



EL 2.4 Treatment of Staff

Policy Quadrant: Executive Limitations

- Monitoring Time Frame: ~~July 2022–June 2023~~ July 2023–June 2024
- Date of School Board Monitoring: ~~October 23, 2023~~ October 28, 2024

Board Policy Monitoring Motions:

- Operational Interpretation is/is not reasonable
- Board does/does not accept the Superintendent's assertion of compliance/non-compliance

Global Constraint:

The Superintendent shall not cause or allow a work environment that is unsafe, unwelcoming, inequitable, disrespectful, unclear or that otherwise inhibits effective staff performance.

OPERATIONAL INTERPRETATION:

1. An *unsafe* work environment is one that does not protect employees from known dangers.
2. An *unwelcoming* work environment is one in that employees perceive as hostile or unreceptive.
3. An *inequitable* work environment can be described as one that District fails to treat employees in a manner that is considered fair and just.
4. A *disrespectful* environment is one that is discourteous and rude.



JUSTIFICATION:

1. School district employees are provided a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm. (Minnesota Statute section 182.653, Subdivision 2; Policy 407)
 - a. The District maintains a “Non-contract Grievance” procedure for all staff based on Regulation 401.11R
2. Staff are made to feel welcome in the following ways:
 - a. Honoring and complying with the Minnesota Veterans Preference Act (Policy 405)
 - b. The District seeks to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Policy 413; Minnesota Statute section 121A.03)
 - c. District policy states that employees must report behavior that is in violation of policy.
3. Staff are provided equity by the District in the following ways:
 - a. The school district is an equal employment opportunity employer (Policy 401)
 - b. Providing a fair employment setting for all persons and to comply with state and federal law (Policy 402)
 - c. Providing progressive discipline through due process (Collective Bargaining Agreements, At-Will Work Agreements, as outlined in the Supervisor Manual).
4. Staff are respected through the following means:
 - a. Protection of Public and Private Personnel Data (Policy 406)
 - b. Submission of a good faith mandated report under Minnesota law and this policy will not adversely affect the reporter’s employment (Policy 414 & 415).

MEASUREMENT PLAN:

1. Compliance with all child provisions of the policy.
- ~~2. Percentage of reports or complaints that were addressed promptly and appropriately during the reporting period.~~



EVIDENCE:

1. All child policies were deemed in compliance.
2. ~~100% of reports or complaints filed are promptly investigated and appropriate action is taken.~~

STATEMENT OF ASSERTION:

EL 2.4 is reasonable and in compliance.

BOARD NOTES:

2.4.1

Furthermore, the Superintendent shall not: Allow staff to work without a written job description.

OPERATIONAL INTERPRETATION:

Every staff position type is defined in writing to include title, purpose, primary customers, position qualifications and essential responsibilities.

JUSTIFICATION:



Job descriptions in the district include title, purpose, primary customers, position qualifications, and essential responsibilities/functions.

MEASUREMENT PLAN:

Job descriptions are reviewed on a periodic basis, and reviewed at the posting of a vacancy.

EVIDENCE:

100% of staff positions have a job description. 100% of jobs posted include the minimum requirements and qualifications for the position.

STATEMENT OF ASSERTION:

EL 2.4.1 is reasonable and in compliance.

BOARD NOTES:

2.4.2

Furthermore, the Superintendent shall not: Operate without accessible, clearly-written personnel policies.

OPERATIONAL INTERPRETATION:

Clearly written and accessible personnel policies are:

1. Written in such a way to be understood by employees



2. Easily obtained by the employee and employer
 3. A vital communication tool between the District and its employees, and contain the following:
 - a. District employee expectations, and;
 - b. Employee rights,
 - c. The legal obligations as an employer
 4. When a report or complaint regarding a violation of a policy is reported, a process is in place to investigate and resolve the report or complaint.
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JUSTIFICATION:

Eden Prairie Schools is a member of the Minnesota School Boards Association. One of the benefits of membership is access to model policies, including those related to personnel. The model policies are written and vetted by prominent Minnesota law firms. Each policy is reviewed and updated at least every three years or at such time as the prevailing state or federal law or rule is changed. Upon notice of a policy update, the District begins a process of updating.

MEASUREMENT PLAN:

1. Multi-modal access and exposure to rules of the workplace as demonstrated in the Operational Interpretation above; and
 2. Percentage or number of reports or complaints that are outstanding or not resolved regarding violation of district policy during the reporting period.
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EVIDENCE:

1. Multi-modal access has been provided and expectations have been met including:
 - a. 100% of district policies were posted online and annual review process of policy updates based on MSBA model policy was completed during the monitoring period.



- b. All employees hired to the district received:
 - i. A new hire orientation which includes training on district policies & procedures.
 - ii. 100% of staff sign off on acknowledgement of district policies and procedures.
- c. Collective bargaining agreements and employee contracts are available on the district’s EpNet or in the district’s human resources office.
- d. All of the required federal and state mandatory posting notices are posted in each building in a common area (typically a staff lounge) and are updated annually.

2. There are zero outstanding or unresolved reports or complaints as of June 30, 2024.

STATEMENT OF ASSERTION:

EL 2.4.2 is reasonable and in compliance.

BOARD NOTES:

2.4.3 Furthermore, the Superintendent shall not: Operate without a reasonable, formal evaluation policy for all staff.

OPERATIONAL INTERPRETATION:

A reasonable, formal evaluation policy is one that is officially sanctioned, performed in accordance within the rules set forth, that forms a judgment using a logical process.



JUSTIFICATION:

1. Board Policy BMD 3.4 sets forth the goals and process used to evaluate the Superintendent.
 2. The Superintendent evaluates and provides direction and feedback to Executive Cabinet personnel on an ongoing and annual basis. Evaluations are based on key attributes of leadership and mutual goal setting.
 3. Executive Cabinet members evaluate their subordinates annually through the use of mutually agreed upon professional goals evaluation process.
 4. The principal accountability laws require a superintendent to use a performance based system to annually evaluate each school principal assigned to supervise a school building within the school district (Minnesota Statute section 123B.143, subdivision 1; section 123B.147, subdivision 3). The evaluation is to improve teaching and learning by enhancing the principal's ability to shape the school's professional environment and support and improve school performance, student achievement, and teacher quality, performance, and effectiveness.
 5. The teacher accountability laws allow a school board and the exclusive representative of the teachers to jointly agree to an annual teacher evaluation and peer review process for probationary and non-probationary teachers
 6. (Minnesota Statute section 122A.40, subdivisions. 4, 5, 8, 9; and section 122A.41, subdivisions 2, 3, 5, 6). If there is no agreement, the district must implement the teacher evaluation and peer review process developed by the education commissioner and specified education stakeholders. Annual teacher evaluations are designed to develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success.
 7. Classified Staff are evaluated annually using a codified evaluation system.
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MEASUREMENT PLAN:

The Executive Director of Human Resources shall report annually on the status of the employee evaluation system and adherence to the justifications as listed above.

EVIDENCE:

100% of staff is evaluated on an ongoing basis as approved by the Superintendent.



STATEMENT OF ASSERTION:

EL 2.4.3 is reasonable and in compliance.

BOARD NOTES:

2.4.4 Furthermore, the Superintendent shall not: Allow staff to be unprepared to deal with emergency situations.

OPERATIONAL INTERPRETATION:

1. School emergency planning directs staff and student preparation and response. Knowing how to respond during a crisis helps everyone remain calm, understand their role, and act as safely and efficiently as possible. Emergency planning includes all risks, crises, and emergencies schools may encounter.
(Source: Keeping Minnesota Ready: Comprehensive School Safety Guide; Homeland Security and Emergency Management)
2. The State of Minnesota and OSHA require that employees understand the potential risks inherent in their particular workplace and that the workplace be safe.

JUSTIFICATION:

1. Careful planning, practice, and effective response, saves lives, prevents injuries and minimizes property damage. Exercising, reviewing and revising both school and district emergency plans is crucial to keeping plans current and aligned with best practices.
(Source: Keeping Minnesota Ready: Comprehensive School Safety Guide; Homeland Security and Emergency Management)
 - a. The District Crisis Plan contains procedures for the various hazards/emergencies.



2. "To qualify for health and safety revenue, a school board must adopt a health and safety policy. This policy must include provisions for implementing a health and safety program that complies with health, safety, and environmental regulations and best practices including indoor air quality management. (Minnesota Statute 123B.57) General areas of emphasis for the district Health and Safety Program include but are not limited to:

- Asbestos
- Fire and Life Safety
- Lightning
- Structural Safety
- Combustible and Hazardous Materials Storage
- Indoor Air Quality
- Mechanical Ventilation
- Mold Cleanup and Abatement
- Accident and Injury Reduction Program
- Infectious Waste/Blood borne Pathogens
- Community Right to Know
- Compressed Gas Safety
- Confined Space Standard
- Electrical Safety
- First Aid/CPR/AED
- Food Safety Inspection
- Forklift Safety
- Hazardous Waste
- Hearing Conservation
- Hoist/Lift/Elevator Safety
- Integrated Pest Management
- Laboratory Safety Standard/Chemical Hygiene Plan
- Lead
- Control of Hazardous Energy Sources (Lockout/Tagout)
- Mechanical and Power Equipment Safety
- Mercury



- Personal Protection Equipment (PPE)
 - Playground Safety
 - Radon
 - Respiratory Protection
 - Underground and Above Ground Storage Tanks
 - Welding/Cutting/Brazing
 - Swimming Pool Safety
 - Ladder/Fall Protection
 - Bleacher Inspections
 - Boiler Inspections
 - Crisis Management
 - Emergency Response Procedures
 - Fire Prevention
 - Other areas determined to be appropriate by the Facilities and Safety Department.
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MEASUREMENT PLAN:

1. By June 30 of each year, all Site Leaders or their designees shall complete a Self-Assessment Checklist that reports on the following criterion related to safety preparedness during the preceding school year:
 - The Emergency Plan—*District Office only*
 - Policy—*District Office only*
 - Drills
 - Building Access
 - Keys and Identification
 - Visitor Procedures
 - Staff Training
 - Physical Climate
 - Communications
 - General Exterior
 - Buses and Parking



- Playground/Recreation Areas
 - Deliveries
 - General Interior
 - Cafeteria
 - Gymnasium Area(s)
 - Specialized Areas
 - Monitoring and surveillance
2. The Health and Safety Program is monitored using the following: Annual “Mock” OSHA Inspection conducted by an outside entity ([Metro EESU Brightworks](#) or Institute for Environmental Assessment) OSHA Inspections –this process occurs on a random basis and is generally unannounced.
 3. A Safe Learning Plan will be developed and the Incident command team will be used to create a plan, ~~monitor the pandemic,~~ and communicate necessary changes.
 4. Right to know training will be provided to inform staff on the risks and proper use of cleaning supplies [in their work spaces.](#) ~~to help combat COVID-19.~~
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EVIDENCE:

1. The following information was gathered and reports completed:
 - a) Leadership meets at least annually to review and update the District’s Crisis Management policy. ~~During the monitoring period, in addition to covering basic emergency procedures, the leadership team met weekly or monthly throughout the year to develop, adjust and communicate plans in response to COVID-19.~~
 - b) All sites conducted five (5) fire drills during the school year (maps posted in all occupied rooms).
 - c) All sites conducted five (5) lockdown drills during the school year.
 - d) All sites conducted at least one (1) severe weather shelter during the school year (maps posted in all occupied rooms).
 - e) All sites had Red Alert/SERT (School Emergency Response Team) to act as first responders to any medical event on site.
 - f) CPR/First Aid certification required for specific job titles. Institute for Environmental Assessment identified the following job titles as requiring CPR/First Aid certification: School Nurse, Health Paraprofessionals, Bus Drivers, Special Education Teachers, and Special Education Paraprofessionals.
 - g) All sites had at least one (1) fully automated AED (Automated External Defibrillators) [and one \(1\) dose of narcan.](#)



- h) All sites had multiple Universal Precautions Kits for blood borne pathogen cleanup as well as all necessary personal protective equipment. Universal Precaution kits located in all custodial closets and Health Services offices throughout the district.
- i) The district had a reunification plan in the event of off-site evacuation and held a drill on August 9, 2018. [The District coordinated a reunification event during the monitoring period. District partners from Eden Prairie Fire, Police, Hennepin County EMS, and site level representatives all collaborated in the design process. The full scale reunification event is scheduled for August 2024.](#)
- 2. Mock OSHA (Occupational Safety and Health Administration) walkthrough: Conducted yearly by Metro ECSU and Facilities and Safety Coordinator, most recently on ~~January 27, 2023~~ [March 5, 2024](#).
- 3. A complete Safe Learning Plan was developed and communicated to staff in consultation with the Incident Command Team. ~~A review and update of the pandemic procedure was performed during the monitoring period to specifically address COVID-19 and the Incident Command Team was consulted throughout the 2022-23 school year to make decisions regarding the pandemic.~~ [The District implemented a Raptor emergency response app in each building and provided training to site leaders on how to use it. Raptor uses the Standard Response Protocol \(SRP\) language for uniformity of language and response to each unique situation.](#)
- 4. Staff who were using cleaning chemicals were provided “right to know” training during the monitoring period.

STATEMENT OF ASSERTION:

EL 2.4.4 is reasonable and in compliance.

BOARD NOTES:

2.4.5

Furthermore, the Superintendent shall not: Operate without policies and procedures which prevent conflict of interest.

OPERATIONAL INTERPRETATION:



A conflict of interest arises in the workplace when an employee has competing interests or loyalties that either are, or potentially can be, at odds with each other. A conflict of interest causes an employee to experience a struggle between diverging interests, points of view, or allegiances. Conflict of interest situations assume that the employee has control or influence over diverging interests, points of view, or allegiances.

JUSTIFICATION:

1. Code of Ethics for Minnesota Teachers (8700.7500)
 - a. Subpart 1. Scope. Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation. This code shall apply to all persons licensed according to rules established by the Professional Educator Licensing and Standards Board.
 - b. Subp. 2. Standards of professional conduct.
 - E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
 2. Code of Ethics for School Administrators (3512.5200)
 - a. Subpart 1. Scope. This part applies to all persons licensed as school administrators as defined in part 3512.0100, subparts 5 to 7.
 - b. Subp. 2. Standards of professional conduct.
 - H. A school administrator shall not accept gratuities, gifts, or favors that impair professional judgment, nor offer any favor, service, or item of value to obtain special advantage.
 - K. A school administrator shall not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.
 3. District Policy 421 Gifts to Employees provides guidance to employees regarding conflict of interest.
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MEASUREMENT PLAN:



1. Determination by the Professional Educator Licensing and Standards Board or the Board of School Administrators that a complaint has been substantiated.
 2. Determination that a violation of District Policy 421 Gifts to Employees has not occurred.
 3. The Annual Audit and intermittent financial internal and external controls as described in Board Policy EL 2.7 does not contain a “finding”.
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EVIDENCE:

1. No determinations have been received from the Professional Educator Licensing and Standards Board or the Board of School Administrators.
 2. There were no reported complaints in reference to Policy 421.
 3. There are no audit findings to report.
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STATEMENT OF ASSERTION:

EL 2.4.5 is reasonable and in compliance.

BOARD NOTES: