobacco use.

III. TOBACCO USE PROHIBITED

No person shall at any time smoke, chew, or otherwise ingest tobacco or a tobacco product in Nasha Shkola. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that Nasha Shkola owns, leases, rents, contracts for, or controls. For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.

This prohibition also extends to Nasha Shkola staff and students while at any school sponsored function, regardless of whether the function takes place on school grounds. Violations of this prohibition will be subject to appropriate discipline.

Legal References: Minn. Stat. §§144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. Ann. §144.4165 (Tobacco products prohibited in public schools)

Adopted: 2/11/2016
Revised: 11/2019

NASHA SHKOLA POLICY No. 5.5.4

CONCUSSION MANAGEMENT

I. PURPOSE

The purpose of this policy is to work with the school and sports communities to make information available about the nature and risks of concussions; to rely on the training of coaches and officials regarding concussions through the appropriate governing body; and to authorize removal of athletes when a concussion is exhibited or suspected.

II. POLICY STATEMENT

Nasha Shkola coaches and referees/officials, whether paid or volunteer, shall complete initial and ongoing training on concussions as set forth below. Nasha Shkola will make available to youth athletes and their parents concussion information.

III. DEFINITIONS

- A. “Concussion” means a complex pathophysiological process affecting the brain, induced by traumatic bio kinetic forces caused by a direct blow to either the head, face, or neck, or elsewhere on the body with an impulsive force transmitted to the head, that may involve the rapid onset of short-lived impairment of neurological function and clinical symptoms, loss of consciousness, or prolonged post-concussive symptoms.
- B. “Youth athlete” means a young person through age 18 who actively participates in an athletic activity, including a sport.
- C. “Youth athletic activity” means any sport or other athletic activity related to competition, practice, or training exercises that is intended for youth athletes and at which a coach or official is officially presiding.

IV. POLICY

- A. Nasha Shkola shall provide information to all youth athletes and their parents or guardians regarding the nature, risks, and effects of concussions. The information provided shall be consistent with current medical knowledge from the Centers for Disease Control and Prevention.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. The appropriate governing body shall provide school coaches and officials involved in youth athletic activities training related to concussions.
- C. A coach or official shall remove a youth athlete from participating in any youth athletic activity when a concussion is exhibited or suspected. Once removed, the youth athlete may not return to participation until he or she no longer exhibits symptoms of a concussion and is evaluated by a trained provider who gives written permission to return to participation.

V. PROCEDURE

- A. Information regarding concussions shall be made available at the start of each school year to youth athletes and their parents or guardians, through website links or otherwise, and shall include the following:
 - 1. The nature and risks of concussions associated with athletic activity;
 - 2. The signs, symptoms, and behaviors consistent with a concussion;
 - 3. The need to alert appropriate medical professionals for urgent diagnosis and treatment when a youth athlete is suspected or observed to have received a concussion; and
 - 4. The need for a youth athlete who sustains a concussion to follow proper medical direction and protocols for treatment and returning to play.
- B. If a parent of a youth athlete must sign a consent form to allow participation in the youth athletic activity, the form must include information about the nature and risks of concussions.
- C. Each school coach and official involved in youth athletic activities must receive initial online training and online training at least once every three school years related to concussions through the “Concussion in Youth Sports” online training program on the Centers for Disease Control and Prevention website, as directed by the appropriate governing body of the sport.

Legal Reference: Minn. Stat. §121A.38 (Concussion Procedures)

Adopted: 2/11/2016
Revised: 1/21/2020

NASHA SHKOLA POLICY No. 5.6.1
SECTION 504 POLICY
EDUCATION OF STUDENTS WITH DISABILITIES UNDER
SECTION 504 OF THE REHABILITATION ACT

I. PURPOSE

The purpose of this policy is to set forth Nasha Shkola's obligations under Section 504 of the Rehabilitation Act of 1973 and to articulate the school's commitment to prohibit discrimination against students with disabilities and to provide a free appropriate public education to eligible students as required by the Act.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with the requirements of Section 504 of the Rehabilitation Act of 1973.

III. POLICY

Section 504 prohibits discrimination based on an individual's disability in any program receiving federal financial assistance. Section 504 of the Rehabilitation Act of 1973 provides that "no qualified person with a disability shall, on the basis of a disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance".

Nasha Shkola will not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. The school will comply with the provisions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

A. A student is disabled under the definition of Section 504 if he or she:

1. Has a physical or mental impairment, which substantially limits one or more of such person's major life activities (Examples of "major life activities" include, but are not limited to, functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, and thinking. "Major life activities also includes the operation of major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, or reproductive

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functions.)

2. Has a record of such an impairment; or
 3. Is regarded as having such an impairment.
- B. Nasha Shkola will identify and evaluate students who, within the intent of Section 504, need academic adjustments or program changes to ensure that the student is provided a free appropriate public education. This includes the right to have an equal opportunity to participate in extracurricular and non-academic programs offered by the school.
- C. Nasha Shkola will provide notice to parents, employees, bargaining organizations, and community members that it does not discriminate on the basis of disability.
- D. Nasha Shkola will make facilities, programs, and activities accessible, usable, and open to persons with disabilities.
- E. Nasha Shkola will develop and publish grievance procedures that provide prompt resolution of complaints of discrimination based on disability.
- F. Nasha Shkola will designate an employee who will have the responsibility to coordinate the school's efforts under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act and to give overall direction in adhering to this Policy.

IV. EMPLOYEES TO SUPPORT IMPLEMENTATION

Every employee of Nasha Shkola must support the implementation of this Policy.

V. GRIEVANCE PROCEDURE

This grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits, or in employment practices and policies, by the school.

- A. The grievance should contain information about the alleged discrimination such as name and phone number of the complainant and location, date, and description of the problem. Alternate means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.
- B. A grievance may be filed in writing with the school 504/ADA Administrator.

Nasha Shkola's 504/ADA Administrator is:

Yelena Hardcopf
yelena.hardcopf@nashashkolamn.org

763-496-5550

6717 85th Ave North, Brooklyn Park, MN 55445

1. Step One: The grievance should be submitted to the 504/ADA Administrator who will investigate the circumstances of the alleged violation. The 504/ADA Administrator will provide a written report of her/his findings of fact and conclusions to the grievant and School Director.
2. Step Two: If the grievance has not been resolved to the satisfaction of the grievant at Step One, the grievant may appeal to the School Director. The School Director will conduct or authorize an investigation and will affirm, reverse, or modify the decision of the 504/ADA Administrator.
3. Step Three: If the grievance has not been resolved in Step Two to the satisfaction of the grievant, s/he may request an impartial due process hearing. The School will appoint an impartial hearing officer and follow state and federal rules for due process hearings.
4. Step Four: At any point in the process, the grievant has a right to file a complaint with community, State or Federal agencies.

VI. NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504

Nasha Shkola will annually take appropriate steps to notify students with disabilities and their parents of the school's duties and their rights under the Act. The Notice will contain, at a minimum, the following information:

NOTICE

The Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that students with disabilities have educational opportunities and benefits equal to those provided to non-disabled students.

Below is a description of the rights granted by Section 504 to eligible students with disabilities and the parents of those students.

1. You have a right to be informed by the school of your rights under Section 504. (The purpose of this Notice is to advise you of those rights). 34 CFR 104.32.
2. Your child has the right to an appropriate education designed to meet her/his individual educational needs as adequately as the needs of non-disabled students are met. 34 CFR 104.33.
3. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a student with a disability. 34 CFR 104.33.
4. Your child has a right to placement in the least restrictive environment. 34 CFR 104.34.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

5. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34.
6. Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. 34 CFR 104.35.
7. Testing and other evaluation procedures must conform to the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The school will consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, and anecdotal reports. 34 CFR 104.35.
8. Placement decisions must be made by a group of persons who are knowledgeable about your child, about the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
9. If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. 34 CFR 104.35.
10. You have the right to notice prior to any action by the school in regard to the identification, evaluation, or placement of your child. 34 CFR 104.36.
11. You have the right to examine relevant records. 34 CFR 104.36.
12. You have the right to an impartial hearing with respect to the school's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36.
13. If you wish to challenge the actions of the Section 504 Committee with regard to your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the school's Section 504 Administrator at [INSERT NAME, ADDRESS, TELEPHONE, EMAIL] within 15 calendar days from the time you received written notice of the Section 504 Committee's action(s). A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing.
14. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. 34 CFR 104.36.
15. On Section 504 matters other than your child's identification, evaluation, and placement, you have a right to file a complaint with the school's Section 504 Administrator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
16. You also have a right to file a complaint with the Office for Civil Rights. The address of the Regional Office that covers Minnesota is:

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

ATTN: OCR Regional Manager
Office for Civil Rights, *Chicago Office*
U.S. Department of Education
Citigroup Center
500 W. Madison St., Suite 1475
Chicago, IL 60661-7204

Legal References: Section 504 of the Rehabilitation Act, 29 U.S.C. §794;
34 C.F.R. Part 104
Title II of the Americans with Disabilities Act of 1990

Sample Documents that follow:

- Notice of Parent/Student Rights and Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973
- 504 Plan Information Sheet
- Section 504 Evaluation Form
- 504 Plan Evaluation and Review
- 504 Plan Permission to Evaluate
- Section 504 Plan
- Checklist

**Notice of Parent/Student Rights and Procedural Safeguards under
Section 504 of the Rehabilitation Act of 1973**

Section 504 is a federal law that prohibits discrimination against persons with disabilities. Section 504 applies to the school because it receives federal funds. Under this law, you as the parent or guardian of a student who has or is suspected to have a disability have the following rights.

1. Your child can take part in, and receive benefits from, public education programs without discrimination based on disability.
2. The school must advise you of your rights under federal law and that is the purpose of this form.
3. You have the right to receive notice about the evaluation, identification or placement of your child. Your child is entitled to receive an evaluation prior to an initial placement and any subsequent significant changes in placement. You must provide consent for the initial evaluation or the school may not proceed with an evaluation.
4. Your child has the right to receive a free appropriate public education. This includes the right to be educated with students without disabilities to the maximum extent appropriate. It also includes the right to receive regular and/or special education and related aids and services that are designed to meet the student's individual educational needs as adequately as the needs of students without disabilities are met.
5. Your child has the right to a free education except for those fees which are charged to students without disabilities.
6. Your child has the right to receive services and be educated in facilities which are comparable to those provided to students without disabilities.
7. Your child has the right to have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
8. Your child has the right to have an equal opportunity to participate in nonacademic and extracurricular activities offered by the school.
9. You have the right to examine your student's educational records and obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records. You have the right to request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child.
10. You have the right to request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification as a student with a disability, evaluation, or educational program and to be represented by an attorney that you hire

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in the hearing process. The school district may also request a hearing on matters of identification, evaluation, or educational program for your child. You or the school district has the right to appeal an adverse decision to a hearing review officer within 20 school days of the receipt of the written decision by the hearing officer. The school will appoint a hearing officer and a hearing review officer if necessary at the school's expense. It will also provide for the recording of testimony and evidence in the hearing and if applicable, in the review process.

11. You have the right to file a local grievance with the school Section 504 Coordinator/Administrator. Neither the local grievance procedure nor the hearing procedure prevents a student or parent from filing a complaint with the Office for Civil Rights (OCR) or in federal court.
12. Filing a complaint with outside agencies or court. **There may be specific timelines for filing a complaint that may affect your rights.** You should review those timelines immediately to protect your rights. This Notice is not intended to be legal advice or a substitute for legal advice. To file a complaint with the Office for Civil Rights (OCR) your letter or complaint should be addressed:

ATTN: OCR Regional Manager
Office for Civil Rights, *Chicago Office*
U.S. Department of Education
Citigroup Center
500 W. Madison St., Suite 1475
Chicago, IL 60661-7204

The OCR may be reached at: Voice Phone: (312-730-1560) Fax: (312-730-1576) TDD: (877-521-2172). A complaint may also be filed by E-mail: OCR.Chicago@ed.gov . For more information on filing a complaint, visit www.ed.gov/ocr.

Nasha Shkola's Section 504 Coordinator is _____.

The Coordinator is responsible for assuring that Nasha Shkola complies with Section 504 and may be reached by calling (____) _____ - _____.

Address: _____.

or via email at: _____.

504 Plan Information Sheet

I. What is the purpose of Section 504?

Section 504 is a part of the Rehabilitation Act of 1973, which is a civil rights law that prohibits discrimination on the basis of disability in programs and activities, public and private, that receive federal financial assistance. It is intended to establish a “level playing field” so that students with disabilities have an equal opportunity to be successful.

II. Definition of Disability

A. Under 504, a person is considered to have a disability if that person:

Has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment.

B. A physical or mental impairment is defined as:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genital-urinary; hemic and lymphatic; skin; and endocrine.
2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

C. A major life activity means:

1. “Major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, and thinking. [34 CFR 104.3(j)(2)(ii)] [42 USCA § 12102]
2. “Major life activities also includes the operation of major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, or reproductive functions. [42 USCA 12102 sec. 3]

D. When a condition significantly limits a major life activity, a 504 plan must be developed for that learner. Program changes under Section 504 must be determined by a team of individuals who are knowledgeable about the learner’s needs.

E. Whether an impairment “substantially limits” a major life activity is a common sense assessment based on a comparison of the learner’s ability to perform a major life

activity with the ability of same age peers. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. An impairment that is expected to last at least 6 months would qualify.

- F. When deciding whether an impairment is a disability under Section 504, the team should ignore the positive effects of mitigating measures such as medicine, medical devices, assistive technology, accommodations, or learned behavioral or adaptive neurological modifications. (However, the team should take into account the positive effects of these mitigating measures when determining whether a learner with a disability actually requires a program change.)

III. Examples of Impairments that Will Consistently Meet the Meet the Definition of Disability:

- | | |
|--|----------------------------------|
| • deafness | • epilepsy |
| • blindness | • HIV or AIDS |
| • intellectual disability (formerly termed mental retardation) | • multiple sclerosis |
| • partially or completely missing limbs | • muscular dystrophy |
| • mobility impairments requiring the use of a wheelchair | • major depression |
| • autism | • bipolar disorder |
| • cancer | • post-traumatic stress disorder |
| • cerebral palsy | • obsessive compulsive disorder |
| • diabetes | • schizophrenia |
| | • spina bifida |
| | • tuberculosis |
| | • kidney or liver disease |

This list is not exhaustive. Other types of impairments not specifically identified above may also consistently be substantially limiting (and therefore a “disability”), such as some forms of depression other than major depression and seizure disorders other than epilepsy.

IV. Examples of Impairments that May Be Disabling for Some Individuals But Not For Others:

- Asthma (for example, a learner who is substantially limited in respiratory functions and breathing compared to most learners, as indicated by the effects of exercise, exposure to substances such as cleaning products or perfumes, is an individual with a disability);
- High blood pressure;
- Learning disability (for example, a learner who is substantially limited in reading, learning, thinking, or concentrating compared to most learners, as indicated by the speed or ease with which he can read, the time and effort required for him to learn, or the difficulty he experiences in concentrating or thinking, is an individual with a disability, even if he has achieved a high level of academic success. The determination

of whether an individual has a disability does not depend on what an individual is able to do in spite of an impairment.)

- A back or leg impairment (for example, a learner who is substantially limited compared to most people in the length of time she can stand, the distance she can walk, or the weight she can lift, is an individual with a disability).
- A psychiatric impairment such as panic disorder, anxiety disorder, or some forms of depression other than major depression (for example, a learner who is substantially limited compared to most learners, as indicated by the time and effort required to think or concentrate, the diminished capacity to effectively interact with others, the length or quality of sleep the learner gets, the individual's eating patterns or appetite, or the effect on other major life activities, is an individual with a disability).
- Arthritis or carpal tunnel syndrome (for example, a learner who is substantially limited in performing manual tasks compared to most learners, as indicated by the amount of pain experienced when writing or using a computer keyboard or the length of time for which such manual tasks can be performed, is an individual with a disability).
- Hyperthyroidism;
- Allergy/asthma;
- Attention Deficit Disorder (ADD);
- Attention Deficit Hyperactivity Disorder (ADHD);
- Broken limbs or bones, depending on the nature and severity;
- Alcohol addiction;
- Drug addiction (qualifies only if not currently using drugs).

The list of examples above is merely illustrative, not exhaustive.

V. Impairments that are Usually Not Disabilities:

- A. Temporary, non-chronic impairments of short duration with little or no residual effects (such as the common cold, seasonal or common influenza, a sprained joint, minor and non-chronic gastrointestinal disorders) usually will not be a “disability” under Section 504.
- B. If the team determines that a learner has a disability, the team should determine what accommodations or modifications the learner needs and prepare a 504 plan.

Section 504 Evaluation Form

Name of Student _____

Birth date _____ Grade _____ School _____

1. What is the disability? Attach diagnosis or state why diagnosis is not available

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

2. Describe the basis for the determination of the disabling condition (if any) _____

3. a. Describe how the disabling condition affects a major life activity _____

b. Describe how the disabling condition affects major life activity and learning _____

4. Describe the program changes that are necessary:

Physical: _____

Instructional: _____

Behavioral: _____

Extracurricular: _____

5. Describe other placement options (if any) that were considered: _____

Name, title and relationship to the student of people who participated in developing the 504 plan:
Name Relationship Phone #

Name and telephone number of 504 Plan Manager/Contact Person

Parent/Guardian permission to evaluate received on: _____ (Date)

Parent/Guardian given Notice of Procedural Safeguards

By: _____
(Print Staff Name) Date

504 Plan Evaluation and Review

Name of Student: _____ Date of Birth: _____

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

School: _____ Grade: _____

Nature of concerns in school: _____

Date of 504 Plan implementation: _____

Date of 504 Plan review: _____

Result of Plan Review: _____

- _____ Does not currently qualify for initial 504 Plan as determined by evaluation team
- _____ Continuation of 504 Plan as written
- _____ Continuation of 504 Plan with changes

- _____ Change of Setting
- _____ Grade level change
- _____ Building change
- _____ Exiting 504 plan; student no longer requires services

Parent/Guardian contacted: _____

Date

Notice of Procedural Safeguards given to parent/guardian: _____

Date

504 Plan Permission to Evaluate

Name of Student: _____

Date of Birth: _____

School: _____

Grade: _____

Evaluation will consist of:

Review of Documents: _____

Testing: _____

Teaching Observations: _____

Parent Input: _____

Parent/Guardian Signature

Date

Section 504 Plan

Name of Student: _____ Date of Birth: _____

School: _____ Grade: _____

Date of initial 504 Plan Implementation: _____

Date of implementation of current 504 Plan: _____

Nature of concern: _____

Basis of determination of disability: _____

How the disability affects major life activities: _____

Goal: To encourage independence and success in the school setting.

Classroom Accommodations:

Physical: _____

Instructional: _____

Behavioral: _____

Extracurricular: _____

General Comments: _____

Individuals participating in development of the 504 Plan: _____

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

To be completed by parent/guardian:

I have received this plan and have received a copy of the Section 504 Notice of Procedural Rights.

Parent/Guardian Signature

Date

Student Signature

Date

Administrator Signature

Date

Guidance Counselor

Date

504 Plan Manager

Date

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Checklist

Name: _____ Grade: _____

School: _____ House: _____

Academic Year: _____

Referral to 504: _____

504 Information Sheet: _____

Initial 504 Meeting: _____

504 copies distributed: _____

Procedural Safeguards Regarding Section 504 of the Rehabilitation Act of 1973 included:

Yes _____ No _____

504 Plan Manager: _____

504 Review Meeting: _____

Promotion 504 Plan Manager: _____

Adopted: ____ 2/11/2016 ____
Revised: ____ 1/21/2020 ____

NASHA SHKOLA POLICY No. 5.6.2 USE OF RESTRAINTS FOR STUDENTS

I. PURPOSE

The purpose of this policy is to ensure that students and parents are aware of Nasha Shkola's plan regarding the use of physical restraint in school.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to encourage appropriate student behavior through the use of positive behavioral strategies. When necessary to protect a child or other individual from physical injury, physical restraint may be used in accord with this policy and state law.

III. RESTRICTIVE PROCEDURES PLAN

As required by Minnesota law, Nasha Shkola will develop and make publicly accessible in an electronic format on the School's website or in paper copy form available upon request, a plan that discloses the School's use of restrictive procedures with special education students.

The plan will list the restrictive procedures that Nasha Shkola intends to use and the plan will: (1) describe how Nasha Shkola will implement a range of positive behavior strategies and provide links to mental health services; (2) describe how Nasha Shkola will monitor and review the use of restrictive procedures; and (3) include a written description and documentation of the training any staff members who will be using restrictive procedures have completed to show they have the skills set out in Minn. Stat. §125A.0942, subd. 5.

IV. USE OF RESTRICTIVE PROCEDURES

Nasha Shkola will use restrictive procedures only in emergency situations. "Emergency" means a situation where immediate intervention is needed to protect the student or other individuals from physical injury. "Emergency" does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists. Restrictive procedures must not be used to punish or otherwise discipline a child.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- A. **Physical Holding.** The restrictive procedure that Nasha Shkola may use in an emergency situation is physical holding. Physical holding is a physical intervention intended to hold a student immobile or limit a student's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a student in order to protect a student or other individual from physical injury. As required by State law, the physical holding must: (1) be the least intrusive intervention that effectively responds to the emergency; (2) not be used to discipline a noncompliant student; (3) end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity; (4) be observed directly by staff while the physical holding is being used; and (5) be documented as soon as possible after the incident concludes by the person who implemented the physical hold or oversaw the hold.
- B. **Seclusion.** Nasha Shkola will not use the restrictive procedure of Seclusion. Seclusion means confining a student alone in a room from which egress is barred, including by an adult locking or closing the door in the room or preventing the student from leaving the room. Removing a student from an activity to a location where the student cannot participate in or observe the activity is not seclusion if the student is not confined alone in a room from which egress is barred.
- C. **Prone Restraint.** Nasha Shkola will not use the restrictive procedure of Prone Restraint. Prone Restraint means placing a student in a face down position.

V. STAFF REQUIREMENTS REGARDING RESTRICTIVE PROCEDURES

The Restrictive Procedure of Physical Holding may be used in emergency situations only by the following staff and only if that staff member has been properly trained in the skills and knowledge areas described in Minn. Stat. §125A.0942, subd. 5.

- Licensed special education teacher;
- School social worker;
- School psychologist;
- Behavior analyst certified by the national Behavior Analyst Certification Board;
- Staff with a master's degree in behavior analysis;
- Other licensed education professional;
- Paraprofessional as described in Minn. Stat. §120B.363; and
- Mental health professional covered by Minn. Stat. §245.4871, subd. 27.

VI. PROCEDURAL REQUIREMENTS FOR RESTRICTIVE PROCEDURES

- A. **Parent Notification.** School staff shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the student, or if the school is unable to provide same-day notice, notice is sent to the parent by written or electronic means

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within two days of the procedure being used or as otherwise indicated in the student's IEP.

- B. **Reporting of Use of Restrictive Procedure.** The staff person who implements the restrictive procedure or the staff person who oversees the use of a restrictive procedure must inform the administration of the use of the restrictive procedure as soon as possible and complete a Restrictive Procedures report no later than the next working day. The report must include:
 - 1. A description of the incident that led to the use of the restrictive procedure;
 - 2. State why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
 - 3. State the time the restrictive procedure began and the time the student was released from the hold; and
 - 4. Give a brief record of the student's behavioral and physical status during and after the use of the restrictive procedure.
- C. **Staff Debriefing.** The building administrator or his/her designee and the staff involved in the use of the restrictive procedure are to debrief after every use of a restrictive procedure. This debriefing could include completing and discussing the restrictive procedures reporting form.
- D. **Restrictive Procedure and the Student's IEP.** A student's IEP team may include a plan for using a restrictive procedure in the student's IEP but may only use the restrictive procedure in situations that constitute an emergency. If a plan is included in the student's IEP, the IEP must also indicate how the parent wants to be notified when a restrictive procedure is used. The district must review use of restrictive procedures at a student's annual IEP meeting when the student's IEP provides for using restrictive procedures in an emergency.
- E. **Use Twice in 30 Days.** If a restrictive procedure is used on two separate days within 30 calendar days or if a pattern of use of the restrictive procedure emerges and the student's IEP or behavior intervention plan does not provide for using restrictive procedures in an emergency; Nasha Shkola must hold an IEP meeting within ten calendar days after district staff use the second restrictive procedure. The meeting may also be requested by the parent. At the meeting the team must:
 - 1. Review the student's Functional Behavior Assessment (FBA);
 - 2. Review other data connected to the behavior(s) that prompted the use of the restrictive procedure;
 - 3. Consider developing additional or revised positive behavioral interventions and supports;
 - 4. Consider actions that could be taken to reduce the use of restrictive procedures;

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

5. Consider developing a Behavior Intervention Plan (BIP) or modifying an existing BIP or consider other revisions to the student's IEP;
6. Review any known medical or psychological limitations, including any medical information the parent provided voluntarily, that contraindicate the use of a restrictive procedure; and
7. Consider whether to prohibit a restrictive procedure and, if so, document any prohibition in the student's IEP.

If the IEP team determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child on 10 or more school days during the same school year, the team, as appropriate, either must consult with other professionals working with the student; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the student.

Legal References: Minn. Stat. §§125A.0941 & 125A.0942 (Definitions; Standards for Restrictive Procedures)
Minn. Stat. §609.379 (Permitted Actions)

Adopted: 2/11/2016
Revised: 1/21/2020

NASHA SHKOLA POLICY No. 5.6.3 REMOVAL OF STUDENTS WITH IEPs

I. PURPOSE

The purpose of this policy is to set forth provisions related to the removal of students with IEPs from school by police officers.

II. POLICY STATEMENT

Nasha Shkola expects all students to be in school so that learning can occur. However, when the behavior of a student endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school staff may remove the student from school grounds or may request that police remove the student from school grounds.

III. PARTICULAR PROVISIONS

- A. If a student with an IEP is restrained or removed by police at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.
- B. School personnel may report a crime committed by a student with an IEP to appropriate authorities in the same manner that school personnel would report a crime committed by a student without an IEP.

Legal References: 20 U.S.C. §1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
34 C.F.R. §300.535 (Referral to Law Enforcement and Judicial Authorities)
Minn. Stat. §121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. §121A.67 (Removal of Student with IEP by Peace Officer)
Minn. Stat. §609.06 (Authorized Use of Force)
Minn. Stat. §609.379 (Permitted Actions)
Minn. Stat. §125A.091-092 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. §124D.10 subd. 8(i); subd. 12

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: ___ 2/11/2016 _____
Revised: ___ 1/21/2020 _____

NASHA SHKOLA POLICY No. 5.7.1 TENNESSEN WARNING

I. PURPOSE

It is the policy of the Board of Nasha Shkola that collection of personal or confidential data from employees or students be obtained in conformance with the requirements of the Minnesota Government Data Practices Act.

II. POLICY STATEMENT

Any individual collecting private or confidential data on behalf of Nasha Shkola will provide a Tennesen warning that complies with the sample warning to follow, unless applicable law provides an exception to the need to provide this warning.

Legal Reference: Minn. Stat. §13.04 subd. 2 (Tennesen Warning)

SAMPLE ON NEXT PAGE

[SAMPLE] TENNESSEN WARNING

TO: _____

DATE: _____

Dear _____, I have been asked by Nasha Shkola to conduct an investigation into circumstances related to _____

_____.

I am required to advise you of the following:

- The purpose and intended use of the data, i.e., why Nasha Shkola is collecting the data from you, and how Nasha Shkola plans to use the data;
- Whether you are legally required to provide the data, or may refuse to do so;
- Any consequences known if you provide the asked for data;
- Any consequences known to if you do not provide the asked-for data;
- The identities of other persons or outside entities known to Nasha Shkola that are authorized by law to have access to the data.

If the data is to be shared with an individual not included in this list, you will be asked to give separate permission to release that data.

The above information has been explained to me and I have been given an opportunity to ask questions:

Signed: _____

Date: _____

Adopted: __2/11/2016__

Revised: ____1/21/2020

NASHA SHKOLA POLICY No. 5.7.2 SCHOOL LOCKERS

I. PURPOSE

The purpose of this policy is to inform the school community that Nasha Shkola owns school lockers and to establish the parameters for searching school lockers and the personal belongings in school lockers.

II. POLICY STATEMENT

- A. School lockers are provided for the convenience of students and are the property of Nasha Shkola, without exception.
- B. The interior of school lockers may be inspected by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.
- C. Personal belongings in a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.
- D. If personal belongings are searched, school authorities must provide notice of the search to the student whose locker is searched, as soon as practicable, unless disclosure would impede an ongoing investigation by police or school officials.

Legal Reference: Minn. Stat. §121A.72 (School Locker Policy)

Adopted: 2/11/2016
Revised: 3/17/2020

NASHA SHKOLA POLICY No. 5.7.3 STUDENTS' FREE SPEECH RIGHTS

I. PURPOSE

The purpose of this policy of the Board of Nasha Shkola is to set forth the standards regarding acceptable student speech.

II. POLICY STATEMENT

The Board of Nasha Shkola recognizes and appreciates the importance of protecting the free speech rights of students. At the same time, it is important that such speech does not interfere with the educational mission of the school nor impair the rights of others. This policy will delineate the acceptable bounds of student speech with due consideration for both important values.

III. DEFINITION OF SPEECH

“Speech” includes any form of communication in which it reasonably appears that a student is intending to convey a message, whether verbal, written, electronic or non- verbal. “Speech” specifically includes messages that are displayed on a student’s clothing.

IV. TRUE THREATS

A. Definition. A “true threat” is a communication, whether verbal, written, electronic or non- verbal, which a reasonable person would interpret as a serious intent to cause injury to another. In determining whether a student has communicated a true threat, the Board of Nasha Shkola will consider the following factors:

1. The reaction of those who heard the alleged threat;
2. Whether the threat was conditional;
3. Whether the person who made the alleged threat communicated it directly to the object of the threat;
4. Whether the speaker had a history of making threats against the object of the threat;
5. Whether the recipient had reason to believe that the speaker had a propensity to engage in violence.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

6. Even if the speaker did not communicate the threat directly to the object of the threat, the speech will not be protected if the object of the threat learned about the threat and reasonably believed that the threat was serious.
- B. Consequences for True Threats. If a student's communication meets the definition of a "true threat", the speech will be subject to discipline according to the student conduct code. True threats will be subject to discipline regardless of where the speech occurred. Discipline that may be imposed includes expulsion.

V. LEWD AND OFFENSIVE SPEECH

- A. Definition. "Lewd and offensive speech" is speech that is offensive because it is inappropriately sexual in nature. It does not include speech that is offensive simply because the listener does not agree with the message.
- B. Consequences for Lewd and Offensive Speech. If a student's communication meets the definition of "lewd and offensive speech", the speech will be subject to discipline according to the student conduct code. Lewd and offensive speech that is communicated off-campus, outside of a school-sponsored activity and without the use of school resources will not be subject to discipline.

VI. SPEECH THAT OCCURS IN SCHOOL-SPONSORED ACTIVITIES

- A. Definition. "School-sponsored speech" is student speech that occurs during activities over which the school has substantial input or control. Whether speech is considered to be "school sponsored" will be determined by consideration of one or more of the following factors:
 1. When and where the speech occurred;
 2. To whom the speech was directed and whether recipients were a "captive audience";
 3. Whether the speech occurred during an event or activity organized by the school conducted pursuant to official guidelines, or supervised by school officials; or
 4. Whether the activities where the speech occurred were designed to impart some knowledge or skills to the students.
- B. Basis for Imposing Discipline. The basis for determining whether student speech in school sponsored activities can be disciplined is whether disciplining the speech is "reasonably related to a legitimate pedagogical concern." These concerns include:
 1. Issues concerning the age, immaturity and sophistication of the students;
 2. Use of vulgarity and profanity;
 3. Conformity or non-conformity to shared community values;

4. Lack of neutrality on religious matters;
 5. Quality or professionalism;
 6. Existence of bias or prejudice;
 7. State statutes and regulations;
 8. Other school board policies.
- C. Consequences. If the student speech meets the criteria above, it may be disciplined in accordance with the student conduct code up to and including expulsion. Student speech that occurs in a school-sponsored activity off-campus may be disciplined as well as speech that occurs on campus.

VII. SPEECH THAT ADVOCATES ILLEGAL DRUG OR ALCOHOL USE

- A. Prohibition. Student speech that can reasonably be construed to advocate illegal drug or alcohol use and that is expressed during school hours or in a school sponsored activity is prohibited.
- B. Consequences. If the student speech meets the criteria above, it may be disciplined in accordance with the student conduct code, up to and including expulsion. Student speech that occurs in a school-sponsored activity off-campus may be disciplined as well as speech that occurs on campus.

VIII. REGULATING THE CONTENT OF STUDENT SPEECH THAT DOES NOT FALL INTO ANY OF THE CATEGORIES ABOVE

- A. Regulating the Content of a Student's Speech. When a student's speech does not fall into any of the categories contained in sections IV through VII above, the speech may be subject to discipline if the administration has reason to anticipate that: The speech will cause:
1. The speech will cause a substantial disruption of or material interference with the work of the school; or
 2. The speech would substantially interfere with or impinge upon the rights of others.
- B. Forecasting Substantial Disruption and/or, Material Interference with the Work of the School or the Rights of Others. In determining whether a student's speech will cause disruption:
1. An undifferentiated fear or apprehension of a disturbance is not enough.

2. The school administration must be able to articulate substantial facts which reasonably support a forecast of likely disruption, but need not wait for an actual disruption to occur.
 3. Prior disruptions and incidents need not have happened in the context of classroom instruction to be relevant and a prior incident does not have to have occurred at school to be relevant.
 4. There does not need to be a direct causal connection between the expression and disruption.
- C. **Disciplining the Content of Student Speech.** If the administration determines that there are facts sufficient to establish that the student's speech will likely cause, or has caused a substantial disruption of or material interference with the work of the school or the rights of others, the speech may be disciplined according to the student conduct code. Discipline may include suspension through expulsion.
- D. **Disciplining Speech that Occurs Off-Campus.** Speech may be subject to discipline regardless of where the speech occurred and regardless of whether school resources were used to communicate the student's speech. Off-campus speech will be subject to discipline if the speech causes substantial disruption at school or materially interferes with the work of the school or the rights of others.

Legal References: U.S. Const. Am. 1
Bethel v. Frazer, 478 U.S. 675 (1986)
B.W.A. v. Farmington, 508 F. Supp. 2d 740 (E.D. Mo. 2007)
Chambers v. Babbitt & Independent Sch. Dist. 833, 145 F.Supp.2d 1068 (D. Minn. 2001)
Chandler v. McMinnville Sch. Dist., 978 F.2d 524, 529 (9th Cir. 1992)
Doe v. Pulaski, 306 F.3d 616 (8th Cir. 2002)
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988)
Morse v. Frederick, 551 U.S. 393 (2007)
Phillips v. Anderson County Sch. Dist. No. 5, 987 F. Supp. 488, 492 (D.S.C. 1997)
Tinker v. Des Moines Public Schools, 393 U.S. 503 (1969)

Adopted: 2/11/2016
Revised: 3/17/2020

NASHA SHKOLA POLICY No. 5.8.1

CYBER-BULLYING/PROHIBITED USE OF TECHNOLOGY

I. PURPOSE

Nasha Shkola strives to provide a safe, secure and respectful learning environment for all students in school buildings, on school grounds, at school sponsored activities and when using school equipment and technology. Bullying has a harmful, social, physical, psychological and academic impact on bullies, victims and bystanders. Nasha Shkola consistently and vigorously addresses bullying in all of its forms, so that there is no disruption to the learning process or learning environment.

II. POLICY STATEMENT

Nasha Shkola's computer network and the Internet, whether accessed on campus or off campus, may not be used for the purpose of harassment of any kind. All forms of harassment over the Internet, commonly referred to as "cyberbullying", are unacceptable and viewed as a violation of this policy and Nasha Shkola's acceptable computer use policy and procedures.

III. DEFINITIONS

A. "Use of technology" includes, but is not limited to the following:

1. Sending or posting e-mail messages;
2. Sending text messages;
3. Sending or posting pictures or images;
4. Website postings;
5. Blogs.

B. "Sexting" includes, but is not limited to, the act of sending, receiving, viewing, or reading any sexually explicit text messages, photo messages, video messages, or voice messages. Sexting is considered inappropriate for the school setting and is therefore prohibited in communications involving any Nasha Shkola technology. Sexting may also be disciplined if the action constitutes cyberbullying as defined below.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- C. “Threats” are actions that a reasonable person would interpret as a serious expression of an intent to cause a present or future harm.
- D. “Cyberbullying” includes the use of technology to:
 - 1. Communicate a threat;
 - 2. Stalk; or
 - 3. Terrorize students or staff; or
 - 4. Other speech that creates a hostile environment based on race, gender, religion or sexual origin for students or staff; or
 - 5. Any other form of communication that causes:
 - a. A substantial disruption of or material interference with the work of the school;
 - b. A communication that substantially interferes with or impinges upon the rights of other students or staff; or
 - c. Violates Nasha Shkola’s policies prohibiting bullying and harassment.
- E. “Reasonable likelihood of disruption” cyberbullying as defined above may be disciplined if :
 - 1. The speech creates a foreseeable risk of material disruption to the work of the school; or
 - 2. The speech creates a foreseeable risk of interference with the rights of others.

IV. MONITORING OF STUDENT INTERNET USE, RECORDS, AND FILES

- A. Nasha Shkola students have a limited expectation of privacy on Nasha Shkola’s Internet system. Students should expect routine maintenance and monitoring by technical support and by staff.
- B. An individual search of computer and Internet use records can be conducted by Nasha Shkola administration if there is reasonable suspicion that the student has violated Nasha Shkola’s policy, including policies against cyberbullying and sexting.

V. RESPONSE TO REPORTS OF CYBERBULLYING

The administration shall fully investigate all reports of cyberbullying. Students and community members who believe they have been the victims of misuses of technology

described in this policy should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the school administrator.

VI. DISCIPLINE

Disciplinary action may include the loss of computer privileges, suspension, or expulsion for verified perpetrators of cyberbullying or sexting. In addition, when any kind of threat is communicated or when a hate crime is committed, the administration will report such crimes to local law enforcement officials.

Legal Reference: Minn. Stat. §121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)

Cross Reference: Policy 5.4.2 Bullying Prevention and Response

Adopted: 2/11/2016
Revised: 3/17/2020

NASHA SHKOLA POLICY No. 5.8.2

INTERNET AND EDUCATIONAL NETWORK SAFETY AND ACCEPTABLE USE

I. PURPOSE

Nasha Shkola offers a computer network with Internet access for students, teachers, and staff. The network and other technological resources provide opportunities to enhance instruction, appeal to different learning styles and meet the educational goals of Nasha Shkola. Through Nasha Shkola's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

II. POLICY STATEMENT

- A. This policy applies to all students and employees (including teachers, administrators, and staff), as well as any other users who are expressly authorized by Nasha Shkola to use school technological resources, including, but not limited to, board members, contractors, consultants, and temporary workers.
- B. Nasha Shkola's technological resources include, but are not limited to computers, interactive whiteboards, mobile devices, websites, networks, servers, the Internet, phones, copiers, facsimile machines, televisions and video-recorders, e-mail accounts, and licensed software.
- C. Acceptable uses of technological resources are limited to activities that support learning and teaching, except when otherwise specifically authorized by Nasha Shkola in the best interest of the school. Use of technological resources should be integrated into the educational program.
- D. Use of Nasha Shkola's technological resources and access to the use of the Internet in school are a privilege and not a right. Misuse of the system will subject the staff or student to discipline which will depend on the nature and degree of the violation and the number of previous violations. Discipline for students will be in accordance with Nasha Shkola's Student Discipline Policy and school rules and may include:
 - 1. Suspension or cancellation of use or access privileges;
 - 2. Requiring payment for damages and repairs; and
 - 3. Civil or criminal liability under applicable laws.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- E. All staff are expected to use technological resources and participate in the necessary training for the proper performance of their duties.
- F. Nasha Shkola will provide instruction to students regarding the proper use of technological resources including, but not limited to:
 - 1. Appropriately interacting with others on social media;
 - 2. Appropriately interacting with other in chat rooms;
 - 3. Appropriately posting information on the Internet or on individual websites;
 - 4. Appropriate use and limitation of free speech on the Internet;
 - 5. Cyberbullying prohibition, awareness of signs of cyberbullying behavior and assistance from Nasha Shkola and elsewhere to students who believe themselves or others to be targets of cyberbullying; and
 - 6. Appropriate use of copyrighted and non-copyrighted material found on the Internet.

III. GUIDELINES FOR ACCEPTABLE USE

- A. Nasha Shkola technological resources are provided for school-related authorized purposes only. Acceptable uses of such technological resources are limited to responsible, efficient and legal activities that support teaching and learning. Use of school system technological resources for commerce or profit or for amusement or entertainment is prohibited. Nasha Shkola technological resources shall not be used for charitable endeavors without prior approval of the Executive Director or Designee. Nasha Shkola technological resources shall not be used for political purposes.
- B. Under no circumstance may software purchased by Nasha Shkola be copied for personal use. Users must obtain permission from the technology services department prior to copying or loading Nasha Shkola software onto any computer, whether the computer is privately owned or is a Nasha Shkola computer.
- C. Students and employees must comply with all Nasha Shkola policies, administrative regulations, and school standards and rules in using technological resources. All applicable laws, including those relating to copyrights and trademarks, confidential information, and public records, apply to technological resource use. Any use that violates state or federal law is strictly prohibited. All rules of the Student Code of Conduct apply to students' use of the Internet and other technological resources.
- D. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally accessing, downloading, storing, printing or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages or other material that is obscene, defamatory, profane, pornographic, harassing, abusive or considered to be harmful to minors.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- E. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).
- F. Users must respect the privacy of others. When using e-mail, blogs or other forms of electronic communication, students must not reveal personally identifiable, private or confidential information, such as the home address, telephone number, credit or checking account information or social security number of themselves or fellow students. In addition, school employees will follow the guidelines of the Family Educational Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, Minn. Stat. Chap. 13 and/or Nasha Shkola Policy 5.3.1 Student Educational Data when publishing student information. School employees will follow the Minnesota Government Data Practices Act and Nasha Shkola Policy 4.2.1 Public and Private Personnel Data when publishing employee data. Users also may not forward or post personal communications without the author's prior consent.
- G. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks and/or data of anyone connected to the server or the Internet or waste computer resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. The technology department provides antivirus software for all Nasha Shkola owned or leased computers. Users must not disable any antivirus programs from running on those computers.
- H. Users may not create, download, or introduce entertainment software, games, network communications programs or any foreign program or software onto any school system computer, electronic device or network without the express permission of the Executive Director or Designee. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of Nasha Shkola.
- I. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems or accounts.
- J. Users are prohibited from using another individual's computer account. Users may not read, alter, change, block, execute or delete files or communications belonging to another user without appropriate authorization or the owner's express prior permission. In addition, employees shall not share or reveal their passwords or user IDs for any data system. All employees are responsible for safeguarding their user IDs and passwords.
- K. If a user identifies a security problem on a technological resource, the user must immediately notify a supervisor without demonstrating the problem to other users. Unauthorized attempts to log onto any Nasha Shkola computer or the Nasha Shkola network as a system administrator may result in cancellation of user privileges and/or additional disciplinary action. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.

- L. Views may be expressed as representing the view of Nasha Shkola or part of Nasha Shkola only with prior approval by the Executive Director or Designee.
- M. Nasha Shkola technological resources may not be used to interfere with or disrupt other users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses, distribution of large quantities of information that may overwhelm the system, posting personal or private information about the user or other people on the Internet, arranging or agreeing to meet with someone the user has met on-line for purposes other than official school business, posting information that could be disrupting, cause damage, or endanger students or staff, and accessing chat-rooms or instant messaging software, unless for a valid educational purpose or official school business.
- N. Using Nasha Shkola computers for illegal, harassing, or inappropriate purposes, or in support of such activities, is prohibited. Illegal activities are any violations of federal, state, or local laws and include, but are not limited to, copyright infringement and/or illegal file sharing, committing fraud, threatening another person, or intentionally engaging in communications for the purpose of abusing, annoying, threatening, terrifying, harassing, or embarrassing another person. Harassment includes, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, visual depictions, pranks, or verbal conduct relating to an individual that (1) have the purpose or effect of creating an intimidating, hostile or offensive environment; (2) have the purpose or effect of unreasonably interfering with an individual's work or school performance; or (3) interfere with school operations. Inappropriate use is any violation of other provisions of this policy and includes, but is not limited to, using another person's ID or password, plagiarizing; accessing, producing, storing, posting, sending, displaying, or viewing inappropriate or offensive material, including pornographic, obscene, discriminatory, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually suggestive language or images, or images of exposed private body parts, and accessing material advocating illegal acts of violence, including hate literature.

IV. INTERNET SAFETY

Nasha Shkola is aware that there is information on the Internet that is not related to the educational program. Nasha Shkola also is aware that the Internet may provide information and opportunities to communicate on subjects that are not suitable for school-age children and that many parents would find objectionable. Nasha Shkola personnel must take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language that does not serve a legitimate educational purpose. The Executive Director or Designee shall ensure that the Internet service provider or technology personnel have installed a technology protection measure that blocks or filters Internet access to audio or visual depictions that are obscene, that are considered pornography or that are harmful to minors. Employees may have a different level of blocks or filters based on Nasha Shkola guidelines.

V. LIMITED EXPECTATION OF PRIVACY

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

By authorizing the use of Nasha Shkola technological resources Nasha Shkola does not relinquish control over the material on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the Nasha Shkola system.

- A. Routine maintenance and monitoring may lead to a discovery of violation of this policy or another Nasha Shkola policy, or the law.
- B. An individual search or investigation will be conducted if Nasha Shkola administrators or board members have a reasonable suspicion that the search will uncover a violation of law or Nasha Shkola policy.
- C. Parents have a right, at any time, to review or investigate the contents of their child's files and e-mail files.
- D. Parents have the right to request the termination of their child's individual account at any time.
- E. Nasha Shkola employees and other staff should be aware that Nasha Shkola retains the right, at any time, to investigate or review the contents of their files or email files.
- F. Nasha Shkola reserves the right to take appropriate disciplinary action based upon the user's inappropriate or illegal use of technological resources or use that is in violation of this policy. Information in electronic messages is not anonymous and may be subject to disclosure to third parties under state and/or federal law in certain circumstances.

VI. IMPLEMENTATION

- A. The Executive Director or Designee is authorized to promulgate administrative procedures to implement this policy.
- B. Nasha Shkola will inform parents of the individual student's responsibility to use technological resources in an ethical and educationally appropriate manner.
- C. The Board of Nasha Shkola will conduct an annual review of this policy due to rapid changes in the development of the Internet and other technology.

Legal References: 15 U.S.C. §6501, et. seq. (Children's Online Privacy Protection Act)
47 U.S.C. §254 (Children's Internet Protection Act of 2000)
Minn. Stat. §125B.15 (Internet Access for Students)
Minn. Stat. §125B.26 (Telecommunications/Internet Access Equity Act)

Cross References: Policy 3.2 Administration of Minnesota Government Data Practices Act
Policy 4.2.1 Public and Private Personnel Data
Policy 4.8.1 Use of Internet, Email, Computers, Voicemail and Other Electronic Systems
Policy 4.8.2 Use of Social Media Policy and Guidelines

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Policy 5.4.2 Bullying Prevention and Response
Policy 5.8.1 Cyber Bullying/Prohibited Use of Technology

Adopted: 2/11/2016
Revised: 3/17/2020

NASHA SHKOLA POLICY No. 5.8.3 USE OF SOCIAL MEDIA IN SCHOOL

I. PURPOSE

The purpose of this policy is to set forth expectations regarding student use of social media.

II. POLICY STATEMENT

The Board recognizes that social media can be a useful tool for students in the educational process. Safe, caring, and effective learning environments depend on students demonstrating respect for themselves and others and using social media in a manner that will not detract from the learning process.

III. STUDENT USE OF SOCIAL MEDIA

- A. Nasha Shkola may provide access to designated social media sites deemed appropriate for students, solely for bona fide instructional purposes, on Nasha Shkola computers, tablets, or other mobile devices. The school's Executive Director shall designate the social media sites deemed appropriate and the names of these sites shall be listed on the Nasha Shkola website. Where access to designated social media sites is provided, school administration shall have access to and may regulate such use.
- B. Whether the communication occurs on or off school grounds or equipment, Nasha Shkola prohibits communication(s) by students over social media that do or reasonably can be anticipated to create a hostile educational environment or substantially interfere with another student's educational opportunities, benefits, performance, or with a student's or staff member's physical or psychological well-being, or are threatening or seriously intimidating, or substantially disrupt the school learning environment or the orderly operation of a school.
- C. Student misuse of social media that does or reasonably can be anticipated to create a hostile educational environment or substantially interfere with another student's educational opportunities, benefits, performance, or with a student's or staff member's physical or psychological well-being, or is threatening or seriously intimidating, or substantially disrupts the school learning environment or the orderly operation of a school shall be subject to discipline up to and including suspension or expulsion.
- D. Students shall not use social media to communicate with staff. The school's Executive Director may make exceptions to this rule only where such use is regulated and monitored by school administration and by the students' parents/guardians, and the use is for the purpose of furthering a bona fide Nasha Shkola educational purpose.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- E. Students shall not accept personal invitations from staff members to use social media. Any staff member extending such an invitation to a student shall be subject to disciplinary consequences, up to and including termination.
- F. Students shall abide by Board Policy, Administrative Regulation, the Student Code of Conduct, and all local, state and federal laws at all times in their use of social media.

IV. DEFINITIONS

- A. Social Media. Any online or Internet based platform that allows interactive communication between persons or entities on social networks, blogs, websites, application software, Internet forums, wikis, and the like.
- B. Misuse of Social Media. Whether on or off school grounds or equipment, the use of social media in a manner that demeans, threatens, condemns, humiliates, or berates others, including students and staff, incites violence of any kind, embarrasses, defames, harasses or bullies others, including students and staff (as “harass” and “bully” are defined by school policy or regulation), or in any manner violates the school Code of Conduct, Board Policy or regulation, or local, state or federal laws.
- C. Staff or Staff Members. Includes any full or part-time employee, extra-curricular coach or advisor, or volunteer of [Nasha Shkola].

V. REPORTING MISUSE OF SOCIAL MEDIA

- A. Staff members shall immediately report any misuse of social media to a school administrator for investigation. If the incident involves the safety or security of a student or staff member, law enforcement should be called immediately.
- B. Whenever the misuse of social media involves cyber-bullying, the school administrator should complete the investigation as outlined in the school’s policy and regulations on cyber-bullying.
- C. Administrators shall report all incidents of misuse of social media to the school’s Executive Director.
- D. If the misuse of social media constitutes a delinquent act, the misuse shall be reported promptly to the responsible law enforcement agency.
- E. Students are encouraged to report the misuse of social media, including communications or invitations to communicate with staff members over social media, to a school administrator.

VI. VIOLATION

- A. Students who violate this policy may be subject to discipline up to and including suspension or expulsion.

- B. No student who reports the misuse of social media to a school administrator in good faith shall be the subject of reprisal in any manner. If a student believes he or she is the subject of reprisal, the student and/or his or her parent/guardian is encouraged to report the reprisal immediately to the school's Director.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §§ 121A.40 to 121A.56 (Pupil Fair Dismissal Act)
Tinker v. Des Moines Indep. Cmty, Sch. Dist., 393 U.S. 503 (1969)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811, 816 (Minn. Ct. App. 2011)

Adopted: 2/11/2106
Revised: 3/17/2020

NASHA SHKOLA POLICY No. 5.9.1

STUDENT EXTRA-CURRICULAR PARTICIPATION

I. PURPOSE

The purpose of this policy is to inform students and parents/guardians about the authority and process for conducting co-curricular and extra-curricular activities as well as the requirements for participation, acknowledging that the activities enhance student growth, development and physical well-being, while remaining secondary to the student's academic experience.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to promote and support student extra-curricular participation in a safe and productive manner, consistent with all of the policies of Nasha Shkola.

III. DEFINITIONS

- A. "Co-curricular" activities mean school sponsored and directed activities designed to provide opportunities for students to participate in events for the improvement of skills. The activities are not offered for school credit, do not count toward graduation, and have one or more of the following characteristics: conducted at uniform times during school hours; supervised by instructional staff similar to courses offered for credit; or partially funded by public moneys for general instructional purposes.
- B. "Extra-curricular" activities mean activities primarily for the student's enjoyment and development that are managed and operated under the guidance of an adult or staff member. The activities are not offered for school credit, are not required for graduation, are generally conducted outside school hours, and are primarily directed by student participants with adult or staff guidance.

IV. POLICY

- A. All co-curricular and extra-curricular activities as well as any activity using the school name, must be approved by the school board prior to commencement of the activity.
- B. School administration shall be responsible for informing students and parents/guardians of co-curricular and extra-curricular opportunities, and the requirements for participation.
- C. Expectations as to student conduct, responsibility, and discipline, including those listed elsewhere in school policy, extend to co-curricular and extra-curricular activities.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- D. Expectations during co-curricular and extra-curricular activities as to spectator conduct, including parents, employees, and members of the public, is that all such individuals will behave in an appropriate manner with sportsmanship and encouragement to students. Unsportsmanlike conduct may result in student or employee discipline or sanctions or penalties for spectators.
- E. All funds received from school district co-curricular and extra-curricular activities must be turned over to the school's finance representative and be kept in the general fund and thereafter disbursed for expenses and salaries connected with that activity, unless approved by the school board upon a proper itemized claim.
- F. Co-Curricular activities held in the school building, on school grounds, or under the supervision of the school board, must be operated under the control of the school board.
- G. Extra-Curricular activities may be operated and controlled by the school board or not:
 - 1. If the activity is not operated and controlled by the school board, the activity is self-sustaining with all expenses, except direct salary costs and indirect costs of the use of the school facility, met by dues, admissions, or student fund-raising. Other revenue and expenditures must be recorded according to the Manual for Activity Fund Accounting and undergo an annual financial audit.
 - 2. If the activity is operated and controlled by the school board, any and all costs of the activity may be provided from school revenues and any financial accounting performed in the same manner as other revenues and expenditures.
- H. Students participating in Minnesota State High School League (MSHSL) activities must also abide by those league rules. School employees are responsible for communicating MSHSL rules.
- I. Students on academic probation are not eligible to participate in extra-curricular activities. Academic probation results when a student does not have sufficient credits to maintain their grade level. The student is responsible for making up credits to once again become eligible for participation.

Legal References: Minn. Stat. §123B.49 (Extracurricular Activities; Insurance)
Minn. Stat. §128C (High School League)

Adopted: 3/10/2016
Revised: 4/21/2020

NASHA SHKOLA POLICY No. 6.1 GRADING

NOTE TO USER: *This is a suggested grading system only. Schools may wish to modify the grading system to better measure their unique pedagogical approaches.*

I. PURPOSE

The purpose of this policy is to provide for a system of uniform grading Nasha Shkola.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to provide a system that enables teachers and administrators to assess students with a system of grading that measures the level of student proficiency.

III. GRADING SCALE

In order to calculate grades, the following 100 point scale is used to assign grades. In turn, the letter symbols give a description of the student's academic achievement.

92.45-100= A

89.45-92.44= A- Exemplary work *(90-100% Mastery of Subject Goals)*

86.45-89.44= B+

82.45-86.44= B Proficient/Thorough work *(80-89% Mastery of Subject Goals)*

79.45-82.44= B-

76.45-79.44= C+

72.45-76.44= C Acceptable work *(70-79% Mastery of Subject Goals)*

69.45-72.44= C-

66.45-69.44= D+

62.45-66.44= D Mediocre work *(60-69% Mastery of Subject Goals)*

59.45-62.44= D-

00.0-59.44= F Unacceptable work *(less than 59% Mastery of Subject Goals)*

Legal References:

NASHA SHKOLA POLICY No. 6.2 LENGTH OF SCHOOL YEAR AND SCHOOL CALENDAR

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to provide no less than the minimum requirements for instructional hours and length of school year established by Minnesota law.

II. LENGTH OF SCHOOL YEAR AND ANNUAL CALENDAR

- A. The school calendar will be adopted annually by the Board of Directors of Nasha Shkola. The annual school calendar must include at least 425 hours of instruction for a half day kindergarten student without a disability, 850 hours of instruction for kindergarten students who attend full day; 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school.
- B. Nasha Shkola's annual calendar will include at least 165 days of instruction for a student in grades 1 through 11.
- C. Nasha Shkola may not adopt a four-day week schedule unless approved by the commissioner under the Flexible Learning Year Program statute.
- D. The school calendar will establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff and parents.
- E. Nasha Shkola may provide instruction throughout the year and is not subject to the provision preventing schools from beginning the school year prior to Labor Day of each year.

Legal References: Minn. Stat. §124D.10, subd. 13 (Length of School Year)
Minn. Stat. §§124D.12 to 124D.127 (Flexible Learning Year Programs)
Minn. Stat. §124D.128 (Learning Year Program to Provide Instruction Throughout Year)
Minn. Stat. §120A.41 (Length of School Year; Days of Instruction)

Adopted: 3/10/2016

Revised: 4/21/2020

NASHA SHKOLA POLICY No. 6.3 PROMOTIONAL AND RETENTION

I. PURPOSE

The purpose of this policy is to provide a framework to support Nasha Shkola's philosophy that all students achieve optimal learning and make progress based upon high expectations and consideration of students' abilities and needs.

II. POLICY

It is the policy of Nasha Shkola that all students achieve acceptable levels progress resulting in grade promotion and that those who do not demonstrate a readiness for the next grade level be retained.

A. Promotion.

Students who demonstrate a readiness for work at the grade level currently assigned and who indicated a readiness to work at the next grade level will be promoted to a higher grade.

B. Retention.

Students who do not demonstrate a readiness for work at the grade level currently assigned will be retained only if the student in consultation with Nasha Shkola staff, including, but not limited to the Executive Director, the student's teacher as well as the student's parent/guardian determines that the student is likely, if retained, to mature and achieve academic and/or social proficiencies at grade level or above. The student's IEP Team will make a decision to retain a student who has an IEP. No student will be retained without consultation between Nasha Shkola and the student's parents/guardians. An academic improvement plan should be used when appropriate.

C. Acceleration

1. Nasha Shkola will adopt administrative procedures for assessing and identifying students for participation in gifted and talented programs. The administrative procedures will include the use of:
 - a. Multiple and objective criteria; and
 - b. Assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to

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underrepresented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.

2. Nasha Shkola will adopt administrative procedures for the academic acceleration of gifted and talented students. The administrative procedures will include description of how Nasha Shkola will:

- a. Assess a student's readiness and motivation for acceleration; and
- b. Match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

D. Early Admission.

Nasha Shkola will adopt administrative procedures consistent with Minnesota law for early admission to kindergarten or first grade of gifted and talented learners. The administrative procedures must be sensitive to underrepresented groups.

E. Administrative Procedures.

Nasha Shkola will develop necessary and appropriate administrative procedures for the implementation of this policy.

Legal References: Minn. Stat. §124D.10 (Charter Schools)
Minn. Stat. Chap. 120B (Curriculum and Assessment)

NASHA SHKOLA POLICY No. 6.4.1
RELEASE TIME FOR RELIGIOUS EVENTS AND RELIGIOUS
ACCOMMODATION

I. PURPOSE

It is the purpose of this policy to define Nasha Shkola's religious accommodation procedures.

II. POLICY STATEMENT

- A. It shall be the policy of Nasha Shkola to provide equal treatment of and access to all religions; to safeguard the protections afforded to individuals under the Free Exercise Clause of the United States Constitution, Art. I sec. 16 of the Minnesota Constitution, the Minnesota Human Rights Act (Minn. Stat. §363A et. seq.) and case law, statutes, rules and regulations applicable to the free exercise of religion ("free exercise rights").
- B. It shall also be the policy of Nasha Shkola to ensure that all of the activities of the school are religiously neutral in that they neither foster religion nor preclude it. In order to safeguard the religious rights of individuals and to ensure that the school is not engaged in an unlawful establishment of religion, Nasha Shkola adopts the following policy regarding religious accommodation.

III. ACCOMMODATION OF FREE EXERCISE OF RELIGION

Nasha Shkola is committed to legal accommodation of a student's right to free exercise of religion. In determining whether to accommodate a request regarding a student's free exercise rights, school officials should determine whether the policy, rule, regulation or other issue being questioned by the student "substantially burdens" a student's free exercise of religion and whether the school has a "compelling interest" in adhering to the particular policy, rule, regulation or other matter at issue. Because these are legal terms, questions regarding their application should be made in consultation with legal counsel.

IV. SCHOOL OFFICIAL NEUTRALITY

When functioning as a teacher or administrator, school officials may not encourage or discourage student religious or anti-religious activity and may not engage in religious

activities with students at the school. School officials may take part in private religious activity during the school day if the activity is in conformance with rules and regulations generally applicable to use of private time, or before or after school during non-instructional time.

V. TEACHING AND HOMEWORK: NEUTRALITY POLICY

A. Teaching. Students may be taught *about* religion, but school teachers may not “teach religion” in the sense that the teacher is engaging in preaching or proselytizing activity.

B. Student Assignments and Religion.

1. Written Reports, Homework and Artwork. Students may express their religious beliefs in the form of reports, homework and artwork if the assigning teacher (and administrator if there is a question about the matter) determines that the work is “appropriate” to the subject matter. In making judgments about the appropriateness of a student’s work, teachers will be guided by the following:

- a. Relevance of the religious expression to the topic and assignment;
- b. Pedagogical concerns such as (in the case of written work) quality of grammar, the substance of the presentation, and adherence to the assignment.

2. Assuming that the work is relevant and meets pedagogical concerns, teachers at Nasha Shkola may not reject or sanction a student’s work simply because it includes a religious symbol or addresses religious themes; similarly, teachers may not require students to modify, include or excise religious views in submitted work.

C. Oral Presentations. Teachers at Nasha Shkola must ensure that oral presentations made by students on religious subjects do not subject other students to unwelcome religious persuasion, coercion or proselytizing.

VI. STUDENT RELIGIOUS ACTIVITIES

A. The students of Nasha Shkola have the right to engage in religious activities during the school day so long as those activities do not interfere with the rights of others and so long as students conform to the rules that normally apply to any given setting.

1. Student Prayer and Religious Discussion During the School Day. Students have the right to pray individually or to pray in groups and/or engage in religious discussions during the school day when they are not engaged in school activities and instruction, subject to the same rules of order as apply to other student speech. Prayer or other religious discussion shall not interfere with the rights of others.

2. Student Participation in Before/After School Events with Religious Content. Students may participate in religious activities before or after school on the same terms as apply to participation in non-curriculum activities on the school premises.
3. Student-Led Prayers at Graduation or Other Ceremonies. Nasha Shkola shall consider a request for student-led prayers at graduation or other ceremonies on a case by case basis in consultation with legal counsel. School officials may not in any way organize a religious ceremony that is sponsored by the school.
4. Non-Coercion. A student's right to engage in voluntary prayer or religious discussion or activity does not include the right to coerce others into participating and does not include the right to have a captive audience listen to the prayer or discussion or to engage in the religious activity.
5. Religious Harassment and/or Discrimination Prohibited. School officials shall ensure that students are not discriminated against in violation of the Board's policy on religious harassment.

VII. STUDENT DRESS

[NOTE TO USER: *If there is a dress code or uniform code at the school*]:

The Board of Nasha Shkola has adopted a general dress code for its students. Individual students may be exempt from these dress code rules if the administration determines that an accommodation is necessary to protect the student's free exercise rights. The dress code policy shall not be implemented in a way that restricts opportunities to participate in school activities. The dress code policy is not intended to, and shall not be implemented in a way that promotes a particular religion or particular religious customs.

[NOTE TO USER: *If there is not a dress code or uniform code at the school*]:

The Board of Nasha Shkola may adopt a student dress code policy. Once adopted, individual students may be exempted from these dress code rules if the administration determines that an accommodation is necessary to protect the student's free exercise rights. The dress code policy shall not be implemented in a way that restricts opportunities to participate in school activities. The dress code policy shall not be worded or implemented in a way that promotes a particular religion or particular religious customs.

VIII. HOLIDAYS

Teachers at Nasha Shkola may teach about religious holidays, and may celebrate the non-religious aspects of a religious holiday. However, neither teachers nor school officials shall

observe the holidays as religious events. Schools officials should typically excuse students who do not wish to participate in holiday events.

IX. RELEASE TIME FOR RELIGIOUS INSTRUCTION

- A. In accordance with Minn. Stat. §124D.10 subd. 8(d) as it incorporates Minn. Stat. §120A.22 subd. 12(3), it is the policy of Nasha Shkola to provide release time for religious instruction. The period approved for such release time shall not exceed in the aggregate three hours in any week.
- B. In order to receive approval for such release time, a parent, guardian, or other person having control of a child, who wishes the child be released to receive religious instruction, may apply to any member of the board, a truant officer, the school's executive director (and principal if applicable) to have the child excused from attendance for such instruction. The religious instruction must be conducted and maintained by some church, or association of churches or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof.
- C. The school providing religious 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.
- D. School officials shall neither encourage nor discourage students from utilizing the provisions of this release time policy.
- E. School officials shall not allow religious instruction by outsiders on school premises during the day.
- F. A student may be absent from school on such days as the student attends upon instruction according to the ordinances of some church.

X. PROCEDURES TO BE DEVELOPED

The administration will prepare recommended procedures to handle requests under this policy and will present them to the Board for its consideration. Upon approval by the Board, such procedures shall be an addendum to this policy.

Legal References: Minn. Stat. §§363A.13-.23 (Human Rights)
Minn. Stat. §124D.10 subd. 8(d) (Federal, State and Local Requirements)
Minn. Stat. §120A.22 subd. 12(3) (Legitimate Exceptions)
Minn. Stat. §120A.35 (Absence from School for Religious Observance)

NASHA SHKOLA POLICY No. 6.4.2
FACILITY NEUTRALITY AND EQUAL ACCESS
FOR BOY SCOUTS OF AMERICA, TITLE 36 GROUPS AND OTHER
OUTSIDE YOUTH AND COMMUNITY GROUPS

I. PURPOSE

In order to ensure that the school's facilities are nonsectarian and to ensure equal access to those facilities as required by law, the Board of Nasha Shkola adopts the following policy regarding facility neutrality and equal access for outside youth groups, community groups, the Boy Scouts of America and other Title 36 groups.

II. POLICY STATEMENT

It shall be the policy of the Board of Nasha Shkola to maintain nonsectarian school facilities in compliance with Minn. Stat. §124D.10 subd. 8(d). It shall further be the policy of the Board of Nasha Shkola to ensure "equal access" to its facilities for use by community groups, designated youth groups as required by 20 U.S.C. 7905 (Equal Access to Public School Facilities for the Boy Scouts of America and other Designated Youth Groups) and as required by other applicable statutes, rules, regulations and case law.

III. APPLICABILITY OF POLICY

- A. Equal Access to Facilities; Applicability. This policy is applicable to Nasha Shkola because:
1. It is an elementary or secondary school;
 2. It receives funds from the U.S. Department of Education;
 3. It has created a "limited open forum" and/or "designated open forum"; and
 4. It allows non-student groups to meet on its leased premises during "non-instructional" time.
- B. Nasha Shkola seeks to ensure that all groups officially associated with Boy Scouts of America, all groups or organizations listed under Title 36 of the United States Code

and all outside youth and community groups are given a fair opportunity to meet, are given equal benefits and services and are not discriminated against.

IV. DEFINITION OF TERMS

- A. Benefits and Services. “Benefits and services” means privileges accorded to any non-student youth or community groups that are allowed to meet in the school’s designated public forum or the school’s limited open forum. These benefits and services may include but are not necessarily limited to, school-related means of communication, such as bulletin board notices and literature distribution, and recruitment.
- B. Boy Scouts of America. “Boy Scouts of America” means the organization named “Boy Scouts of America” which has a Federal charter and which is listed as an organization in Title 36 of the United States Code, or any group officially affiliated with Boy Scouts of America.
- C. Designated Open Forum. “Designated open forum” means that the school has designated a time and place for one or more outside youth or community groups to meet on school premises or in school facilities, including during the hours in which attendance at the school is compulsory, for reasons other than to provide the school’s educational program.
- D. Limited Public Forum. “Limited public forum” means that the school has given an opportunity to or an opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which the attendance at the school is compulsory.
- E. Non-Discriminatory or Non-Discrimination. “Non-discriminatory” and/or “non-discrimination” means that any decision made regarding access to the school’s facilities must be made on a non-discriminatory basis, using objective criteria, consistent with the Minnesota Human Rights Act (Minnesota Statutes section 363A et. seq.), in a consistent, equal and non-discriminatory manner. Any decisions regarding use of or access to a school’s limited or designated public forums may not be made on the basis of the religious, political or philosophical views of the groups seeking access, and must be made regardless of the sexual orientation or gender identity of group members.
- F. Outside Youth Group. “Outside youth group” means any group or organization intended to serve young people under the age of 21 that is not affiliated with the school and that is not a Boy Scouts of America or Title 36 group.
- G. Outside Community Group. “Outside community group” means a community group that is not affiliated with the school and is not is not affiliated with a Boy Scouts of America or Title 36 group.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- H. Premises or Facilities. “Premises or facilities” means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in that property.
- I. Title 36 Groups. “Title 36 groups” refers to a youth group or organization listed in Title 36 of the United States Code as a patriotic society that it intended to serve young people under the age of 21 and to groups officially affiliated with such groups.

V. FEES AND ACCESS TO FACILITIES / BOY SCOUTS AND TITLE 36 GROUPS

- A. Upon request, any Boy Scout group or any Title 36 group shall be given equal access to conduct a meeting within the school’s designated open forum or limited public forum and shall not be denied access, opportunity, benefits or services, or be discriminated against for reasons including the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts or of the Title 36 youth group.
- B. Fees may be charged in connection with the access to school premises, but any fees or terms of access charged to Boys Scouts of America or Title 36 groups must be on terms that are not less favorable than the most favorable terms provided to one or more outside youth or community groups.

VI. ACCESS FOR OTHER OUTSIDE YOUTH GROUPS AND COMMUNITY GROUPS

Any decision made regarding access to facilities for outside youth groups or community groups must be made on a non-discriminatory basis, using objective criteria consistent with the Minnesota Human Rights Act, in a consistent, equal and non-discriminatory manner. Any decisions regarding use of or access to a school’s limited or designated public forums may not be made on the basis of the religious, political or philosophical views of the groups seeking access, and must be made regardless of the sexual orientation or gender identity of group members.

VII. PROCEDURES TO BE DEVELOPED

Nasha Shkola will prepare recommended procedures to handle requests under this policy and will present them to the Board for its consideration. Upon approval by the Board, such procedures shall be an addendum to this policy.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §363A.13-.23 (Minnesota Human Rights Act)
36 U.S.C. 309 (Boy Scouts of America Equal Access Act)
20 U.S.C. 7905 (Equal Access to Public School Facilities)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 3/10/2016

Revised: 5/19/2020

NASHA SHKOLA POLICY No. 6.5 ONLINE LEARNING

I. PURPOSE

It is the purpose of this policy to notify Nasha Shkola employees, students and their parents of Nasha Shkola's adherence to Minnesota's Online Learning Option.

II. POLICY STATEMENT

It is Nasha Shkola's policy to adhere to the requirements of Minnesota's Online Learning Options provisions, Minn. Stat. §124D.095. A student age 17 or younger must have the written consent of a parent to apply to Nasha Shkola.

III. PROCEDURES

- A. In order to enroll in Nasha Shkola, the student and the student's parents must submit an application and identify the student's reason for enrolling.
- B. If the student is enrolled in a public school district other than Nasha Shkola, Nasha Shkola will notify the student and the enrolling district in writing within ten days of acceptance of the student's application. For purposes of this policy, "enrolling district" means the school district or charter school in which a student is enrolled for purposes of compulsory attendance.
- C. The student and the student's parent must, in turn, notify Nasha Shkola of the student's intent to enroll within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning.
- D. Nasha Shkola will use a form provided by the Department of Education to notify the enrolling district of the student's application.
- E. The notice sent to the enrolling district will include the courses or program, credits to be awarded, and the start date of the online course or program. Nasha Shkola will make available the supplemental online course syllabus to the enrolling district.
- F. Within 15 days after Nasha Shkola makes this information available to the enrolling district, the enrolling district is required by state law to notify Nasha Shkola whether

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- the student, the student's parent, and the enrolling district agree or disagree that the course meets the enrolling district's graduation requirements. If the enrolling district does not agree that the course or program meets its graduation requirements, it must explain its decision to the student, the student's parent, and Nasha Shkola and Nasha Shkola may respond by showing how the course or program meets the graduation requirements of the enrolling district.
- G. A student may enroll in an online learning course up to the midpoint of the enrolling district's term. The enrolling district may waive this requirement for special circumstances and with the agreement of Nasha Shkola. Nasha Shkola will report on a student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a manner specified by the Commissioner of Education unless the enrolling district and School agree to a different form of notice and notify the Commissioner.
 - H. Nasha Shkola may limit enrollment if the Board of Directors adopts by resolution specific standards for accepting and rejecting students' applications.
 - I. Nasha Shkola will notify the Commissioner of Education that it is delivering online learning and report the number of online learning students it accepts and the online learning courses and programs it delivers. Nasha Shkola's courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progression in a single subject. Nasha Shkola will give the Commissioner of Education written assurance that:
 - 1. All courses meet state academic standards; and
 - 2. The online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online course syllabus that meets the Commissioner's requirements.

Legal Reference: Minn. Stat. §124D.095 (Online Learning Option Act)

Adopted: 3/10/2016

Revised: 5/19/2020

NASHA SHKOLA POLICY No. 6.6

PLEDGE OF ALLEGIANCE

I. PURPOSE

It is the purpose of this policy to recognize the importance of displaying the United States flag and instruct students in the proper etiquette, display and respect of the flag.

II. POLICY STATEMENT

- A. Nasha Shkola recognizes that state law requires that all public charter school students recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. State law also permits a charter school board of directors to annually, by majority vote, waive this requirement.
- B. In the event Nasha Shkola's board of directors does not waive the requirement to recite the Pledge of Allegiance, any student or teacher may decline to participate in recitation of the pledge. The Nasha Shkola student handbook must include a statement that anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so and that students must respect another person's right to make that choice.
- C. If the requirement to recite the Pledge of Allegiance is not waived by a majority vote of the board of directors, Nasha Shkola must instruct students in the proper etiquette toward, correct display of, and respect for the flag in patriotic exercises.
- D. In the event the board of directors does waive the statutory requirement to recite the Pledge of Allegiance, the board may, at its discretion, adopt a different policy regarding the reciting of the Pledge of Allegiance.

Legal References: Minn. Stat. §121A.11 (Pledge of Allegiance)
Minn. Stat. §124D.10 subd. 8(m) (Charter School)

Adopted: 3/10/2016

Revised: 5/19/2020

NASHA SHKOLA POLICY No. 6.7

FIELD TRIPS AND TRAVEL

I. PURPOSE

Properly planned, well-conducted, and carefully supervised trips can be an important part of education. Trips with a sound educational basis and that are directly related to a school activity are supported by Nasha Shkola. The purpose of this policy is to define the process and procedures for student field trips and travel.

II. GENERAL STATEMENT OF POLICY

Nasha Shkola supports student field trips and travel that are properly planned, well-organized, and carefully supervised. Students participating in approved field trips and travel will be permitted to prepare assignments in advance and make up work missed. All field trips and travel require parent or guardian authorization, except for students who are of legal age. This policy is in effect whether or not school is in session.

III. DEFINITIONS

- A. An “extended trip” is a trip that includes one or more overnight stay. An extended trip may be an instructional, supplementary, or activities-related trip.
- B. An “instructional field trip” is a trip that takes place during the school day and is required as a part of a basic education program or course.
- C. A “supplementary trip” is a voluntary trip and is optional, but enhances a basic education program or course. These trips may take place during or outside the regular school day. Examples of trips in this category include class trips, class activities, school-sponsored clubs, teams and other recognized and approved special interest groups.
- D. A “tentative trip proposal” is a draft of a proposed extended trip.
- E. A “final trip itinerary” is a final draft of an extended trip proposal that is to be submitted for review and approval.
- F. An “organizer” is the Nasha Shkola employee responsible for the field trip or travel. The organizer may be a head coach, teacher, administrator, or activities advisor.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

IV. TYPES OF TRIPS AND TRAVEL

A. Instructional Field Trips

1. An instructional field trip is a trip that takes place during the school day and is required as a part of a basic education program or course. Because instructional field trips are required for a basic education program or course, Nasha Shkola pays the costs associated with instructional field trips and may not charge the parent or student. (See Minn. Stat. §123B.36 -Authorized Fees, Minn. Stat. §123B.37 - Prohibited Fees). Nasha Shkola may receive support from booster clubs or similar organizations to cover part or all of the costs of these trips.
2. A parent, guardian, or adult student may request that reasonable alternative instruction be provided to a student in lieu of the instructional field trip.
3. The application for an instructional field trip should be submitted, in writing, to the director at least two weeks prior to the date of the trip. If the instructional field trip includes an overnight stay, the requirements for extended trips must be followed. The director will complete the review and decision regarding the instructional field trip.
4. Students will be transported to instructional field trips on Nasha Shkola provided transportation.

B. Supplementary Trips

1. A “supplementary trip” is a voluntary trip and is not part of required course work. As such, Nasha Shkola may require the parent or student to pay some or all of the costs associated with a supplementary field trip. Supplementary trips may also be financed by contributions from booster clubs or similar organizations
2. The application for the supplementary trip should be submitted in writing to the director at least four weeks prior to the date of the trip. If the supplementary field trip includes an overnight stay, the requirements for extended trips must be followed. The director will complete the review and decision regarding the supplementary field trip.
3. Students will be transported to supplementary field trips on Nasha Shkola provided transportation.

C. Extended Trips

1. Extended trips may be instructional or supplementary and are optional. These trips involve overnight stays.

2. The proposal and approval process for extended trips are as set forth in Section V below.
3. Overnight arrangements must focus on a safe and secure setting for all participants.
4. Except for air travel, no student transportation shall occur during night time hours, defined as midnight to 5:00 a.m.

D. Extracurricular Activities Trips and Travel

1. Nasha Shkola will provide transportation for participants to all conference, nonconference and Minnesota State High School League sponsored events. Funding may also come from participants, parents, booster clubs, etc.
2. Transportation costs for a band or musical group appearing at an event not sponsored by Nasha Shkola will not be provided by Nasha Shkola. Funding may be provided by participants, parents, booster clubs, etc.
3. Participants will be expected to ride Nasha Shkola provided transportation to and from away events, contests, and competitions. With approval by the organizer, a student may ride with a parent to or from an away event, contest, or competition. A student may only ride with a person other than a parent or guardian if the parent or guardian provides a signed, written release authorizing the ride and the building principal or organizer approves.
4. If the extracurricular travel includes an overnight stay, the requirements for extended trips must be followed.

V. EXTENDED TRIPS – SPECIAL PROVISIONS

- A. Tentative Trip Proposal. A tentative trip proposal is required for all extended trips. The proposal should provide Nasha Shkola Director or designee(s) with background information about the trip. The timeline for providing the tentative trip proposal to Nasha Shkola Director is as follows:
1. for international trips - six months in advance of the departure date;
 2. for trips within the United States - four months in advance of departure date;
 3. for local/regional trips - two months in advance of the departure date.
- B. The tentative trip proposal should include, at a minimum:
1. Name of the organizer;
 2. Purpose of the trip;

3. Destination;
 4. Number of participants expected;
 5. Tentative trip schedule;
 6. Transportation arrangements;
 7. Plan for safety of the students while on tour including, at a minimum, the number of chaperones and their responsibilities;
 8. Method of financing, including estimated cost to each student; and
 9. Lodging and meal arrangements.
- C. Approval or Non-Approval of Tentative Trip Proposal. The tentative trip proposal is to be approved or disapproved by Nasha Shkola Director taking into consideration factors including, but not limited to:
1. Ability level of the group, as determined by the advisors or coaches;
 2. The ability of the group to serve as a role model for Nasha Shkola;
 3. The level of parent or booster club support, including financial support; and
 4. The impact on school attendance by participants, with a general guideline of two school days of approved absence and no conflicts with major exam schedules.
- D. Final Trip Itinerary. If the tentative trip proposal is approved, the organizer must submit for approval a final trip itinerary. While maintaining a degree of flexibility that allows slight modifications designed to enhance the quality of the trip or improve upon the organization of the trip, the final trip itinerary should provide Nasha Shkola Director the pertinent details of the trip. The requirements for approval of the final trip itinerary are as follows:
1. for international trips – approval by the school board four months before departure date;
 2. for trips within the United States – approval by the school board two months before departure date;
 3. for local/regional trips (defined to include the five state area Minnesota, North Dakota, South Dakota, Iowa, Wisconsin) – approval by Nasha Shkola Director one month before departure date.

- E. Unique Circumstances. Unexpected invitations to perform, compete, receive awards, etc., may arise from time to time. To provide flexibility to allow sports teams and activity groups to accept such special invitations, Nasha Shkola Director is authorized to approve participation in such an event notwithstanding the team or group's inability to meet the notification and approval requirements of this policy.
- F. Costs. Groups that are planning to travel must develop a fundraising plan to acquire adequate funds for interested students to participate. The organizer must seek out a minimum of two competitive bids for travel and lodging expenses for international and national trips. Travel bid awards will be reviewed for cost, experience and accommodations. These considerations should be given careful consideration by the organizer and Nasha Shkola Director prior to accepting a bid for travel and lodging.
- G. Frequency of Trips. Fine arts ensembles, athletic teams and student groups may travel on a local and regional basis annually. National trips should not be scheduled in consecutive years. A fine arts ensemble, athletic team or student group may take an international trip once every three years. Nasha Shkola Director may waive these frequency standards at his/her discretion.

VI. CHAPERONES AND SUPERVISION

The organizer has the primary responsibility for the trip. The organizer has responsibility for student discipline. The number and gender of adult chaperones must be appropriate to the level, gender, and needs of the students. The ratio of one chaperone for every 12 students is recommended. At least two chaperones are required for all trips involving an overnight stay. Chaperones are considered school volunteers and are responsible for the supervision of students. Chaperones are selected by, and are under the supervision of, the organizer. All chaperones are considered school volunteers and must comply with Nasha Shkola policies and regulations, including, but not limited to, Chemical Health, Tobacco-Free Schools, and Weapon-Free Schools. All chaperones for extended trips must complete a criminal background check, at the chaperone's expense, and attend a chaperone training session presented by Nasha Shkola. If a building principal or administrative designee chaperones an extended trip, Nasha Shkola may pay some or all of the director or administrative designee's trip expenses.

VII. STUDENT CONDUCT

The organizer is responsible to ensure that all appropriate parent/guardian permission forms have been received. All students who participate in trips will be required to comply with all school rules while on the field trip. Any student who violates school rules while on the trip may be sent home from the trip, with a chaperone if necessary, at parent/guardian expense.

VIII. HEALTH-RELATED SERVICES

The organizer must endeavor to act in the best interest of the students' health, safety and welfare during a field trip or travel. Student medication necessary during the trip must be stored and administered in accordance with Policy 5.5.8– Student Medication.

IX. TRIPS NOT SPONSORED BY NASHA SHKOLA

Employees entering into contracts or agreements with commercial agencies without formal Nasha Shkola approval do so at their own risk and expense. Any trip not approved by Nasha Shkola is considered a private venture and Nasha Shkola shall not be liable for costs or expenses of any type associated with the trip. Employees engaging in a private venture, cooperating with, receiving benefit from, or serving as agents for a commercial agency, shall not use school work time, materials or other school resources to promote, plan, organize or recruit students for the non-school sponsored trip. The employee must provide interested and/or participating students and their parents/guardians with a disclaimer that states that the trip is a non-Nasha Shkola sponsored event and not endorsed by Nasha Shkola.

Legal References: Minn. Stat. §123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.49 (Curricular and Extracurricular Activities; Insurance)
Sonkowsky v. Board of Educ. for Indep. Sch. Dist. No. 721, 327 F.3d 675 (8th Cir. 2003)
Lee v. Pine Bluff Sch. Dist., 472 F.3d 1026 (8th Cir. 2007)

Cross References: Policy _ (Discipline, Suspension and Dismissal of School District Employees)
Policy _ (Employee – Student Relationships)
Policy _ (Student Discipline)
Policy _ (Student Medication)
Policy _ (Student Fundraising)
Policy _ (Community Organizations, Parent Organizations and Booster Clubs)
Policy _ (Student Transportation)

Adopted: 3/10/2016
Revised: 5/19/2020

NASHA SHKOLA POLICY No. 6.8 PARENT INVOLVEMENT

I. PURPOSE

The Board of Nasha Shkola recognizes the importance of parental involvement and also recognizes its obligation to develop a parent involvement policy under the provisions of the Elementary and Secondary Education Act of 2001.

II. POLICY STATEMENT

- A. Development of policy. Nasha Shkola hereby directs staff to work jointly with parents of students, and the local community, to develop policies that encourage, implement and sustain efforts to achieve parental participation in the education of their children. When completed, the policies shall comply with the requirements of federal law.
- B. Notification of policy. When developed, the policy will be distributed education to parents of students enrolled in Nasha Shkola and to the local community.

Legal Reference: 20 U.S.C. §6318 (a)(2) (Parental Involvement)

Adopted: 3/10/2016

Revised: 5/19/2020

NASHA SHKOLA POLICY No. 6.9
COMPLIANCE WITH ACADEMIC STANDARDS
AND AUTHORIZER CONTRACT

I. PURPOSE

The purpose of this policy is to establish the minimum expectations for Nasha Shkola students so that they can meet the academic standards established by the Minnesota Commissioner of Education (“Commissioner”). The policy is also adopted to provide a mechanism to ensure compliance with the academic outcomes set by Nasha Shkola’s authorizer.

II. POLICY

It is the policy of Nasha Shkola to provide curriculum that meets the requirements contained the academic standards and benchmarks established by the Commissioner and to ensure that students also meet the outcomes required by the contract between Nasha Shkola and its authorizer, Nasha Shkola.

III. CURRICULUM

A. The Board of Nasha Shkola directs the Executive Director to work with [administrative team or curriculum coordinator] to annually review Nasha Shkola’s curriculum to ensure that the curriculum:

1. Is aligned to the academic standards established by the Commissioner;
2. That Nasha Shkola’s curriculum covers all benchmarks related to each academic standard; and
3. That the curriculum provides students with an opportunity to satisfactorily complete all of the required state standards and benchmarks.

IV. PROCESS FOR REVIEWING CURRICULUM, INSTRUCTION, AND STUDENT ACHIEVEMENT

A. Definitions. For the purposes of this policy, the following definitions apply:

1. "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

2. "Curriculum" means school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.
 3. "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.
- B. Performance Measures. In order to determine Nasha Shkola's progress in striving to create the world's best workforce, measures must include at least:
1. Student performance on the National Association of Education Progress;
 2. The size of the academic achievement gap by student subgroup;
 3. Student performance on the Minnesota Comprehensive Assessments;
 4. High school graduation rates; and
 5. Career and college readiness under §120B.30, subdivision 1.
- C. Adopting Plans and Budgets. Nasha Shkola, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:
1. Clearly defined school goals and benchmarks for instruction and student achievement for all student subgroups identified in Minn. Stat. §120B.35, subd. 3 (b)(2);
 2. A process for assessing and evaluating each student's progress toward meeting state and local academic standards and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;
 3. A system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under §123B.147, subd. 3, and teacher evaluations under §122A.40, subd. 8, or §122A.41, subd. 5;
 4. Strategies for improving instruction, curriculum, and student achievement;
 5. Education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and

6. An annual budget for continuing to implement the Nasha Shkola's plan.
- D. District Advisory Committee. The Board of Nasha Shkola will establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards, consistent with Section IV(c) of this policy. This advisory committee, to the extent possible, shall reflect the diversity of the Nasha Shkola [if applicable; and its school sites], and shall include teachers, parents, support staff, students, and other community residents.
1. The district advisory committee shall recommend to the Board of Nasha Shkola rigorous academic standards, student achievement goals and measures consistent with Section IV(B) of this policy and Minnesota Statutes §§120B.022, subd. 1, paragraphs (b) and (c), and 120B.35, Nasha Shkola assessments, and program evaluations. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.
 2. Consistent with requirements for school performance reports under §120B.36, subd. 1, the Board shall publish a report in the local newspaper with the largest circulation in area served by Nasha Shkola, by mail, or by electronic means on Nasha Shkola's website. The Board shall hold an annual public meeting to review, and revise where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction, and to review district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best workforce. The Board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines.
- E. Periodic Report. Nasha Shkola shall periodically survey affected constituencies about their connection to and level of satisfaction with Nasha Shkola. Nasha Shkola shall include the results of this evaluation in the summary report required under Section IV(D)(2) of this policy.

V. COMPLIANCE WITH AUTHORIZER CONTRACT

Nasha Shkola's authorization must be in the form of a written contract signed by Innovative Quality Schools and the board of Nasha Shkola. The contract must be completed within 45 business days of the Commissioner's approval of the affidavit of Innovative Quality Schools submitted to the Commissioner pursuant to Minnesota law. Innovative Quality Schools shall submit a copy of the signed charter contract to the Commissioner within ten business days of its execution. The contract between Innovative Quality Schools and Nasha Shkola must be in writing and contain, at minimum, the following terms:

- A. A declaration that Nasha Shkola will carry out the primary purpose of a charter school which is to improve pupil learning and student achievement and how Nasha Shkola will report its implementation of the primary purpose;

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- B. A declaration of the additional purpose or purposes described in Minn. Stat. §124D.10, subd. 1 that Nasha Shkola intends to carry out and how Nasha Shkola will report its implementation of those purposes;
- C. A description of Nasha Shkola's program and the specific academic and nonacademic outcomes that pupils must achieve;
- D. A statement of Nasha Shkola's admission policies and procedures;
- E. A governance, management, and administration plan for Nasha Shkola;
- F. Signed agreements from Nasha Shkola's Board Members to comply with all federal and state laws governing organizational, programmatic, and financial requirements applicable to charter schools;
- G. The criteria, processes, and procedures that Innovative Quality Schools will use to monitor and evaluate the fiscal, operational, and academic performance of Nasha Shkola consistent with Minn. Stat. §124D.10, subd. 15 (a) and (b);
- H. For renewal of the contract between Nasha Shkola and Innovative Quality Schools, the formal written performance evaluation Nasha Shkola that is a prerequisite for reviewing a charter contract under Minn. Stat. §124D.10, subd. 15;
- I. Types and amounts of insurance liability coverage to be obtained by Nasha Shkola, consistent with Minn. Stat. §124D.10, subd. 8 (k);
- J. Consistent with Minn. Stat. §124D.10, subd. 25 (d), a provision to indemnify and hold harmless Innovative Quality Schools and its officers, agents, and employees from any suit, claim, or liability arising from any operation of Nasha Shkola, and the Commissioner and the Minnesota Department of Education's officers, agents, and employees notwithstanding Minn. Stat. §3.736;
- K. A description of the term of the initial contract between Innovative Quality Schools and Nasha Shkola, which may be up to five years plus an additional preoperational planning year, and up to five years for a renewed contract or a contract with a new authorizer after a transfer of authorizers, if warranted by the Nasha Shkola's academic, financial, and operational performance;
- L. How the Board or the Operators of Nasha Shkola will provide special instruction and services for children with a disability under Minn. Stat. §§125A.03 to 125A.24, and 125A.65, a description of the financial parameters within which Nasha Shkola will operate to provide the special instruction and services to children with a disability;
- M. The specific conditions for contract renewal that identify performance in improving pupil learning and student achievement as the most important factor in determining contract renewal;
- N. The purposes described in Minn. Stat. §124D.10, subd. 1, and related performance obligations under Section V(G) as additional factors in determining contract renewal; and

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- O. The plan for an orderly closing of Nasha Shkola under Minn. Stat. Chap. 317A, whether the closure is a termination for cause, a voluntary termination, or a nonrenewal of the contract, that includes establishing the responsibilities of the Board of Nasha Shkola and the Innovative Quality Schools and notifying the Commissioner, Innovative Quality Schools, school district in which Nasha Shkola is located, and parents of enrolled students about the closure, information and assistance sufficient to enable the student to re-enroll in another school, the transfer of student records under Minn. Stat. §124D.10, subd. 8 (p), and procedures for closing financial operations.

VI. GRADUATION REQUIREMENTS

[Note to user: the following sections only apply to schools offering grades 9-12.]

The Board of Nasha Shkola directs the Executive Director to work with [administrative team or curriculum coordinator] to annually review Nasha Shkola's graduation requirements to ensure that they meet or exceed the state graduation requirements established in law or rule. The Executive Director shall report to the Board on the school's credit requirements at the beginning of each academic year.

VII. CREDITS

[Note to user: the following sections only apply to schools offering grades 9-12.]

The Board of Nasha Shkola directs the Executive Director to work with [registrar, school counselor or other appropriate administrator] to review the transcript of each student who began ninth grade in the 2011-2012 school year, or later, to ensure that each student has successfully completed the high school level credits for graduation established in rule or law.

Legal References: Minn. Stat. §124D.10 (Charter Schools)
Minn. Stat. §120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)
Minn. Stat. §120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)
Minn. Stat. §120B.024 (Credits)

Adopted: 04/14/2016
Revised: 6/2020

NASHA SHKOLA POLICY No. 7.1 SEGREGATION OF DUTIES

I. PURPOSE

The purpose of this policy is to establish internal controls that will enable Nasha Shkola to properly safeguard its assets and to comply with state and federal laws.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to have internal controls that will adhere to Generally Accepted Accounting Principles, and applicable mandates of state and federal law.

III. BANKING AND CASH MANAGEMENT

- A. Bank accounts. The Executive Director and Board Chair shall be designated as parties authorized to open bank accounts on behalf of Nasha Shkola. All banking documents shall require the signature of these two individuals.
- B. Check preparation. The Financial Officer shall be responsible for preparation of all checks. All checks shall be signed by the Executive Director
- C. Deposits, withdrawals and transfer of funds. The Executive Director and Financial Officer shall be responsible for all deposits, withdrawals and fund transfers. Specific policies regarding electronic fund transfers are contained in Board Policy 7.3.1.
- D. Blank checks. Financial Officer shall be the custodian of all blank checks.
- E. Reconciliation. Financial Officer shall reconcile cash and bank transactions monthly.
- F. Petty cash. School Office Manager shall be responsible for management of petty cash. Financial Officer shall ensure that the receipts and cash in the petty cash fund are equal to the total value of the petty cash fund.

IV. PAYROLL AND RELATED LIABILITIES

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

A. Timekeeping. The Executive Director, in consultation with the H.R. officer shall establish policies for employee timekeeping. Those policies shall be presented to the Board annually for its review and approval.

B. Payroll.

The Executive Director shall contract with Designs for Learning, a payroll vendor, approved by the Board. The vendor shall establish and implement policies regarding appropriate disbursement of payroll to bona fide employees, record payroll disbursements accurately, and will develop an adequate system for necessary payroll taxes and other withholdings. The Executive Director shall be responsible for ensuring that the payroll vendor adheres to the policies established and those policies shall be reviewed by the Board as needed.

V. FIXED ASSETS

A. Purchases.

1. Conformity to budget. All purchases shall be demonstrably related to activities and functions identified in the annual budget.
2. Purchases over \$5,000. All purchases over \$5,000 shall receive prior approval from the Board.

B. Inventory. The Executive Director or designee shall ensure that an appropriate inventory of all fixed assets is maintained showing description, date purchased or received and cost or fair market value. The assets shall be compared to the inventory annually and an annual report shall be made to the Board regarding inventory.

VI. GRANTS, DONATIONS

- A. The Executive Director shall establish a procedure for recording all monetary contributions and shall maintain documentation of such contributions.
- B. All grants, gifts and donations shall be administered in accordance with Board Policy 2.6.

Legal References: Minn. Stat. §124D.10 subd. 8(j) (Charter School Law/Auditing Requirements)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 04/14/2016
Revised: 0

NASHA SHKOLA POLICY No. 7.11

SAFEKEEPING OF INVESTMENTS, CONTRACTS AND AGREEMENTS

I. PURPOSE

The purpose of this policy is to set forth the requirements applicable to the safekeeping of the investments, contracts and agreements of the Board of Nasha Shkola.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with state law regarding the safekeeping of the investments, contracts and agreements.

III. PERMISSABLE PLACES OF SAFEKEEPING

A. Investments, contracts, and agreements may be held in safekeeping with:

1. Any Federal Reserve bank;
2. Any bank authorized under the laws of the United States or any state to exercise corporate trust powers, including, but not limited to, the bank from which the investment is purchased;
3. A primary reporting dealer in United States government securities to the Federal Reserve Bank of New York; or
4. A securities broker-dealer, or an affiliate of it, that meets the following requirements:
 - a. It is registered as a broker-dealer under Chapter 80A or is exempt from the registration requirements;
 - b. It is regulated by the Securities and Exchange Commission; and
 - c. It maintains insurance through the Securities Investor Protection Corporation or excess insurance coverage in an amount equal to or greater than the value of the securities held.

B. Ownership by the Board of Nasha Shkola of all securities under paragraph III.A must be evidenced by written acknowledgments identifying the securities by the names of

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the issuers, maturity dates, interest rates, CUSIP number, or other distinguishing marks.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §118A.06 (Safekeeping of Investments, Contracts and Agreements)

Adopted: 04/14/2016
Revised: 6/2020

NASHA SHKOLA POLICY No. 7.2.1
BOARD APPROVAL OF VENDOR CONTRACTS

I. PURPOSE

The purpose of this policy is to ensure that all vendor contracts are approved by the Board.

II. POLICY STATEMENT

- A. The Board of Nasha Shkola is responsible for policy matters related to the operation of the school, including budgeting, curriculum programming, personnel, and operating procedures. To ensure that the school operates in a fiscally prudent manner, within its budget and within applicable laws, all new vendor contracts shall be presented to the Board for its approval. Absent a specific delegation as outlined in II.B. below, no contract shall be effective absent approval by a majority of the Board.
- B. The Board of Nasha Shkola may delegate authority to the Executive Director to enter into certain vendor contracts. The delegation must be specific and may be for an amount no more than \$1000.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: 04/14/2016
Revised: 6/2020

NASHA SHKOLA POLICY No. 7.2.2

BIDDING FOR SERVICES FROM AUTHORIZER

I. PURPOSE

The purpose of this policy is to ensure that Nasha Shkola observes state requirements related to contracting with its Authorizer.

II. POLICY STATEMENT

The Board of Nasha Shkola is responsible for policy matters related to the operation of the school, including budgeting, curriculum programming, personnel, and operating procedures. To ensure that the school operates within applicable laws, all contracts with the school's Authorizer shall be presented to the Board for its approval and the contract must satisfy the provisions of Section III of this Policy.

III. REQUIREMENTS

- A. As required by Minnesota's Charter School Law, any potential contract, lease, or purchase of service from Nasha Shkola's authorizer must meet the following requirements:
 - 1. The potential contract must be disclosed to the commissioner,
 - 2. The contract must be accepted through an open bidding process; and
 - 3. The contract terms must be memorialized in a separate contract from the charter contract.
- B. If the contract is a contract to provide management and financial services for the school, the school must document that it received at least two competitive bids.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: 04/14/2016
Revised: 6/2020

NASHA SHKOLA POLICY No. 7.3.1 ELECTRONIC TRANSFER OF FUNDS

I. PURPOSE

The purpose of this policy is to set forth the circumstances in which Nasha Shkola may make electronic funds transfer.

II. POLICY

It is the policy of Nasha Shkola to abide by State law when making an electronic funds transfer.

III. TRANSFERS ALLOWED FOR CERTAIN PURPOSES

A. Nasha Shkola may make an electronic funds transfer for the following:

1. For a claim for a payment from an imprest payroll bank account or investment of excess money;
2. For a payment of tax or aid anticipation certificates;
3. For a payment of contributions to pension or retirement fund; and
4. For vendor payments.

IV. POLICY CONTROLS

A. Nasha Shkola will only make payments via electronic funds if the following policy controls are met:

1. The Board must annually delegate Executive Director to make electronic fund transfers to one or more designated business administrators;
2. The disbursing bank must keep on file a certified copy of the delegation of authority;
3. The initiator of the electronic transfer must be identified;
4. The initiator must document the request and obtain an approval from the designated business administrator (Executive Director) before initiating the transfer;

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5. A written confirmation of the transaction must be made no later than one business day after the transaction and shall be used in lieu of a check, order check or warrant required to support the transaction; and
6. A list of all transactions made by electronic funds transfer must be submitted to the school board at its next regular meeting after the transaction.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §471.38 (Claims)

Adopted: 04/14/2016
Revised: 6/2020

NASHA SHKOLA POLICY No. 7.3.2

EXPENSE AND REIMBURSEMENT FOR BOARD AND EMPLOYEES

I. PURPOSE

School board members and employees participate in school-related activities that enhance their ability to serve students. Therefore, certain expenses of board members and employees may be reimbursed by Nasha Shkola upon proper request. Reimbursement of expenses for public employees is governed by state and federal law as well as school board policy.

II. POLICY STATEMENT

Nasha Shkola will reimburse school board members and employees only for actual expenses that are directly related to the school board member's or employee's responsibilities related to Nasha Shkola and submitted and approved pursuant to this policy.

III. IMPLEMENTATION

- A. All expenses that are reimbursed must be incurred while attending or participating in school-related functions in the capacity of a school board member or employee.
- B. All expenses must be reasonable in light of industry standards.
- C. A receipt is required for reimbursement, unless a different arrangement, such as an electronic funds transfer, is approved by a designated school official as directed by the school board.
- D. Transportation and Parking. Reimbursement of expenses is guided by the following:
 - 1. Automobile mileage at the established rate by the Internal Revenue Service (IRS);
 - 2. Rental care use must be pre-approved by a designated school officials;
 - 3. Mileage to drive to and from the airport is included in regular mileage reimbursement.
 - 4. Fees for cab services may be approved as reasonable and necessary.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

5. Parking fees may be reimbursed as reasonable and necessary, with a receipt. Parking at an airport shall not exceed five days.

E. Meals. Reimbursement of expenses is guided by the following:

1. Meals will be reimbursed for events in the vicinity of Nasha Shkola (*NOTE TO USER: for charter schools in the Twin Cities area, the term “vicinity” can be replaced by the term “Twin Cities area”*) only under the following guidelines:
 - a. Meal is consumed as part of an authorized meeting;
 - b. Meal is consumed while supervising an approved student activity; or
 - c. Meal is consumed directly before or after an event, workshop, or conference that is being held outside of the school district.
2. Meals included in a larger event registration are reimbursed under the registered event and not as a meal expense.
3. Reimbursed amounts will follow Internal Revenue Service (IRS) guidelines and school board policy. All expenses must be reasonable based on the value of an average breakfast, lunch, or dinner in the area.

F. Airline Travel. Reimbursement of expenses is guided by the following:

1. Airline travel will only be reimbursed at the coach, group or standard rate.
2. Ticket purchases must be made by the Nasha Shkola, unless otherwise approved by the school board or designated representative.
3. Benefits issued by any airline accrue to the benefit of Nasha Shkola. Board members and employees shall report benefit information as follows:
 - a. Contact the Nasha Shkola office, prior to making airline travel arrangements, to set up any benefit plan in the name of school whenever possible.
 - b. When requesting reimbursement for personal airline travel expenses, contact the Nasha Shkola office with the airline travel benefit information. Personal airline travel expenses shall not be reimbursed until such benefit information is provided to the school district office.

G. Lodging. Reimbursement of expenses shall be guided by the following:

1. Reservations for lodging must be made by the Nasha Shkola as pre-approval and only the actual cost paid, unless otherwise approved by the school board or designated representative.

2. Double rooms should be purchased whenever possible.
3. Lodging in the vicinity of Nasha Shkola (*NOTE TO USER: for charter schools in the Twin Cities area, the term “vicinity” can be replaced by the term “Twin Cities area”*) is reimbursed only as necessary to supervise students or to participate in an approved school activity or event.

H. Imprest Funds. (i.e. advance system for petty cash or other purpose).

1. The school board may establish imprest funds, such as for petty cash, to pay proper claims where it is impractical to pay by another method. Imprest funds are governed by the following:
 - a. A custodian must be appointed for the funds safekeeping and disbursement according to law.
 - b. Imprest funds are transferred from the general fund.
 - c. An itemization of the funds disbursed must be presented at the board meeting following the disbursements.
 - d. Funds are replenished as needed.
 - e. Advances on the fund may be made for board members and employees to attend meetings outside of the school district.

IV. PROCESS

- A. Declaration and Writing. A request for reimbursement must be made in writing, with itemization of the reimbursement being sought and a receipt attached (unless otherwise approved), and a declaration that such request is correct. The following is a sufficient declaration:

“I declare under the penalties of law that this account, claim or demand is just and correct and that no part of it has been paid.”

Signature of Claimant

- B. The check used to reimburse the board member or employee may have the following wording on the reverse side of the check above the endorsement line:

“The undersigned payee, in endorsing this check declares that the same is received in payment of a just and correct claim against the Nasha Shkola and that no part of it has heretofore been paid.”

- C. Timeframe for Request. All requests for reimbursement shall be submitted to the designated school official within 60 days of incurring the expense, unless otherwise approved by the school board or designated representative.

Legal References: Minn. Stat. §124D.10 (Charter Schools)
Minn. Stat. §15.435 (Airline Travel Credit)
Minn. Stat. §123B.11 (Imprest Cash Funds)
Minn. Stat. §471.661 (Out-Of-State Travel)
Minn. Stat. §471.665 (Mileage Allowances)

Adopted: 04/14/2016
Revised: 9/15/2020

NASHA SHKOLA POLICY No. 7.3.3

FUNDRAISING

I. PURPOSE

Nasha Shkola supports fundraising efforts and recognizes that funds raised enhance school programs. Fundraising activities must be reasonable and in keeping with a healthy school climate, must not detract from student learning, and must not be overly burdensome on students or families.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to establish fundraising guidelines and expectations that comport with the Board's fiduciary duties.

III. POLICY

A. Fundraising activities shall be guided by the following:

1. Be consistent with the mission of Nasha Shkola.
2. Be age appropriate as to the fundraising activity.
3. Adhere to other school policies or to the direction of the Board related to advertising of fundraising.
4. Ensure that the fundraising does not detract from student learning.
5. Exercise discretion when using students to communicate regarding fundraising, including parent-sponsored fundraising.

B. All fundraising activities must have prior approval of the director or Board. Student participation in non-approved fundraising activities will be considered a violation of this policy.

C. Fundraising revenue may be used for the following:

1. Enhancements to the instructional, co-curricular, or extra-curricular programs of the school.

2. Equipment or supplies not otherwise funded by school funds, as decided by the Executive Director
3. Other initiatives as directed or approved by the Board or Director.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)

Adopted: ____ 04/14/2016
Revised: ____ 9/15/2020

NASHA SHKOLA POLICY 7.3.4

STUDENT FEE REQUIREMENTS AND PROHIBITIONS

I. PURPOSE

Nasha Shkola operates in compliance with Minnesota Public School Fee Law to require and to prohibit pupil fees as allowed. Therefore, Nasha Shkola will not deny a student an education because of economic inability to furnish books and supplies necessary to complete graduation requirements. Nasha Shkola may charge fees in areas considered extra-curricular, non-curricular, or supplementary to the requirements for the successful completion of a required class or educational program.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to fully comply with state law regarding pupil fees.

III. POLICY

A. Allowed Fees. Nasha Shkola may require payment of fees in the following circumstances:

1. Any program where the final product becomes the personal property of the student, at the student's option;
2. Extracurricular activity charges and admission fees, where attendance is optional and where the fee is the same for all students;
3. Security deposits for the return of materials, supplies, or equipment;
4. Physical education apparel, if not provided by the student under Board guidelines;
5. Items of personal use or optional purchases, such as student publications, class rings, yearbooks, and graduation announcements;
6. Driver's education fees for school students when they do not exceed costs;
7. Field trips considered supplementary to the school's educational program;
8. Reasonable rental fees, for school instruments;

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

9. Reasonable transportation fees for the following:
 - a. Extracurricular activities that are optional to the student;
 - b. Students who live less than two miles from the school, ensuring that no student is denied transportation due to inability to pay the fee; and
 - c. Post-secondary education site.
- B. Prohibited Fees. Nasha Shkola is not authorized to and will not charge fees for the following:
 1. Textbooks, workbooks, art materials, laboratory supplies, towels;
 2. Supplies necessary for participation in any required instruction;
 3. Required field trips as part of the basic educational program;
 4. Graduation gowns, and diplomas or any specific form of dress necessary for any educational program;
 5. Instructional costs for school personnel in a graduation course or program required for graduation;
 6. Library books required to be utilized for any educational course or program;
 7. Fees for any activity the student is required to attend;
 8. Costs for any required educational course or program;
 9. Fees for locker rentals;
 10. Transportation costs for students living two miles or more from school;
- C. Withholding Grades or Diplomas Prohibited. Nasha Shkola may not withhold rights or privileges, including the receipt of grades or diplomas, for failure to pay a required fee, but may take other collection action as allowed.
- D. Fees for Lost or Destroyed Materials. Nasha Shkola may charge fees for textbooks, workbooks, and library books that are lost or destroyed by students and must annually notify students of this possibility.
- E. Waiver of Fees. A student fee may be waived by Nasha Shkola for students whose parent(s) are serving or have served in the military in the past year or if the student is unable to pay the fee.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §§123B.34-.39 (Pupil Fee Law)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: _____ 04/14/2016 _____
Revised: _____ 9/15/2020 _____

NASHA SHKOLA POLICY No. 7.4

DATA ACCESS POLICY FOR MEMBERS OF THE PUBLIC

I. PURPOSE

The purpose of this policy is to describe the process members of the public will follow in order to access Nasha Shkola's government data.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to fully comply with state laws regarding access to government data by members of the public.

III. POLICY

- A. The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data is public unless a state or federal law provides that the data is not public.
 - 1. "Government data" is a term that means all recorded information a government entity has collected, created, received, maintained or disseminated, including paper, email, CD-ROMs, photographs, etc.
- B. The Data Practices Act also provides that Nasha Shkola must maintain all government data in a way that makes it easy for you, as a member of the public, to access public data.
 - 1. You have the right to look at (inspect), free of charge, all public data that Nasha Shkola keeps.
 - 2. You also have the right to get copies of public data. The Data Practices Act allows Nasha Shkola to charge for copies.
 - 3. You have the right to look at data, free of charge, before deciding to request copies.

IV. HOW TO MAKE A DATA REQUEST

- A. To look at data or request copies of data that Nasha Shkola keeps, make a written request to the appropriate individual listed under the "Data Practices Contact" paragraph below.
- B. You may make your written request for data by mail using the data request form below.
- C. If you choose not to use the data request form, your written request should include:

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

1. That you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
 2. Whether you would like to look at the data, get copies of the data, or both; and
 3. A clear description of the data you would like to inspect or have copied.
- D. Nasha Shkola cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want Nasha Shkola to process your request (if, for example, you want Nasha Shkola to mail you copies of data), Nasha Shkola may need some information about you. If you choose not to provide any identifying information, Nasha Shkola will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if Nasha Shkola does not understand your request and has no way to contact you, Nasha Shkola will not be able to begin processing your request.

V. HOW [SCHOOL NAME] RESPONDS TO A DATA REQUEST

- A. Upon receiving your written request, Nasha Shkola will work to process it.
1. If Nasha Shkola does not have the data, you will be notified in writing as soon as reasonably possible.
 2. If Nasha Shkola has the data, but the data is not public, you will be notified in writing as soon as reasonably possible and state which specific law says the data is not public.
 3. If Nasha Shkola has the data, and the data is public, Nasha Shkola will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - a. Nasha Shkola will arrange a date, time, and place to inspect data, for free, if your request is to look at the data; or
 - b. Nasha Shkola will provide you with copies of the data as soon as reasonably possible.
- B. You may choose to pick up your copies, or Nasha Shkola will mail or fax them to you. If you want Nasha Shkola to send you the copies, you will need to provide an address or fax number. Nasha Shkola will provide electronic copies (such as email or CD-ROM) upon request if Nasha Shkola maintains the data in electronic format. Information about copy charges is described below.
- C. If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please notify Nasha Shkola. Nasha Shkola will provide an explanation if you ask.
- D. The Data Practices Act does not require Nasha Shkola to create or collect new data in response to a data request if Nasha Shkola does not already have the data, or to provide

data in a specific form or arrangement if Nasha Shkola does not keep the data in that form or arrangement. (For example, if the data you request are on paper only, Nasha Shkola is not required to create electronic documents to respond to your request.) If Nasha Shkola agrees to create data in response to your request, Nasha Shkola will work with you on the details of your request, including cost and response time.

- E. In addition, the Data Practices Act does not require Nasha Shkola to answer questions that are not requests for data.

VI. REQUESTS FOR SUMMARY DATA

Summary data is statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. Nasha Shkola will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request (you may use the data request form below), Nasha Shkola will respond within ten business days with the data or details of when we receive the request.

VII. DATA PRACTICES CONTACTS

- A. Responsible Authority: Executive Director

Name: Yelena Hardcopf

Address: 6717 85th Ave N, Brooklyn Park, MN 55445

Phone number, fax number, email address: 763-496-5550

yelena.hardcopf@nashashkolamn.org

- B. Data Practices Designee(s) Executive Director, Administrative Assistant

Name: Inna Bly

Address: 6717 85th Ave N, Brooklyn Park, MN 55445

Phone number, fax number, email address: 763-496-5550

inna.bly@nashashkolamn.org

- C. Data Practices Compliance Official:

Name: Yelena Hardcopf

Address: 6717 85th Ave N, Brooklyn Park, MN 55445

Phone number, fax number, email address: 763-496-5550

yelena.hardcopf@nashashkolamn.org

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

VIII. COPY COSTS – MEMBERS OF THE PUBLIC

- A. Nasha Shkola charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, §13.03, subdivision 3(c).
- B. You must pay for the copies before Nasha Shkola will give them to you.
 - 1. For 100 or Fewer Paper Copies. 100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.
 - 2. Most Other Types of Copies- Actual cost.
 - a. The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).
 - b. In determining the actual cost of making copies, Nasha Shkola factors in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any).
 - c. If your request is for copies of data that Nasha Shkola cannot reproduce itself, such as photographs, you will be charged the actual cost Nasha Shkola must pay an outside vendor for the copies.
 - d. The cost of employee time to search for data, retrieve data, and make copies is [\$25.00] per hour. If, because of the subject matter of your request, Nasha Shkola finds it necessary for a higher-paid employee to search for and retrieve the data, Nasha Shkola will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

Legal References: Minn. Stat. §13.025 (Government Entity Obligation)
Model Policy, Minnesota Department of Administration, Information
Policy Analysis Division, September 2013

NASHA SHKOLA
Data Request Form – Members of the Public

Date of request: _____

I am requesting access to data in the following way:

[Note: inspection is free but we charge for copies of data].

☐ Inspection

☐ Copies

☐ Both inspection and copies

The data I am requesting:

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

You do not have to provide any of the above contact information. However, if you want us to mail you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

Nasha Shkola will respond to your request as soon as reasonably possible.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: ___ 04/14/2016 ___
Revised: ___ 9/15/2020 ___

NASHA SHKOLA POLICY No. 7.5

ANNUAL AUDIT

I. PURPOSE

According to Minn. Stat. §124D.10, Nasha Shkola is subject to the same financial audit requirements as a school district. Therefore, the purpose of this policy is to state the obligations of Nasha Shkola with regard to compliance with Minn. Stat. §124D.10, subd. 6a.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to comply with all laws and rules relating to the annual audit of Nasha Shkola's books, records and financial matters.

III. IMPLEMENTATION

- A. The Board of Nasha Shkola will contract with a certified public accountant to audit, examine and report on the school's financial data.
- B. Standards and Requirements for Conducting Audit. Audits must be conducted according to generally accepted governmental auditing standards, in compliance with state and federal law including Minn. Stat. §§123B.75-.83, unless a deviation from the standard is approved by the Commissioner of Education and authorizer due to the program of the school. The specific provisions with which the Board must comply include, but are not limited to the following:
 - 1. Prior to September 15 of each year, the Board shall ensure that unaudited financial data for the preceding year has been submitted to the Commissioner of Education on forms prescribed by the Commissioner and should include information required by Minn. Stat. §123B.14 subd. 7.
 - 2. Prior to November 30 of each year, the Board shall provide to the Commissioner audited financial data for the preceding fiscal year. The Board shall, prior to December 31 of each year, provide the Commissioner and the State Auditor an audited financial statement in a manner that enables comparison with and correction of material differences in the unaudited data.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

3. The audited financial statement will include a statement of assurance pertaining to compliance with uniform financial accounting and reporting standards and a copy of the management letter submitted to the school district by its auditor.
 4. The audit must be conducted in compliance with generally accepted governmental auditing standards, the Federal Single Audit Act and the Minnesota Legal Compliance Guide issues by the Office of the State Auditor.
- C. Board Approval. The Board of Nasha Shkola must approve the audit report by resolution or require a further or amended report.
- D. Administration. The Administration shall report to the Board any actions necessary to correct any deficiencies or exceptions noted in the audit.
- E. Annual Report Submission. A financial audit report, along with a copy of all charter school agreements for corporate management services, must be submitted by Nasha Shkola to the Commissioner of the Minnesota Department of Education and its authorizer by December 31 of each year.
- F. Additional Reporting for Tax-Exempt Organizations. If the charter school is a tax-exempt organization according to the Internal Revenue Service (IRS), the school must also file a copy of its annual return under section 6033 of the Internal Revenue Code to the Commissioner of Minnesota Department of Education and authorizer by February 15 of each year.
- G. Additional Reporting of Material Weakness. If a material weakness exists in the financial audit report, Nasha Shkola must submit a written report to the Commissioner regarding how the material weakness will be resolved.
- H. Compliance Audits. The Minnesota Department of Education, state auditor, legislative auditor, or authorizer may conduct their own audit.
- I. Statutory Operating Debt. If Nasha Shkola is determined to be in statutory operating debt, a plan to address such debt must be submitted according to Minn. Stat. § 123B.81, subd. 4

Legal References: Minn. Stat. §124D.10 subd. 6(a) (Audit Report) and 8(j) (Federal, State, and Local Requirements)
Minn. Stat. §123B.77 (Accounting, Budgeting, and Reporting Requirement)
Minn. Stat. Chapter 6 (State Auditor)

Adopted: 04/14/2016
Revised: 9/15/2020

NASHA SHKOLA POLICY No. 7.6 PROMPT PAYMENT OF BILLS

I. PURPOSE

The purpose of this policy is to set forth the expectations of the Board of Nasha Shkola regarding the prompt payment of bills.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with state law regarding the prompt payment of bills.

III. PROMPT PAYMENT

The Board of Nasha Shkola will pay each vendor obligation according to the terms of the contract or, if no contract terms apply, within the standard payment period unless the Board of Nasha Shkola in good faith disputes the obligation. Standard payment period is defined as follows:

[NOTE TO USER: pick one based on the frequency of your board meetings:

- For boards which have regularly scheduled meetings at least once a month, the standard payment period is defined as within 35 days of the date of receipt.
- For boards that not regularly meet at least once a month, the standard payment period is defined as 45 days after receipt of the goods or services or the invoice for the goods or services, whichever is later.]

IV. INVOICE ERRORS

If an invoice is incorrect, defective or otherwise improper, the Board of Nasha Shkola must notify the vendor within ten days of the date of receipt. Upon receiving a corrected invoice from the vendor, the Board of Nasha Shkola will pay the obligation within the standard payment period defined in Section III above.

V. PAYMENT OF INTEREST ON LATE PAYMENTS REQUIRED

- A. Except otherwise provided in this policy, the Board of Nasha Shkola will calculate and pay interest to a vendor if the Board has not paid the obligation according to the terms of the contract or, if no contract terms apply, within the standard payment period as defined in Section III above.

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- B. The standard payment period for a negotiated contract or agreement between a vendor and the Board which requires an audit by the Board before acceptance and payment of the vendor's invoice shall not have begun until the completion of the audit by Board.
- C. The rate of interest calculated and paid by the Board on the outstanding balance of the obligation not paid according to the terms of the contract or during the standard payment period shall be 1-1/2 percent per month or part of a month.
- D. No interest penalties may accrue against the Board if it delays payment of a vendor obligation due to a good faith dispute with the vendor regarding the fitness of the product or service, contract compliance, or any defect, error or omission related thereto. If such delay undertaken by the Board is not in good faith, the vendor may recover costs and attorney's fees.
- E. The minimum monthly interest penalty payment the Board shall calculate and pay a vendor for the unpaid balance for any one overdue bill of \$100 or more is \$10. For unpaid balances of less than \$100, the Board shall calculate and pay the actual interest penalty due the vendor.

VI. PROMPT PAYMENT TO SUBCONTRACTORS

Each contract the Board enters into must require the prime contractor to pay any subcontractor within ten days of the prime contractor's receipt of payment from the Board for undisputed services provided by the subcontractor. The contract must require the prime contractor to pay interest of 1-1/2 percent per month or any part of a month to the subcontractor on any undisputed amount not paid on time to the subcontractor. The minimum monthly interest penalty payment for an unpaid balance of \$100 or more is \$10. For an unpaid balance of less than \$100, the prime contractor shall pay the actual penalty due to the subcontractor. A subcontractor who prevails in a civil action to collect interest penalties from a prime contractor must be awarded its costs and disbursements, including attorney's fees, incurred in bringing the action.

VII. APPLICABILITY OF THIS POLICY

This policy applies to all goods, leases and rents, and contracts for services, construction, repair and remodeling. Purchases from or contracts for service with a public utility as defined in Minn. Stat. §216B.02 or a telephone company as defined in §237.01 that has on file with the public utilities commission an approved practice regarding late fees are not subject to this section.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §471.425 (Prompt Payment of Bills)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 04/14/2016
Revised: 10/20/2020

NASHA SHKOLA POLICY No. 7.9

COLLATERAL REQUIREMENTS FOR DEPOSITORIES

I. PURPOSE

The purpose of this policy is to set forth the requirements applicable to depositories when funds on deposit exceed the available federal deposit insurance.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to fully comply with state law regarding collateral at depositories.

III. DESIGNATION AND DELEGATION OF AUTHORITY

- A. When the funds of Nasha Shkola on deposit exceed the available federal deposit insurance of the depository at the close of the depository's business day, the Executive Director shall require the depository to furnish collateral security or a corporate surety bond executed by a company authorized to do business in the state.
- B. the Executive Director may also allow the other forms of collateral authorized by Minn. Stat. §118A.03 subd. 2.
- C. the Executive Director shall also ensure that the total amount of the collateral and the assignment documents required in Minn. Stat. §118A.03 subds. 3 and 4 are adhered to.
- D. the Executive Director shall also ensure that the collateral is kept in a place of safekeeping in compliance with the requirements of Minn. Stat. §118A.03 subd. 7 and shall approve of the place of safekeeping.

Legal References: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §118A.03 (Collateral Required)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 5/12/2016
Revised: 10/20/2020

NASHA SHKOLA POLICY No. 8.1 DISSOLUTION AND CLOSURE

Notes to user:

- *This process is a general one based on nonprofit law and processes outlined by several different authorizers. You should refer to the process specifically outlined in the contract with your authorizer to make certain that you are complying with any additional requirements that authorizer may have.*
- *This process also assumes that you have been advised by your authorizer that the school will need to be closed and the board dissolved.*

I. PURPOSE

The purpose of this policy is to establish the processes that will be followed in the event the school must be closed and the Board dissolved.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to comply with state law and the school's contract with its authorizer in the event that the school must be closed and the Board dissolved.

III. NOTICE OF INTENT TO DISSOLVE AND DESIGNATION OF WIND UP COMMITTEE

A. Meeting to declare Notice of Intent to Dissolve and Designating Wind Up Committee.

1. **Resolution of Notice of Intent to Dissolve.** As soon as practical after the Board has been notified that the dissolution and closure process must be commenced, the Board will meet to consider and vote on a motion to dissolve. The Motion must pass by a majority of the board members. That resolution will reference and include the plan of distribution of assets.

2. **Agenda.** When the Board is ready to approve this resolution, the board agenda will specifically indicate that the purpose of the meeting is to approve of the dissolution.
3. **Wind Up Committee to be Designated.**
 - a. At the meeting the Board will also designate a wind-up committee to handle the details of the closure.
 - b. The Board will delegate authority to a non-officer (such as the Executive Director or legal counsel) to act as legal representative in signing the documents for filing required notices and any other documents necessary to wind up the affairs of the corporation.
4. **Filing Notice.** The legal representative will file the appropriate “Notice of Intent to Dissolve” with the Secretary of State and the Attorney General’s office after the resolution has been passed.

IV. **GENERAL PROCESSES TO ENSURE ORDERLY CLOSURE.**

To ensure orderly closure, the legal representative will also ensure the following:

- A. **Authorizer involvement.** That the authorizer is kept apprised throughout the process.
- B. **Notification of parents, employees and benefit providers.** The legal representative will notify parents, employees and benefit providers of the closure as soon as possible.
- C. **Employee termination date.** The legal representative will determine final termination dates for employees.
- D. **MDE notification.** The Minnesota Department of Education will be notified of the closure as soon as possible.
- E. **Insurance.** The legal representative will ensure that insurance coverage is maintained to protect the assets of the school.
- F. **Records.** The legal representative will have a plan to ensure maintenance and security of all records that is consistent with the school’s records retention policy.

- G. Segregated fund.** The legal representative will consult with the authorizer to determine how much money should be deposited into a segregated checking account into which funds can be deposited to assist in the closure.

V. DEVELOPMENT OF THE SCHOOL'S WIND UP PLAN.

- A. Formulation of the wind-up plan.** In order to formulate an appropriate wind-up plan (see III.A.1 above) the following steps will be taken:

1. A review will be made of all the assets currently available;
2. An inventory of all assets with item numbers and quantities will be prepared;
3. All assets encumbered by the terms of a contingent grant, gift or security interest will be identified;
4. A review will be made of all the school's debts;
5. A plan will be drafted that establishes how the school's debts should be paid and in what order of priority.

B. Considerations for determining priority of creditor payments.

1. **Wages.** Minnesota law contains significant penalties when public service employers do not make timely wage payments. Thus the wind-up committee will ensure that all outstanding wages are paid.
2. **Special purpose.** Minnesota Non-Profit law also requires the school to determine whether it has assets that were provided for a "special purpose". The wind up committee must ensure that those assets are used only to pay for the specific purpose.
3. **Federal funds.** The wind up committee will review the Federal Official Grant Award Notification to determine which federal funds the school may have received. (Federally-purchased property may not be sold to pay creditors, and must either be returned to the Department of Education or distributed for similar use to another eligible entity, depending on the type of program under which funds were received).

4. **TRA.** The Board must ensure that the Teachers' Retirement Association obligations are met pursuant to Minnesota Statutes, chapter 354 and the Board will cover staff payroll and benefits as outlined in the school's employee contracts.

C. Determination of priority of creditor payments and distribution plan.

The school's plan will, at a minimum provide for the following priorities:

1. Distribution of assets received and held for a special use or purpose as defined by Minnesota Statutes section 317A.735 subd.2;
2. Payment of costs and expenses of the dissolution proceedings, including attorney fees and disbursements;
3. Payment of debts, obligations, and liabilities of the school;
4. Distribution of assets pursuant to articles or bylaws of the school.

D. 45 Day waiting period. Filing the Notice of Intent to Dissolve triggers a 45 day waiting period. During that time the school will not transfer or convey any assets.

E. Notice to creditors. After the Notice of Intent to Dissolve has been filed with the Secretary of State, the legal representative should give notice of this filing to each creditor of and claimant against the school, known or unknown, present or future, and contingent or non-contingent.

1. **Publication of notice.** If notice to creditors and claimants is given, it must be given by publishing the notice once each week for four successive weeks in a legal newspaper in the county where the registered office of the corporation is located and by giving written notice to known creditors and claimants under Minnesota Statutes section 317A.011, subdivision 14.

2. **Contents of notice.** The notice to creditors and claimants must contain:

- a. a statement that the corporation is in the process of dissolving;
- b. a statement that the corporation has filed a notice of intent to dissolve with the secretary of state;
- c. the date of filing the notice of intent to dissolve;

- d. the address of the office to which written claims against the corporation must be presented; and
- e. the date by which the claims must be received, which is the later of 90 days after published notice or, with respect to a particular known creditor or claimant, 90 days after the date on which written notice is given to that creditor or claimant. Published notice is considered given on the date of first publication for determining this date.

VI. DISTRIBUTION OF ASSETS.

A. Collecting and paying debts. After the waiting period has expired and after creditors have been notified the wind up committee shall, as soon as is reasonably possible, begin to make provision for the collection of debts due or owing to the school and to pay or make provision for the payment of debts, obligations, and liabilities of the corporation according to their priorities under V.B.

B. Consideration of creditors' claims.

1. The Board has 30 days from the receipt of each claim filed according to the procedures set forth by the Board on or before the date set forth in the notice to accept or reject the claim by giving written notice to the person submitting it, a claim not expressly rejected in this manner is considered accepted; and
2. If the Board rejects a claim from a creditor that creditor has 60 days from the date of rejection, or 180 days from the date the corporation filed the notice of intent to dissolve with the secretary of state, or 90 days after the date on which notice was given to the creditor or claimant, whichever is longer, to pursue other remedies with respect to the claim”.

C. Closeout of State and Federal Grants. The wind-up committee will ensure that all state and federal grants have been closed out in accordance with guidance

D. Final Distribution of Assets. The wind-up committee will ensure that any remaining assets are distributed in accordance with the wind-up plan and shall further ensure that any remaining bank accounts are closed and that all credit cards are cancelled.

VII. FILING ARTICLES OF DISSOLUTION AND REMAINING WRAP UP.

- A. Articles of Dissolution.** After funds have been distributed according to the Board's plan, the Board will approve Articles of Dissolution for filing with the Office of the Secretary of State.
- B. Reports to Authorizer.** The wind up committee will ensure that any final statements required by the authorizer are provided.
- C. Audit.** The wind-up committee will ensure that a final financial statement audit prepared and filed.
- D. Tax documents.** The legal representative will ensure that tax documents are filed as advised by the school's accountant or CPA.as advised by the school's accountant or CPA.

Legal References: Minn. Stat. §124D.10, subd. 16 (Charter school law)

Minn. Stat. § 317A.711; 723; 725; 727; 729; 733; 735; 811 (Non-profit law dissolution provisions)

Policy Number: _____

Adopted: _____ 5/12/2016 _____

Revised: _____ 10/20/2020 _____

NASHA SHKOLA POLICY 8.2 COMPLAINT PROCESS

I. PURPOSE

The purpose of this policy is to provide clear procedures to students, parents, faculty and staff who may wish to make bring issues of concern and complaints to the attention of the Board.

II. POLICY

It is the policy of Nasha Shkola to establish clear procedures so that students parents, faculty and staff are effectively enabled to bring concerns and complaints to the attention of the appropriate officials who can then bring about a prompt resolution.

III. COMPLAINTS REGARDING DISCRIMINATION

A. Complaints by Faculty and Staff.

Faculty and staff who have complaints regarding possible discriminatory practices are encouraged to follow the complaint procedures outlined in Board Policy 4.5.1.

B. Complaints by Students and Families.

Students and/or families who have complaints regarding possible discriminatory practices are encouraged to follow the complaint procedures outlined in Board Policy 5.4.1.

IV. COMPLAINTS REGARDING POSSIBLE VIOLATIONS OF THE LAW.

Faculty and staff who have complaints regarding possible violations of the law are encouraged to follow the complaint procedures outlined in Board Policy 4.10.

V. VIOLENCE IN THE WORKPLACE

Faculty and staff who have complaints regarding possible instances of violence in the workplace are encouraged to follow the complaint procedures outlined in Board Policy 2.4.2.

VI. COMPLAINTS REGARDING BULLYING, CYBERBULLYING AND HAZING

Students and families who have complaints regarding possible instances of bullying, cyberbullying and /or hazing are encouraged to follow the complaints procedures outlined in Board Policies 5.4.2 and /or 5.4.3 respectively.

VII. FACULTY AND STAFF COMPLAINTS ABOUT OTHER MATTERS.

- A. **Reporting other complaints.** If faculty or staff have complaints regarding matters not covered above, they are encouraged to bring the concern to the attention of their immediate supervisor first. If that does not resolve the issue, the complaining individual may bring the issue to the attention of his/her supervisor's supervisor.
- B. **Bringing concerns to the Board.** As a general matter, complaints should not be brought directly to the Board unless pursuant to one of the above policy directives.

Legal References: Minn. Stat. §121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. §363A (Minnesota Human Rights Act)
42 U.S.C. §2000e *et seq.* (Title VII of the Civil Rights Act)
Section 504 of the Rehabilitation Act
Americans with Disabilities Act
Minn. Stat. §124D.10 (Minnesota Charter School Law)
Minn. Stat. §121A.0695 (Bullying Policy legislation)
Minn. Stat. §120B.232 (Character Development Education)
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 181.932 (Whistleblower Act)

Cross References: 20 U.S.C. §1701-1758 (Equal Educational Opportunity)
Minn. Stat. §13.43 (Public and Private Personnel Data)

Adopted: 5/12/2016
Revised: 0.0

NASHA SHKOLA POLICY No. 8.3 CRISIS MANAGEMENT

I. PURPOSE

The purpose of this policy is to establish the Board's expectations regarding crisis management.

II. POLICY STATEMENT

It is the intent of the Board of Nasha Shkola to adopt a crisis management policy that will enable administration and staff to address any and all crises in an orderly and safe manner.

III. ADOPTION OF MODEL CRISIS MANAGEMENT POLICY.

The Board hereby adopts the Model Crisis Management Policy prepared by the Minnesota Department of Education (attached hereto). Administration is directed to review the same and provide the Board with any revisions necessary to adapt the model policy to the specific needs of Nasha Shkola.

Legal Reference: Minn. Stat. §124D.10 (Charter School Law)
Minn. Stat. §121A.035 (MDE Model Crisis Management Policy)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 5/12/2016

Revised: 11/17/2020

**NASHA SHKOLA POLICY NO.: 8.4
HEALTH AND SAFETY POLICY**

I. POLICY STATEMENT

It is the policy of Nasha Shkola to provide a safe and healthy environment for its staff and students. Safety and health protection will be an integral part of all operations.

II. PURPOSE

The purpose of this policy is to 1) promote employee involvement in safety and health; 2) reduce the number of lost time injuries 3) comply with occupational safety and health regulations.

III. HEALTH AND SAFETY PROGRAM COMPONENTS.

A. Program. Nasha Shkola will implement a Health and Safety Program that includes plans and procedures to protect employees, students and visitors. Planning will include a one-year budget and second year forecast approved annually by the Board.

B. Program Objectives. The objectives of the Health and Safety Program will be to:

1. Assign responsibilities for implementing and maintaining the program;
2. Establish a safety committee;
3. Establish procedures for identifying, analyzing, and controlling hazards;
4. Establish procedures for communicating hazards and controls to employees;
5. Establish a system for including maintaining all required documentation and records, to comply with federal, state and local regulatory agencies, including but not limited to Environmental Protection Agency, Occupational Safety and Health Administration, Minnesota Department of Health, Minnesota Department of Labor and Industry, and Minnesota Pollution Control Agency

5. Where required by law or regulation establish periodic health and safety inspections;
6. Establish procedures for investigating accidents and “near misses” to prevent reoccurrence;
7. Establish procedures for training employees on safe work practices;
8. Establish procedures for enforcement of workplace safety rules; and
9. Establish procedures for maintaining compliance with federal, state, and local requirements, including but not limited to:
 - Accident & Injury Reduction Program
 - Asbestos
 - Employee Right-to-Know
 - Lockout/Tagout
 - Forklift Safety
 - Bloodborne Pathogens
 - Hazardous Waste
 - Chemical Hygiene
 - Hearing Conservation
 - Playground Safety
 - Community Right-to-Know
 - Indoor Air Quality
 - Radon
 - Compressed Gas
 - Infectious Waste
 - Respiratory Protection
 - Confined Space
 - Lead in Construction
 - Technology Education
 - Emergency Preparedness
 - Lead in Water
 - Underground Storage Tanks

Legal References: Minn. Stat. § 123B.57

Resources: Minnesota Department of Education Health and Safety Letter available at:
[file:///C:/Users/Cindy/Downloads/2013HSLetter%20\(1\).pdf](file:///C:/Users/Cindy/Downloads/2013HSLetter%20(1).pdf)

Adopted: 5/12/2016

Revised: 11/17/2020

NASHA SHKOLA POLICY No. 8.5 INSURANCE COVERAGE

I. PURPOSE

The purpose of this policy is to describe the types of insurance Nasha Shkola shall keep in force and effect.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to comply with the provisions in Minn. Stat. § 124D.10 regarding insurance coverage.

III. REQUIRED INSURANCE

The administrative team of Nasha Shkola shall ensure that the school has the following insurance coverage:

A. Insurance required by authorizer. The types and amounts of insurance liability coverage required by the contract with Nasha Shkola's authorizer. Any changes in insurance carrier or policy must be provided to Nasha Shkola's authorizer within 20 business days of the change.

B. Insurance required by statute. Liability insurance for its officers, employees and agents, for damages, including punitive damages, resulting from its torts and those of its officers, employees and agents including torts specified in Minn. Stat. §466.03.

C. Insurance limits. The insurance limits shall be as described in Minnesota Statutes chapter 466.

Legal Reference: Minn. Stat. §124D.10 subd. 6(9) and subd. 20 (Charter School Law)
Minn. Stat. §466

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 5/12/2016
Revised: 11/17/2020

NASHA SHKOLA POLICY No. 8.6

APPLICABILITY OF NON PROFIT LAW

I. PURPOSE

The purpose of this policy is to describe the applicability of non-profit law to Minnesota's Charter School Law.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to comply with applicable non-profit law to the extent that it does not conflict with the law applicable to charter schools under Minn. Stat. § 124D.10.

III.

Minnesota's Non-Profit Law apply to the operation of Nasha Shkola except to the extent that provisions of Minnesota's Charter School Law conflict with the same. The Board shall ensure that when policies including but not limited to conflict of interest and board governance issues are adopted, such policies shall conform to the more restricted language in Minnesota Statutes section 124D.10.

Legal Reference: Minn. Stat. §124D.10 subd. 4 (Charter School Law)
Minn. Stat. §317A (Non-profit law)

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

Adopted: 5/12/2016

Revised: 11/17/2020

NASHA SHKOLA POLICY No. 8.7

SERVICE ANIMALS

I. STATEMENT OF POLICY

Service animals are permitted to accompany a person with disabilities on school property and school buses consistent with the American's with Disabilities Act as Amended, Minnesota Statute §256C and Minnesota Statute §363A.19. A person who is training a dog to be a service dog shall also be permitted to have the dog on school property.

II. DEFINITIONS

A service animal is defined for the purposes of this policy as a dog trained to do work or perform a specific task(s) for a person with disabilities.

III. RESPONSIBILITY OF THE PERSON

- A. The person with a disability must properly harness or leash the service animal unless her disability prevents harnessing or leashing and must maintain control of the animal.
- B. The person shall be liable for any damage done to property or persons by the dog.
- C. The person is responsible for the humane care and treatment of the service animal.
- D. The person may be asked to remove the service animal if it poses a significant health or safety risk.

Legal References: ADAA, 42 U.S.C. §1210 *et seq.* (Title)
Minn.Stat. §§256C.01-.03 (Title)
Minn. Stat. §363A.19 (Title)
28 C.F.R. 35.104 (Title)

Adopted: 5/12/2016
Revised: 11/17/2020

NASHA SHKOLA POLICY NO.: 8.8
DISTRIBUTION OF NONCURRICULAR MATERIALS ON SCHOOL
GROUPS BY EMPLOYEES AND STUDENTS

I. PURPOSE

The purpose of this policy is to establish guidelines regarding the time, manner and place of distribution of noncurricular materials on school grounds by employees and students.

II. POLICY STATEMENT

It is the policy of the Board of Nasha Shkola to recognize the importance of protecting the First Amendment rights of students and employees while ensuring that the educational processes of the school are not disrupted, that public property is safeguarded and that the rights of others are protected.

III. GUIDELINES FOR DISTRIBUTION.

A. Students and employees may distribute, at reasonable times and places as set forth in this policy, and in a reasonable matter, noncurricular materials.

B. Prohibited Materials. The following materials may not be distributed:

1. Obscene material;
2. Libelous or slanderous material;
3. Material that is lewd and offensive;
4. Material that contains vulgar language;
5. Material that advertises or promotes drug and/or alcohol use;
6. Material that advocates violence or illegal conduct;

7. Materials that contain language violating Board policy regarding harassment, discrimination, hazing, violence in the workplace or bullying;
8. Materials that the administration has reason to believe are likely to cause a material and substantial disruption of the educational environment or will result in injury to others.

C. Determinations Regarding Distribution. Written requests to distribute noncurricular materials should be made to the [Executive Director or other administrator] at least 48 hours before the requested distribution time. In making a determination regarding whether the materials may be distributed administration will be guided by, but not limited to, the following considerations:

1. Whether the material is educationally related;
2. Whether the time, manner and/or place of distribution is reasonable;
3. The extent to which the distribution may cause disruption of the educational process or the rights of others;
4. Whether the materials are a solicitation for goods or services not requested by those who are to receive the materials.

The time, manner and place of distribution shall be solely within the discretion of the administration consistent with this policy.

Legal References: *Tinker v. Des Moines Independent Community Schools*, 393 U.S. 503 (1969)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Bethel School District v. Frazer, 478 U.S. 675 (1986)

Morse v. Frederick, 551 U.S. 393 (2007)