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## 216 Authorizer Notification Requirement Policy

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### Purpose

To ensure timely, accurate, and compliant notification to the school's authorizer whenever the school becomes aware of a Significant Claim that could reasonably affect student safety, educational services, fiscal health, legal compliance, or the school's ability to meet obligations under its charter contract and state law.

This policy supports the authorizer's oversight role under Minn. Stat. §124E.05 and the charter-contract framework under Minn. Stat. §124E.10.

### 1. Scope

This policy applies to the Board of Directors, the Executive Director (or designee), all administrators and managers, and any third-party service providers who manage operational, legal, financial, or compliance matters on behalf of the school pursuant to the charter contract and Chapter 124E.

### 2. Definitions

- A. "Authorizer." The entity approved under Minn. Stat. §124E.05 that has entered into the charter contract with Three Rivers Montessori.
- B. "Significant Claim." Any of the following, whether asserted, threatened, filed, reported, or under investigation, and whether made against the school, its board, employees, agents, or contractors in connection with school operations:
- C. A lawsuit, administrative charge, or demand seeking monetary, injunctive, or other relief (e.g., tort, contract, Title IX/Title VI/Section 504/IDEA, employment, or whistleblower claims).
  - Examples:
    - *A former employee files a wrongful termination lawsuit under employment law.*
    - *A student alleges discrimination under Title IX or Section 504 and files*



operations or materially affect student or staff safety or the school's ability to deliver its program.

○ Examples:

- A gas leak or chemical spill in a classroom requiring evacuation.
- Structural damage to a building due to a storm or other natural event.
- Active threat or other serious security threat on school premises.
- Fire alarm or sprinkler system failure causing disruption of school operations.
- Widespread illness outbreak that necessitates school closure.

This policy adopts a clear five-business-day standard to ensure timely authorizer oversight consistent with Minn. Stat. §§ 124E.05 and 124E.10.

### **3. Notification Requirement**

- A. *Timeline.* The Executive Director (or designee) must notify the Authorizer and Board Chair as soon as is practicable. Notification is required within five (5) business days after the school first becomes aware of a Significant Claim.
- B. *Interim Notice.* If material facts are incomplete within five business days, the school must send an initial notice by the deadline and follow with written updates as information becomes available.

### **4. Content of the Notice**

Each written notice to the Authorizer should include, to the extent known and legally shareable:

- Brief description of the Significant Claim, including date of occurrence or receipt.
- Parties involved (initials or titles if required to protect private data under Minn. Stat. ch. 13).
- Forum and status (e.g., agency, court, insurer, internal investigation).
- Potential impact on operations, finance, compliance, or student services.
- Immediate actions taken (e.g., safety steps, counsel retained, insurer notified).
- Next milestones and anticipated timelines.
- Point of contact at the school.

### **5. Confidentiality and Data Practices**

The school must limit or redact private data consistent with the Minnesota Government Data Practices Act (Minn. Stat. ch. 13) and other applicable privacy laws, while still providing enough detail to enable the Authorizer's oversight as contemplated by Minn. Stat. § 124E.10.

Depending on the nature of the incident, Board Members and school employees may be bound by confidentiality requirements. The Board receives a closed-session update when permitted by law (Minn. Stat. ch. 13D) to protect private/nonpublic data and attorney-client privileged discussions. For more information, see *Policy 213. Open and Closed Meetings Policy*, and *Policy 205. Recording Closed Meeting Policy*, and relevant state statutes.

## **6. Internal Roles & Escalation**

All staff must promptly route any notice, complaint, demand, or government inquiry that could constitute a Significant Claim to the Executive Director the same business day received.

In the event that the Executive Director is not available or the claim involves the Executive Director, the report should be made to another member of the leadership team, who will notify the authorizer and Board Chair.

The Executive Director coordinates triage, engages legal counsel/insurers, and leads Authorizer communications.

The Board Chair is notified by the Executive Director of any Significant Claim at or before the time of Authorizer notice; if the claim involves the Executive Director, the Board Chair assumes responsibility for notification.

## **7. Documentation & Recordkeeping**

Notices and related records are retained per the school's retention schedule and any applicable state requirements.

It is recommended that the Board Chair also keep a digital copy in the shared drive to ensure continuity through board and executive director leadership changes.

## **8. Insurance Coordination**

For any matter that may implicate insurance coverage, the Executive Director must notify the insurer(s) according to policy terms and include a statement in the Authorizer notice indicating that insurers have been notified.

The school will maintain coverage types and limits consistent with the charter contract and Minn. Stat. ch. 466 and provide proof to the Authorizer upon request.

## **9. Non-Retaliation**

No employee, student, parent/guardian, volunteer, or contractor shall face retaliation for reporting a concern in good faith that could constitute a Significant Claim or for assisting in an investigation.

## **10. References**

This policy is adopted pursuant to, and shall be interpreted consistent with, including but not limited to:

Minn. Stat. § 124E.05 (Authorizers): establishes authorizer roles and oversight responsibilities.

Minn. Stat. § 124E.10 (Charter Contract): requires key operational, fiscal, insurance, and indemnification terms that underpin authorizer oversight.

Minn. Stat. ch. 13 (Data Practices) & ch. 13D (Open Meeting): governs handling of private data and closed session parameters.

Minn. Stat. ch. 466 (Municipal Tort Liability): frames public entity liability and insurance considerations.