



Board Meeting Date: 5/15/2023

Title: Policy Review

Type: Action

Presenter(s): Board Policy Committee

Description: The following policies have been reviewed with an eye toward clarity, District practice, and alignment with State and Federal statutes.

- Policy 206 Public Hearings and Public Participation in School Board Meetings, Data Privacy Considerations
- Policy 710 Acceptance and Use of Grant Funding
- Policy 712 Signing of Checks on Behalf of the District

Recommendation: Approve the suggested modifications for Policies 206, 710, 712.

Desired Outcome(s) from the Board: Approve suggested modifications.

Attachments:

1. Policy 206 Public Hearings and Public Participation in School Board Meetings, Data Privacy Considerations
2. Policy 710 Acceptance and Use of Grant Funding
3. Policy 712 Signing of Checks on Behalf of the District

School Board

Public Hearings and Public Participation in School Board Meetings, Data Privacy Considerations

I. Purpose

- A. The school district recognizes the value of participation by the public in deliberations and decisions on district matters. Although providing an opportunity for input in a limited public forum to a school board is not required under Minnesota Statutes, the school board recognizes the value of receiving input from members of the public relating to school district matters. The school board expects that all public comment be conducted with orderly and efficient proceedings with opportunity for expression of all participant's respective views.
- B. This policy provides procedures to ensure an opportunity for open and orderly public input as well as to protect the due process and privacy rights of individuals under the law.

II. General Statement of Policy

- A. The school district encourages community input on subjects related to the district at its meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate communication by all interested parties.
- B. The board must protect the legal rights to privacy and due process of employees and students, as provided by Federal and Minnesota State law.
- C. Public comment will be heard at Regular School Board meetings when the "Hearing from Members of the Public" agenda item is included on the agenda.

III. The Public's Opportunity to Be Heard

The school board will strive to give all community members, including students, stakeholders an opportunity to be heard and to have complaints considered and evaluated within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions.

IV. Public Hearings

Public hearings are required by law to be held concerning certain issues, including but not limited to, school closings (Minn. Stat. § 123B.51), education district

establishment (Minn. Stat. § 123A.15), and agreements for secondary education (Minn. Stat. § 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the discretion of the board.

V. Rights to Privacy

- A. School district employees, volunteers, and independent contractors have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
 - 1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
 - 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
 - 3. right to consideration by the board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data); [and](#)
 - 4. right to a private hearing for head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
 - 1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
 - 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act); [and](#)
 - 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

VI. Procedures

A. Agenda Items

- 1. Community members who wish to [address the board](#) ~~have a subject discussed~~ at a public school board meeting [where “Hearing from Members of the Public” is included on the agenda](#), may indicate their interest in doing so in one of the following ways:
 - 1. ~~are encouraged to~~ notify the [Administrative Assistant in the Superintendent’s office](#) in advance of the [school board meeting](#); [or](#)

2. upon arrival at the school board meeting, request and submit a completed form to the Administrative Assistant;

The community member will be asked to complete a form and should provide his or her their name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.

2. Community members who wish to address the board on a particular subject should identify the subject and identify the agenda item(s) to which their comments pertain.
3. The board chair will recognize one speaker at a time, and will rule out of order other speakers who are not specifically recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by other persons are out of order. Persons who interfere with or interrupt speakers, the board, or the proceedings may be directed to leave.
4. The board retains the discretion to limit public comment discussion of any agenda item to a reasonable period of time as determined by the school board.
5. If a group or organization wishes to address the board on a topic, the board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
6. Matters proposed for placement on the agenda that may include (1) data privacy concerns, (2) preliminary allegations, or (3) which may be potentially libelous or slanderous in nature materials will not be considered in public, but will be processed as determined by the board in accordance with governing law.
7. The board chair will promptly rule out of order any discussion by any person, including a board member, which would violate the provisions of this policy, or state or federal law, or the statutory rights of privacy of an individual.
8. Personal attacks by anyone addressing the board are unacceptable. Persistence in such remarks by an individual terminates that person's privilege to address the board.
9. Members of the public may not engage in conduct that disrupts any part of a School Board meeting, or that otherwise impedes the board's ability to conduct its business in an orderly and efficient manner.
10. Depending upon the number of persons in attendance seeking to be heard, the board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient and fair opportunity for those present to be heard.

11. It is the practice of the School Board not to engage in discussion or debate with a speaker during Hearing from Members of the Public. The School Board Chair, Superintendent or designee may follow up with the speaker at a later date/time.
12. The remarks of public speakers may be livestreamed, assuming appropriate demeanor and decorum are maintained and where expectations outlined in this policy are followed. The Board Chair will rule out of order any speaker determined to be out of compliance with these expectations. Rebroadcasts of public comments are subject to redaction of words or statements considered to be in violation of the established expectations or that may violate any state or federal laws. The School Board reserves the right to not livestream or replay public comments made at School Board meetings if such comments are considered to be in violation of established protocols, if delivered without appropriate demeanor and decorum, and/or if the comments violate the privacy rights of individuals.

B. Formal Complaints

1. School Board meetings are not an appropriate venue during which to file a specific complaint against a staff member or the school district. Filing a complaint should be done according to the steps outlined below:
 - a. Complaints about an employee should first be directed to the employee or to the employee's immediate supervisor. (See Policy 104, Complaints – Students, Employees, Parents, Other Persons)
 - b. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or ~~other official as designated in the district policy~~ **the Director of Human Resources**, governing that kind of complaint. ~~In the absence of a designated person, the matter should be referred to the superintendent.~~
 - c. Unresolved complaints from ~~paragraph a of~~ this section should be directed to the superintendent's office.
 - d. Complaints that are unresolved at the superintendent's level may be brought before the board by notifying the board in writing.

C. Open Forum

The board ~~may will normally~~ provide a specified period of time where persons may address the board on any topic, subject to the limitations of this policy. The board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The board may decide to hold certain types of public meetings where the public will not be invited to address the board (e.g., work sessions, board retreats, Special School Board meetings). The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board. Periodically, Closed Meetings may be held where attendance and speaking opportunities are not allowed.

Procedures listed above at VI.A. for Agenda Items are equally applicable to Open Forums.

- D. In addition to directly addressing the school board during Hearing from Members of the Public agenda item, there are a number of alternative ways that members of the public may share feedback about the governance and operations of the school district. They include but are not limited to:
1. connecting directly with the school principal or program supervisor;
 2. emailing the school superintendent who will determine the most appropriate person who can best address the question/concerns;
 3. emailing the school board to share inputs or express concerns;
 4. calling or emailing the Superintendent's Administrative Assistant to inquire about providing input or;
 5. requesting a communication from the Superintendent or appropriate district representative through the superintendent's administrative assistant; and
 6. others as determined.

VII. ~~Penalties for Violation of Data Privacy~~ Violations

- A. A person who willfully violates data privacy laws or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)
- B. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, ~~data privacy laws~~ constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)
- C. If a speaker violates any of the established procedures or engages in any prohibited conduct, the board chair will rule the speaker out of order.
- D. If repeated violations or disruptions occur, any of the following steps may be taken:
1. The School Board Chair may require the speaker to immediately end their presentation.

2. If the speaker persists in violating any procedure or rule, the speaker will be directed to leave the premises and not return, a no trespass order may be issued, and a referral may be made to law enforcement.
 3. The School Board Chair may call a recess and order that the room be cleared.
 4. Any School Board member may make a motion to immediately end the public comment period.
 5. The School Board may vote to suspend public comment at meetings and to require that all public comments be in writing.
- E. The district will refer potential incidents of disorderly conduct to law enforcement. (Minn. Stat. § 609.72)

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
[Minn. Stat. § 13.43 \(Personnel Data\)](#)
[Minn. Stat. § 13.601, Subd. 3 \(Applicants for Appointment\)](#)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
[Minn. Stat. § 13D.05 \(Open Meeting Law Meetings Having Data Classified As Not Public\)](#)
[Minn. Stat. § 121A.47, Subd. 5 \(Student Dismissal Hearing Exclusion and Expulsion Procedures; Closed or Open Hearing\)](#)
[Minn. Stat. § 122A.33, Subd. 3 \(Coaches; Opportunity to Respond License and Degree Exemption for Head Coach; Notice of Nonrenewal; Opportunity to Respond\)](#)
[Minn. Stat. § 122A.40, Subd. 14 \(Teacher Discharge Hearing Employment; Contracts; Termination; Hearing Procedures\)](#)
[Minn. Stat. § 122A.44 \(Contracting with Teachers; Substitute Teachers\)](#)
[Minn. Stat. § 123A.15 \(Education District Establishment Establishing Education Districts\)](#)
[Minn. Stat. § 123A.30 \(Agreements for Secondary Education\)](#)
[Minn. Stat. § 123B.02, Subd. 14 \(Employees; Contracts for Services General Powers of Independent School Districts; Employees; Contracts for Services\)](#)
[Minn. Stat. § 123B.51, Subd. 5 \(School Closings Schoolhouses and Sites; Uses for School and Nonschool Purposes; Schoolhouse Closing\)](#)
[Minn. Stat. Ch. 363A. Human Rights](#)
[Minn. Stat. Ch. 260E \(Reporting of Maltreatment of Minors\)](#)
[Minn. Stat. § 609.72 \(Disorderly Conduct\)](#)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 Minn. Op. Atty. Gen. No. 852 (July 14, 2006)

Cross References:

Policy 104 (Complaints – Students, Employees, Parents, Other Persons)
Policy 205 (Open Meetings and Closed Meetings)
Policy 406 (Public and Private Personnel Data)
Policy 515 (Protection and Privacy of Student Records)

INDEPENDENT SCHOOL DISTRICT [NO. 273](#)
Edina, Minnesota

Policy
adopted: 05/21/07
amended: 11/13/12
revised: 11/19/18

Non-Instructional Operations and Business Services

Acceptance and Use of Grant Funding

I. Purpose

This policy defines the parameters for grant submittals and, if approved, implementation of the grants.

II. General Statement of Policy

The school district supports individuals or groups who seek additional funding through grant applications. The approval of the grant and the monitoring of the funding will be controlled and maintained by the school district to ensure that the interests of all students are met. Grant applications must align with the mission and goals of the district, school or individual program.

III. Definitions

- A. “Grant” is the funding from a source **pursuant to an application submittal that is** outside the district’s routine revenue sources. This includes local, state and national organizations, businesses, foundations, government agencies, and individuals.
- B. “Matching funds” are funds required to be provided by the district in order to meet the shared funds from the grant. These funds must be identified prior to the grant being submitted and approved by the superintendent.
- C. “Administrative contact” is the administrator designated by the superintendent who will serve as the contact for all grant applications and reviews.

IV. Approval of Grant ~~Writing Funding~~ **Applications**

- A. Any staff or school-sponsored organization or club may seek grant funding support to address a specific need or enhance identified educational experiences and opportunities. Any individual or group seeking a grant application must initiate ~~a contact with the director of teaching and learning~~ **community education and strategic partnerships and the director of business services** to ensure district guidelines and timelines are met. **Grant applications must take the manner and form prescribed by the director of community education and strategic partnerships (see Appendix I).**

B. An approved grant application must meet the following considerations to receive approval by the superintendent:

1. An identified need must be established.
2. A grant application must be completed in full, including all supporting documents.
3. All matching funds must receive the superintendent's approval prior to the grant being forwarded to the school board.
4. Funding for the grant must be in accordance with district accounting procedures.
5. The value of services to the district will be balanced against the commercial gain of the grantor on applications that involve commercial businesses, companies, or organizations.
6. The district retains the right to restrict the recognition given to a private business or company related to grants.

C. ~~As necessary~~ **If required by the granting agency**, the superintendent will forward grant applications to the school board for approval.

V. Accounting of Grant Funding

- A. All funds raised from grants ~~will~~ **must** use district accounting procedures. The funds must be used as designated in the grant.
- B. All reports and evaluations of the grant must be completed by the individual or group completing the application.

VI. Documentation of Grant Applications and Materials

Records of all grant applications and approved grants will be maintained at the district office. These materials will be shared with the public upon request.

Cross References:

Policy 912 (Community Relations: Partnerships - Community Organizations, Governmental Entities, Educational Institutions, and Other Organizations)

Policy 913 (Community Relations: Partnerships - Parent Organizations and Booster Clubs)

Policy
adopted: 10/25/10
Revised: 9/22/14
Reviewed: 2/27/17

INDEPENDENT SCHOOL DISTRICT NO. 273
Edina, Minnesota



[NEW APPENDIX ADDED]

Appendix I to Policy 710

Acceptance and Use of Grant Funding Process

In accordance with Edina Public Schools Policy 710, this document *defines the parameters for grant submittals and, if approved, implementation of the grants.*

Edina Public Schools (EPS) uses a grant application process for employees to support Policy 710. Grants or Requests for Proposals (RFPs) are often leveraged to test an idea, for innovative practices, or to enhance current work. The word *grant* and phrase *Request for Proposal*, referred to as *RFP*, can be used interchangeably. Typically, both require some form of narrative and budget, and if awarded, a contract or agreement needs to be signed and carefully executed. There are only **two personnel** in the district that have been **assigned signatory authority** by the EPS School Board: The Superintendent and the Director of Business Services.

There are many types of grants which can offer a range of funding from \$1 - \$1M+ and a variety of funders: local entities; state and national organizations; businesses; foundations; government agencies; and individuals.

If you are considering applying for a grant, please use the visual titled: **EPS Grant Proposal Required Steps to Navigate Grant Application Process on the last page of this document** and the following instructions.

Instructions

Funders oftentimes expect consistency in writing styles, branding, and organizing information. Centralizing information required from grant awards is critical to meeting deadlines and keeping funders satisfied with our progress. The Director of Business Services and Director of Community Education and Strategic Partnerships are the designated district leaders and must be involved in the grant writing process.

Step 1

Identify why you, on behalf of Edina Public Schools, need this grant funding:

- Does the funding align with our district's vision and mission?

- Are you certain this funding doesn't represent duplicate efforts in the district?
- Brainstorm reasons why you want to apply for this grant funding.
- Develop reasonable and achievable goals, objectives, and outcomes that align with the intent of the grant.
- Create roles and responsibilities that are reasonable for everyone to integrate into their current workload including grant management and reporting.
- Ask yourself, *do I have all the information needed to proceed to step two?*

Step 2

Notify your building administrator(s) or direct supervisor and team members (e.g., peer teachers, peer team members) and relevant stakeholders that this grant funding would affect. This is a time to *gather more information, consider their reactions, gather and weigh options, and decide as a team*:

- Ensure that your project is viable.
 - *Does the grant meet the vision, mission, and strategic priorities of Edina Public Schools?*
 - Are you certain this funding doesn't represent duplicate efforts in the district?
 - *What will this funding do to enhance our work or fill a need?*
- Thoroughly review the application requirements and backwards map the time needed to complete the application to meet the deadline.
 - Schedule a meeting with the Director of Business Services and Director of Community Education and Strategic Partnerships. **Two weeks in advance of grant submission deadline is required.**
 - If you do not have that amount of time, email the Director of Community Education and Strategic Partnerships Director and we will review the request on a case-by-case basis.

Step 3

Organize and prepare the grant application narrative response and budget by:

- Creating a shareable document that embeds application requirements, questions, and your responses.
- Creating a shareable document that reflects the required budget format.

Step 4

Gather feedback on your application draft and the requirements needed to submit the proposal:

- Enter information into the EPS Grant Dashboard.
- Share the narrative and budget draft with the Director of Business Services and Director of Community Education and Strategic Partnerships for their review.
- Meet with the Director of Business Services and Director of Community Education and Strategic Partnerships to discuss your plan.
- Submit the application with the proper signatures and copy the Director of Business Services and Director of Community Education and Strategic Partnerships.

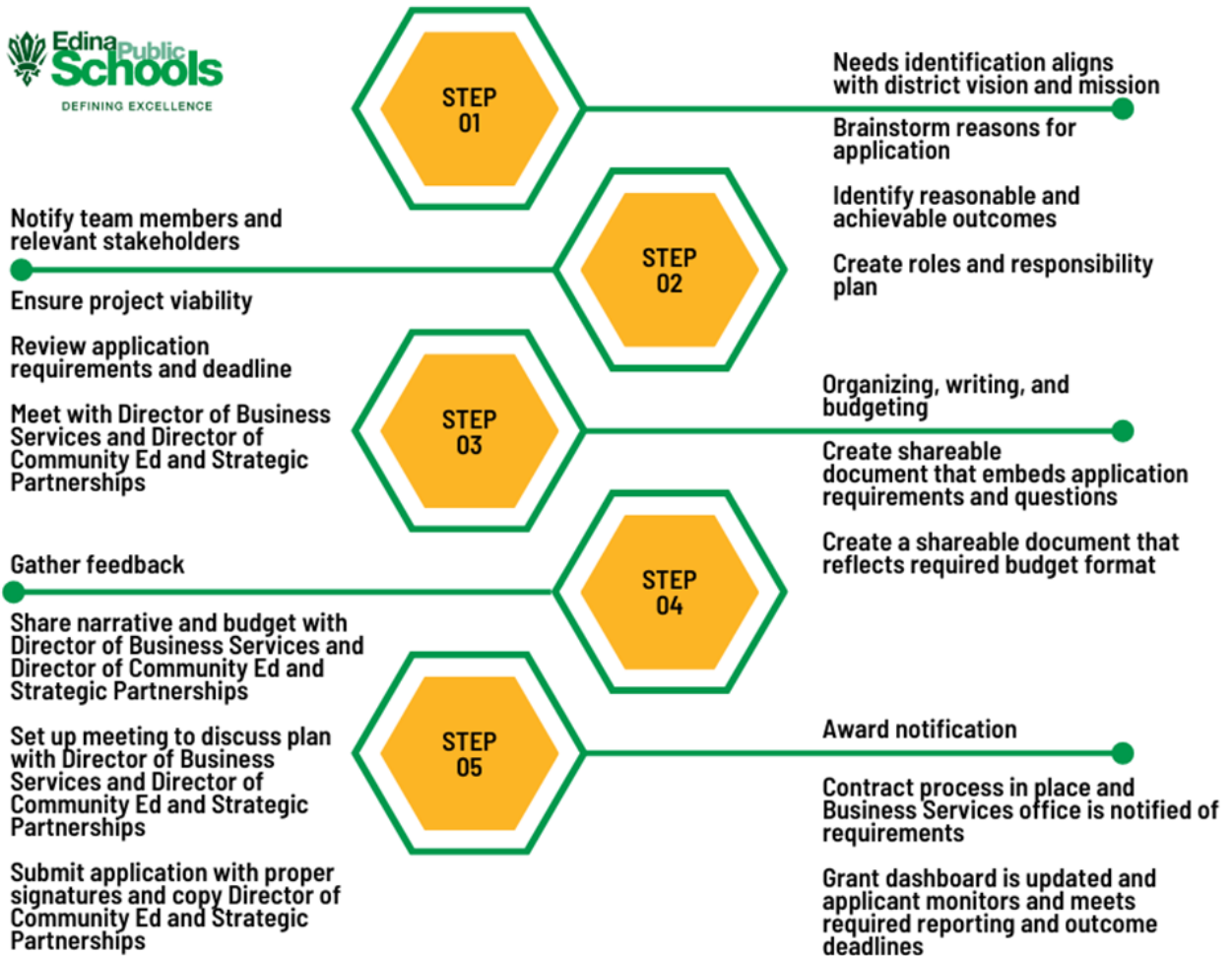
Step 5

If you are awarded the grant, please follow these steps:

- Notify the Director of Business Services regarding any contracts that need to be signed – contracts must be signed by Superintendent or the Director of Business Services.
- Update the EPS Grant Dashboard. Monitor and meet required reporting and outcome deadlines.
- Provide the Director of Community Education and Strategic Partnerships with information about changes and updates that occur during the grant period.

Please note that grant applications often require standard cover page boilerplate information, e.g., district tax identifying information, grant request amount, cost per participant, Superintendent contact information, main contact information, and signatures. Contact the Director of Community Education and Strategic the Director of Business Services and Director of Community Education and Strategic Partnerships for this information.

EPS GRANT PROPOSAL PROCESS REQUIRED STEPS TO NAVIGATE GRANT APPLICATION PROCESS



Non-Instructional Operations and Business Services

Signing of Checks on Behalf of the District

I. Purpose

This policy defines the process for signing of checks on behalf of the school district.

II. General Statement of Policy

The school district will implement a process for the signing of checks to withdraw funds by check, draft, or warrant.

III. Procedures

Any and all funds standing to the credit of the school district, in any bank or similar financial institution, may be withdrawn by check, draft, or warrant when the same has been signed in the name of the school board in the following manner:

- A. The regular and usual signature will be by a check-signing machine or stamp which will imprint at least two of the following facsimile signatures on each such check, draft, or warrant: the chairperson, the clerk and/or the treasurer of the school board, and/or other administrators designated by school board resolution.
- B. In any emergency, including mechanical failure of the check-signing machine, or, in any event upon a determination by the majority of school board members present and voting at any regular or special meeting, checks may be hand signed by any three members of the school board.
- C. Signatories on revolving fund checking accounts will be designated by school board resolution.

Policy
adopted: 10/25/10
Revised: 9/22/14
Reviewed: 2/27/17

INDEPENDENT SCHOOL DISTRICT NO. 273
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