




Superintendent.....Dr. Steven D. Massey
Administration & Human Resources Donna M. Friedmann
Business Services.....Lawrence A. Martini
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Special Education.....Kelly J. Lessman
Teaching & Learning.....Diane E. Giorgi

March 15, 2019

TO: Colleen Barksdale
Jim Caldwell
Julie Greiman
Kelly Lessman
Jill Olson
Jeff Peterson
Brittni Rodewald
Sean Sardeson
Tina Sparby
Kathryn Ungerecht
Brad Ward
Mikayla Whitehill

FROM: Donna M. Friedmann 
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly @ 7:00 pm on Thursday, March 21, 2019, in the boardroom at the district office. The agenda for this meeting is enclosed. Please contact me at (651) 982-8123 if you are unable to attend this meeting.

DMF/kk

INDEPENDENT SCHOOL DISTRICT NO. 831
Forest Lake, Minnesota 55025

Policy Committee Meeting
March 21, 2019 – 7:00 p.m. – District Office Boardroom

AGENDA

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| <ol style="list-style-type: none">1. Discipline Policy 515 – Annual Review – Will Be Distributed @ Meeting2. Veteran’s Preference Policy 441 – Updates per MSBA3. Acceptance of Gifts Policy 708 – Updates per MSBA |
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4. Consideration of Other Policies to be Scheduled for Review

5. Other Matters

6. Annual/Requested Policy Reviews

- Wellness Policy 546 (April 2019)
- Family & Medical Leave Policy 428 (September 2019)
- Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2019)
- Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2019)
- Student Sex Nondiscrimination Policy 421 (October 2019)
- Technology Acceptable Use and Safety Policy 540 (October 2019)
- Out-of-State Travel by School Board Members Policy 103B (November 2019)
- Crisis Management Policy 538 (December 2022 – 5 year recall)
- Bullying Prohibition Policy 541 (December 2019)
- Harassment and Violence Policy 425 (December 2019)
- Transportation Employee Drug & Alcohol Policy 430 (December 2019)
- Student Transportation Safety Policy 531 (December 2019)
- School Board Member Reimbursement Guidelines Policy 103A (January 2020)
- Discipline Policy 515 (March 2020)

7. Future Policy Review

- Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
- Random Drug Testing

8. Policies at School Board for Action on 3/7/19:

- Special Education Records and Records Retention Policy 505A – Pending MN Historical Society Review
- School Board Member Reimbursement Guidelines – Policy 103A
- Field Trips & Student Travel – Policy 606
- Equal Employment Opportunity – Policy 412
- Equal Educational Opportunity – Policy 535
- Use of Peace Officers & Crisis Teams to Remove Students w/IEPs from School Grounds – Policy 544

[Note: The provisions of this policy substantially reflect legal requirements.]

I. PURPOSE

The purpose of this policy is to comply with the Minnesota Veterans Preference Act (VPA) which provides preference points for veterans applying for employment with political subdivisions, including school districts, as well as additional rights for veterans in the discharge process.

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The school district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges, and in writing. This paragraph does not apply to the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
 1. A credit of ~~five~~ ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 2. A credit of ~~ten~~ fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 3. A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.
 4. A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.

- E. When notifying applicants that they have been accepted into the selection process, the school district shall notify applicants that they may elect to use veteran's preference.
- F. The school district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points, ~~including teaching positions, whenever possible.~~ The school district may or may not use a 100-point hiring system for filling teacher positions. If a 100-point hiring system is not used for filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.
- G. If the school district rejects a member of the finalist pool who has claimed veteran's preference, the school district shall notify the finalist in writing of the reasons for the rejection and file the notice with the school district's personnel officer.

[Note: A school district may require a veteran to complete an initial hiring probationary period as defined in Minn. Stat. § 43A.16.]

- H. In accordance with the VPA, no honorably discharged veteran ~~who has completed the applicable probation period, established either by the applicable collective bargaining agreement or this policy,~~ shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position. ~~Any honorably discharged veteran employed by the district who is not subject to a probation period established by a collective bargaining agreement or state statute shall serve a probation period of two (2) years of full-time equivalent service. Nothing in this provision changes any expectation for employment at will status for any employee who is not an honorably discharged veteran.~~
 - 1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 - 2. A veteran must irrevocably elect to be governed either by the VPA or by arbitration provisions set forth in a collective bargaining agreement in the event of a discharge.
- I. The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

Legal References: Minn. Stat. § 43A.11 (Veteran's Preference)
Minn. Stat. § 197.455 (Veteran's Preference Applied)
Minn. Stat. § 197.46 (Veterans Preference Act)
Hall v. City of Champlin, 463 N.W.2d 502 (Minn. 1990)
Young v. City of Duluth, 410 N.W.2d 27 (Minn. Ct. App. 1987)

Cross References: Policy 412 (Equal Employment Opportunity)

ADOPTED: 03/03/11

REVISED: 12/01/16

REPLACE OUR CURRENT POLICY WITH THE MSBA MODEL POLICY

ACCEPTANCE OF GIFTS

708

[Note: The provisions of this policy substantially reflect statutory requirements.]

I. PURPOSE

The purpose of this policy is to provide guidelines for the acceptance of gifts by the school board.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to accept gifts only in compliance with state law.

III. ACCEPTANCE OF GIFTS GENERALLY

The school board may receive, for the benefit of the school district, bequests, donations or gifts for any proper purpose. The school board shall have the sole authority to determine whether any gift or any precondition, condition, or limitation on use included in a proposed gift furthers the interests of or benefits the school district and whether it should be accepted or rejected.

IV. GIFTS OF REAL OR PERSONAL PROPERTY

The school board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members. The resolution must fully describe any conditions placed on the gift. The real or personal property so accepted may not be used for religious or sectarian purposes.

[Note: This voting requirement and gift use provision is specified by Minn. Stat. § 465.03.]

V. ADMINISTRATION IN ACCORDANCE WITH TERMS

If the school board agrees to accept a bequest, donation, gift, grant or devise which contains preconditions, conditions or limitations on use, the school board and/or school district staff shall administer it in accordance with those terms. Once accepted, a gift shall be the property of the school district unless otherwise provided in the agreed upon terms.

Legal References: Minn. Stat. § 123B.02, Subd. 6 (Bequests, Donations, Gifts)
Minn. Stat. § 465.03 (Gifts)

Cross References: None

ADOPTED: 11/06/08

Adopted: _____

MSBA/MASA Model Policy 421

Orig. 1995

Revised: _____

Rev. 2017

421 GIFTS TO EMPLOYEES AND SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school district employees and school board members.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The superintendent has discretion to determine what value is "insignificant."
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school district.
- F. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person.

III. DEFINITIONS

- A. “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.
- B. “Interested person” means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make.

IV. PROCEDURES

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

V. VIOLATIONS

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

Legal References: Minn. Stat. § 10A.07 (Conflicts of Interest)
Minn. Stat. § 10A.071 (Prohibition of Gifts)
Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References: MSBA/MASA Model Policy 209 (Code of Ethics)
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)