



Board Meeting Date: 1/9/2023

TITLE: Policy Review

TYPE: Action

PRESENTER(S): Board Policy Committee

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

- Policy 107 Public Relations and School Communications
- Policy 203 Operation of the School Board
- Policy 205 Open Meetings & Closed Meetings
- Policy 210 Conflict of Interest School Board Members

RECOMMENDATION: Approve the suggested modifications for Policies 107, 203, 205, 210.

DESIRED OUTCOMES FROM THE BOARD: Approve suggested modifications.

ATTACHMENTS:

1. Policy 107 Public Relations and School Communications
2. Policy 203 Operation of the School Board
3. Policy 205 Open Meetings & Closed Meetings
4. Policy 210 Conflict of Interest School Board Members

School District

Public Relations and School Communications

I. Purpose

This policy ensures that Edina Public Schools maintains regular and ongoing communications throughout the community.

II. General Statement of Policy

Edina Public Schools is committed to partnering with the community, families, students and employees. The school district will coordinate and share regular and ongoing communications through a variety of means, including print, electronic, voice and visual. **The district will strive to communicate in languages that best represent our community whenever possible.** The district will identify spokespersons to facilitate communications and **disseminate** ~~share~~ information with the media (**digital, print, radio and television**) at the district, site and program levels.

III. Information Sharing

A. Coordination of Communications

The district will coordinate information sharing at the district, school site and education program levels through the **Marketing & Ce**ommunications department. The department will develop information processes for sharing with the district's **stakeholders** ~~publics~~. All news releases will be forwarded to the media and key contacts in the district by the **Marketing & Ce**ommunications department. The superintendent or designee will oversee district communications and public relations.

B. Regular Communications

1. The district, school sites and district programs will provide regular communications to their **stakeholders** ~~publics~~ by sharing information about their activities, happenings, curriculum, assessments and goals.
2. The primary source of regular communications will be electronic with the recognition that the district, school site, or education program levels will be responsible to ensure that families; ~~community members and employees~~

who do not have access to electronic sources will receive the shared communications.

3. The primary source of district communications will be the district's website. [District website is available for translation via the language drop down menu on the home page.](#)

C. Communication Standards

The superintendent, in collaboration with the administration, will establish communication standards for employees, recognizing the primary means of communications will be electronic. These standards will include effective internal and external use of electronic mail (Appendix I).

~~D. State of the School District Report~~

~~The school district will also provide regular communications to the entire community, noting:~~

- ~~● District goals~~
- ~~● Procedures for evaluating goals~~
- ~~● Results of progress on school district goals and other school district assessment information~~
- ~~● Reports on ongoing student and program assessments conducted each year in the school district~~
- ~~● Other legal information~~
- ~~● Other pertinent information~~

IV. District Spokesperson and Key Contacts for Media

A. Official Spokesperson

The superintendent is the official spokesperson for the school district. The superintendent will appoint additional spokespeople as appropriate, including but not limited to:

- [District-wide: Director of Marketing & Communications](#)
- Building site: Principal
- District activity: Activities director or administrative designee
- Community education services: Director of [eCommunity eEducation and Strategic Partnerships](#) ~~services~~

The superintendent, or designee, is responsible for coordinating the information sharing with the media. The superintendent, or designee, will work with each school site or program's designated administrator when it is necessary to share information with the media.

District employees will receive approval from the superintendent or designee prior to sharing school district information with the media ([digital, print, radio and television](#)). ~~the print, radio or television or broadcast media.~~

The approval may be given to an employee to maintain direct media connections when appropriate (e.g, sports season, ongoing activity). [All media requests to the school board will be forwarded to the superintendent or director of marketing and communications.](#)

B. Crisis or Emergency Situation

The superintendent will identify one spokesperson to address all media when a crisis or an emergency situation occurs within the district. The district will identify specific times and locations of news conferences and/or briefings when necessary.

V. Media Communications with Students

The media may not contact or interview students on any of the school campuses or at school-related events without verbal permission of the district, school site, or program's spokesperson. Parent/guardian permission may be required and determined by the spokesperson.

Cross Reference:

[Policy 406 \(Public and Private Personnel Data\)](#)

[Policy 515 \(Protection and Privacy of Student Records\)](#)

Policy 616 (School District Accountability)

Policy 634 (Electronic Technologies Acceptable Use)

Policy
adopted: 10/22/07
amended: 09/24/12
revised: 06/17/19

INDEPENDENT SCHOOL DISTRICT 273
Edina, Minnesota

Appendix I to Policy 107
EMPLOYEE COMMUNICATION STANDARDS

PURPOSE

To develop a standard set of communication expectations for employees and community members to ensure timely, meaningful and relevant communications are occurring in ways that encourage engagement and advance the mission of the district.

COMMUNICATION STANDARDS

Employees should use appropriate, professional language, understanding that they are representing the district in their written and oral communications.

MONITORING OF COMMUNICATION STANDARDS

An employee’s direct supervisor will be responsible for monitoring adherence to the communication standards. Failure to follow the standards may result in disciplinary action.

COMMUNICATION TOOLS

District staff will employ a variety of communication tools and strategies in an effort to enhance partnership and involvement among all stakeholders. The following protocols and expectations are intended to serve as minimum guidelines to help staff manage communications while also promoting manageable expectations for and responsiveness with stakeholders.

WEBSITE

All websites are to be maintained in accordance with Policies [107](#) (Public Relations and School Communications) and [634](#) (Electronic Technologies and Acceptable Use)

- **District web presence** – The district media and technology services department will manage the website software and infrastructure. The [marketing &](#) communications department will oversee and manage the content of the district website. Updates to content will be done in accordance with the district’s strategic communication plan.
- **School/Program web presence** – Each school site / program will maintain a web presence utilizing the district’s website platform. Support for school sites on managing the public facing pages will be provided by the district [marketing &](#) communications department in accordance with the district’s website standards and strategic communication plan.

CONTENT	UPDATE FREQUENCY
Teacher Contact Information and Communication Expectations	Annually
Calendars/Announcements	As needed
Schedule/Syllabus	Each school term
Assignments/Homework Information	As Needed
Newsletters / Parent Communications	Determined by site
Grades	Determined by site

- **Teacher/Classroom web presence** – Teachers are encouraged to maintain a classroom or program web presence, utilizing one of the district’s approved website platforms (e.g. ~~Schoolwires~~, Google, Schoology, etc.).

PHONE / VOICEMAIL

- **Voicemail greeting** - Employees with a district-assigned phone number will create a standard voicemail greeting. If the employee’s position requires him or her to be away from the phone at certain times of the day, the employee will include in the message (1) the times they are available by phone, and (2) an alternate contact for immediate assistance during business hours.

- **Monitoring voicemails** - Employees will monitor voicemail messages on a daily basis (on duty days) and direct callers to another source if they are not monitoring the voicemail account during a period of absence.
- **Responding to voicemails** - Employees are expected to return or respond to calls of significance (e.g., colleagues, parents, students) within one duty day and, in unique circumstances, within two duty days. If a response requires additional information gathering, employees are expected to reply to the caller letting them know of the status of their request.

EMAIL

Employees will use district emails in accordance with Policies [107](#) (Public Relations and School Communications) and [634](#) (Electronic Technologies and Acceptable Use) and their appendices.

- **Email standards** – Employee email accounts provided by the district are to be used for district-related business only and are subject to district review.
 - **Content** – The employee should use appropriate, professional language, understanding that they are representing the district in their communication.
 - **Public Data** – The content of district email accounts are public information except where allowable by law to be private (see Policies [406](#) and [515](#)). Employees should refrain from including confidential student data without permission of the student's parent/guardian.
 - **Signature/Confidentiality Notice** – Staff should include a signature in their email correspondences that include their name, position, contact information **and preferably the Edina Defining Excellence logo**, and a confidentiality notice, similar to the following:
If the information in this email relates to an individual or student, it may be private data under state or federal privacy laws. This individual private data should not be reviewed, distributed or copied by any person other than the intended recipient(s), unless otherwise permitted under law. If you are not the intended recipient, any further review, dissemination, distribution, or copying of this electronic communication or any attachment is strictly prohibited. If you have received an electronic communication in error, you should immediately return it to the sender and delete it from your system.
- **Monitoring emails** – Employees will monitor their email messages on a regular basis on duty days (see [responding to email for below](#)). (~~at least twice daily~~). Employees will inform families of and post their communication expectations (teachers/administration) as it relates to responding to emails in a timely manner.
 - **Out of Office** –
 - **Vacation / Illness / Professional Leave** - Employees will create an “Out of Office” response when they are away from the classroom/office for the day. Auto-reply messages should include the dates the employee will be absent and include an alternate contact for immediate assistance during business hours.
 - **Instruction Day (Teachers)** – Teachers will minimize responses to emails during the instructional day and are encouraged to use their “Out of Office Assistant” with a response similar to the following:
I am currently involved with my instructional responsibilities and will not be reviewing emails until after the school day. Please contact the school office if you are seeking an immediate response to this email. Thank you.
- **Responding to emails** – Employees are expected to return or respond to emails of significance (e.g., colleagues, parents, students) within a reasonable amount of time. If a response requires additional information gathering, employees are expected to reply to the message letting them know of the status of their request. However, depending on the employee's role in the district and the person inquiring, response times may vary.
 - **Response time** – Teachers / educational assistants should respond to parent/guardian inquiries within [48 hours of the one](#) duty day. Administration and support staff are expected to respond to inquiries within ~~48-6-24-XX~~ hours (during duty days).

- o **Articulate expectations** – Employees should be clear about their monitoring and response plans. Teachers should post their communication plans on their website (see above) and include in their auto-response.
- o **Time-sensitive emails** – School administration will inform families that time-sensitive emails and calls should be directed to the school office.
- o **After Hours** – In an effort to promote a healthy work-life balance, employees are not expected to monitor or respond to district emails messages outside of the duty day, except in the case of an emergency. In [school](#) emergency situations, [administrators will contact](#) employees ~~should be contacted~~ by text/SMS or phone to alert them to an important email message. Staff are encouraged to use discretion when communicating outside of the duty day.
- **Email Best Practices / Employee Limitations** – The following best practices should be considered when utilizing district email accounts:
 - o **Message Content** - Keep messages brief and to the point.
 - To conserve district electronic resources, to be consistent in communications, and to maximize efficiencies, employees should limit the use of unnecessary punctuations, emoticons/emojis, fonts, pictures, etc.
 - Do not put information in an email that you would not put on district letterhead.
 - o **Intended Audience** - Employees are to keep email informational and directed only to the intended recipient. Employees should be considerate about email clutter and limit “reply all” and “cc” functions only when necessary.
 - o **Distribution Lists** - Email distribution lists are intended for educational purposes only; employees are not to solicit sales or services. As noted above, employees should limit the use of distribution lists to messages of importance to all list members and should limit the use of the distribution list for sharing of “interesting” information or opinion.
 - o **Confidentiality** - Do not use email to communicate about confidential student information unless the parent or guardian has requested the communication. Emails containing student information should be sent to the parent or guardian’s personal email address unless requested otherwise. A phone call is the best means for sharing confidential student information. Do NOT leave voicemail messages containing confidential information.

TEXT/SMS COMMUNICATIONS

Similar to email correspondences, employees will ~~use~~ respond to correspondences via text/SMS in accordance with Policies [107](#) (Public Relations and School Communications) and the district’s [District Cell Phone Guidelines](#).

- **Responding to Text/SMS Communications** – ~~With the exception of district approved home/school messaging applications,~~ Employees are discouraged from using text/SMS as a standard communication tool with parents, families and students, ~~except as utilized through the parent notification system (mass communication) or through~~ [unless there is a](#) special circumstances. ~~Recognizing that text messaging has become a common internal communication tool, employees utilizing text messages for district business are expected to return or respond to messages of significance from colleagues within a reasonable amount of time.~~
 - o **Public Data** – The content of district communications via text messages are public information except where allowable by law to be private (see Policies [406](#) and [515](#)). Employees should refrain from including confidential data.
 - o ~~**Response Time**—Employees are expected to respond to text messages from colleagues within [a reasonable amount of time](#) one to four hours. If a response requires additional information gathering, employees are expected to reply to the message letting the sender know of the status of their request.~~
 - o ~~**After Hours**—In an effort to promote a healthy work-life balance, employees are encouraged to limit text/SMS messages for district business unless expected to do so or in emergency situations.~~

WRITTEN (PRINT) CORRESPONDENCE

Similar to email correspondences, employees will ~~use~~ respond to written correspondences in accordance with Policies [107](#) (Public Relations and School Communications).

- **Responding to Written Communications** – Employees are expected to return or respond to written correspondences of significance (e.g., colleagues, parents, students) within a reasonable amount of time. If a response requires additional information gathering, employees are expected to contact the sender to let them know of the status of their request. Depending on the request, response times may vary.
 - **Public Data** – The content of district communications are public information except where allowable by law to be private (see Policies [406](#) and [515](#)). Employees should refrain from including confidential student data without permission of the student's parent/guardian.
 - **Response Time** – Employees are expected to respond to written correspondence of significance (colleagues, parents, students) within one ~~to two~~ duty days. If a response requires additional information gathering, employees are expected to ~~reply to the message~~ **communicate to the sender** to letting them know of the status of their request.
- **Public Data Requests** – The director of **marketing & communications and community engagement** will coordinate response to requests for public data made under the Minnesota Government Data Practices Act. Questions about public data requests should be directed to the director of **marketing & communications and community engagement** or **who will work with** legal counsel.

SOCIAL MEDIA

Employees will use and respond to correspondences via social media in accordance with Policies [107](#) (Public Relations and School Communications) and [634](#) (Electronic Technologies and Acceptable Use) and their appendices.

● Using Social Media

- **School/Program Social Media Use** - Individual schools and departments may choose to establish an official presence on public online social media sites with prior administrative approval. Guidelines are established **in** the appendices of Policy 634.
- **Employee/Classroom Use of Social Media** - Teachers may elect to use social media tools for the purpose of instruction in accordance with Policy 634 and its appendices.
 - ~~**District sponsored social media**~~ – The district provides teachers with password-protected, online social media tools that can be used for instruction.
 - ~~**Non-district sponsored social media**~~ – If a teacher elects to use a non-district social media tool, the teacher must build a separate page in that social media tool from his or her **personal** online presence. Content and use must adhere to district policies and guidelines. Content and use must not violate the “terms of service” for the social media tool.
- **Responding to Social Media Communications** – Employees are encouraged to use caution when using social media as a standard communication tool with parents, families and students, unless otherwise noted above.
 - **Public Data** – The content of district communications via social media are public information except where allowable by law to be private (see Policies [406](#) and [515](#)). Employees ~~should~~ **must** refrain from including confidential data in social media posts and communications.
 - **Response Time** – Recognizing that social media has become a common communication tool, employees utilizing social media for district business are expected to respond to social media messages (e.g. comments, questions) within 12-24 hours (on duty days). If a response requires additional information gathering, employees are expected to notify the message sender of the status of their request.
 - **After Hours** – In an effort to promote a healthy work-life balance, employees are encouraged to limit social media communications for district business except in emergency situations.

Established: 9/24/12
Updated: 8/15/16

School Board

Operation of the School Board

I. Purpose

This policy provides rules of order for conducting meetings of the school board, [in order](#) to advance the mission of the school district, to ensure consistency in the order of business at regular school board meetings, to provide procedures for the preparation of the school board agenda, to allow the use of a consent agenda, and to establish procedures relating to the maintenance of records and publication of school board meetings.

II. General Statement of Policy

An orderly school board meeting allows board members to participate in discussion and to make decisions regarding school district issues. Rules of order allow board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

To ensure that board meetings are conducted in an orderly fashion, the board will follow rules of order that will allow the board:

- A. To establish guidelines by which the business of the board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;
- C. To ensure that members of the board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To ensure that meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

III. Rules of Order for Meetings

- A. Rules of order for school board meetings are (1) Minnesota Statutes where specified; (2) specific rules of order as provided by the board consistent with Minnesota Statutes; and (3) Robert's Rules of Order, Revised (latest edition) where not inconsistent with (1) or (2) above.

- B. Board members need not rise to gain the recognition of the chair.
- C. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- D. All motions that require a second must receive a second prior to opening the issue for discussion of the board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion are recorded in the minutes.
- E. The chair decides the order in which board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member will only speak to an issue after the member is recognized by the chair.
- F. The chair will rule on all questions relating to motions and points of order brought before the board.
- G. A ruling by the chair is subject to appeal to the full board pursuant to Robert's Rules of Order.
- H. The board has authority to recognize any member of the audience regarding a request to be heard at the board meeting. Members of the public who wish to be heard must follow board procedures ([see Policy 206](#)).
- I. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- J. The chair will repeat a motion or the substance of a motion prior to the vote. The chair will call for an affirmative and a negative vote on all motions.
- K. A board member may request a roll call vote. Roll call votes will be called in alphabetical order.
- L. The chair has the same right and responsibility as each board member to vote on all issues.
- M. The chair announces the result of each vote. The vote of each member, including abstentions, is recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- N. A majority of the voting members of the board constitute a quorum. The

absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

- O. In the absence of the chairperson at any meeting, the presiding officer will be an officer of the elected Board in the following order of precedence: (a) vice-chairperson, (b) clerk, (c) treasurer. If the chairperson does arrive, the acting presiding officer surrenders the chair to them.
- P. In the absence of the clerk at any meeting, the presiding officer designates an assistant clerk to act.

IV. Order of Meeting

- A. The school board will conduct an orderly board meeting. The board chair and superintendent will develop the agenda as discussed further in section V below. The board will, at all regular board meetings, follow an agenda order similar to:
 - 1. Call to Order
 - 2. Approval of Agenda
 - 3. Excellence in Action
 - 4. Hearing from members of the public
 - 5. Presentations by invited staff or guests
 - 6. Consent Agenda, including approval of prior meeting minutes
 - 7. Discussion items
 - 8. Action items
 - 9. Leadership and Committee updates
 - 10. Superintendent updates
 - 11. Information items
 - 12. Adjournment
- B. The board may depart from the order of business with the consent of the majority of members present.
- C. The board will receive monthly student enrollment updates and financial reports from the school administration.
- D. No regular meeting will continue beyond 10:00 PM, unless scheduled by the board chair and superintendent for a longer time, or without the approval of the majority of board members who are present and eligible to vote. A new time limit must be established before taking a board vote to extend the meeting. In the event a meeting has not been adjourned or continued by board vote prior to adjournment time, items not acted on will be deferred to the next regular board meeting.

V. School Board Agenda

- A. The school board chair and superintendent are responsible to develop, prepare and arrange the order of items for the tentative board meeting agenda for each board meeting.
- B. The board chair and superintendent will coordinate and share a monthly board agenda, for the school year, in August of each year. The year-long agenda will assist the board in its planning efforts.
- C. Annually, the board will act on the following organizational items:
- Election of officers
 - School board compensation
 - District legal counsel
 - District auditor
 - District physician
 - Designation of depositories
 - Designation of official newspaper
 - Educational memberships
 - Student and facility fees
- D. Persons wishing to place an item on the agenda must make a request to the board chair or superintendent ~~in a timely manner~~. The person making the request **should** ~~is encouraged to~~ provide their name, address, purpose of the item, action desired and pertinent background information. The chair and superintendent determine whether to place the matter on **a future** ~~the tentative~~ agenda.
- E. While every board member has the right to request adding an agenda item or changing an agenda at a regular board meeting, as best practice in preparing agendas and materials for regular board meetings, the board will strive to:
1. Make a request to the board chair or superintendent seven (7) days prior to the meeting for an item, presentation or material they wish to be considered added to the meeting agenda.
 2. Make a request to the board chair or superintendent 96 hours in advance of the meeting for any changes to the posted agenda. If materials are not made available seven days in advance of a meeting, then any requests should be made within 48 hours of receipt of materials.
 3. Contact the superintendent and responsible administrator, or the board chair directly, at least 24 hours prior to the meeting with any questions pertaining to a board agenda item that requires time and preparation to answer.
 4. Inform the superintendent or board chair prior to the meeting if an error is identified in a presentation or minutes, so that a correction can be made.
- F. The superintendent will strive to provide the board with the tentative agenda and supporting documents **five** ~~seven~~ days prior to the scheduled meeting or work session. The superintendent and board chair may change the agenda up until the start of the regular meeting. The superintendent or their designee will notify

the board if the tentative agenda or agenda packet is updated prior to the meeting.

- G. Items may only be added to the agenda by a motion adopted at the meeting. If an added item is acted upon, the minutes of the board meeting will include a description of the matter.
- H. At least one copy of any printed materials related to the meeting's agenda items prepared by, or distributed to, or at the direction of, the board must be made available for inspection in the meeting room while the board considers its subject matter if the printed materials were also (i) distributed at the meeting to all board members; (ii) distributed before the meeting to all board members; (iii) available in the meeting room to all board members; or (iv) posted on the district website or using other district technologies in advance of the meeting. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

VI. Consent Agenda

- A. The superintendent, in consultation with the school board chair, may place items on the consent agenda. By using a consent agenda, the board has consented to the consideration of certain items as a group under one motion.
- B. Consent items are those items that (1) usually do not require discussion or explanation prior to board action, (2) are noncontroversial and/or similar in content, or (3) have already been discussed and/or explained at a board committee or full board level and do not require further discussion or explanation. These agenda items may include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, and approval of reports. These items may also include similar groups of decisions such as, but not limited to, approval of employee contracts, approval of maintenance details for the school district buildings and grounds, approval of various schedules, and approval of routine agreements or contracts with vendors.
- C. Items will be removed from the consent agenda by a timely request by an individual board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.
- D. Consent agenda items are approved en masse by one vote of the board. The consent agenda items are separately recorded in the minutes.

VII. Maintenance of School Board Meeting Minutes and Records

A school district representative will keep and maintain permanent records of the

school board, including records of the minutes of board meetings and other required records of the board. ~~All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law will be recorded in a journal kept for that purpose.~~

Public records maintained by the district are available for inspection by members of the public during the regular business hours of the district. Minutes of meetings are available for inspection at the administrative offices of the district after they have been prepared and are also available on the district's website. Minutes of a board meeting are approved or modified by the board at a subsequent meeting, which action is reflected in the official proceedings of that subsequent meeting.

VIII. Publication of Official Proceedings, Minutes

- A. The school board will ensure that its official proceedings are published once in the official newspaper of the school district within 30 days of the meeting at which the proceedings occurred; however, if the board conducts regular meetings not more than once every 30 days, the board need not publish the minutes until 10 days after they have been approved by the board.
- B. The proceedings to be published will be sufficiently detailed to fairly set forth the proceedings. The publication must include the substance of all official actions taken by the board at any regular or special meeting, and at minimum must include (i) the subject matter of a motion, (ii) the persons making and seconding the motion, (iii) a listing of how each member present voted on the motion, (iv) the character of resolutions offered including a brief description of their subject matter and (v) whether the motion was adopted or defeated. The minutes and permanent records of the board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the board, the proceedings to be published may reflect that fact.
- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the board. The summary will be written in a clear and coherent manner and to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication will clearly indicate (i) the published material is only a summary; (ii) the full text is posted on the district website and is also available for public inspection at the administrative offices of the district; and (iii) a copy of the proceedings, other than attachments to the minutes, is available, without cost, at the offices of the district or by means of standard mail.

Legal References:

Minn. Stat. Ch. 13D (Open Meeting Law)

Minn. Stat. § 123B.09 (School Board Powers)

Minn. Stat. § 123B.14 (Record of Meetings; Officers)
Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)
Minn. Stat. § 122A.40 (Employment Contracts, Termination)
Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)
Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)
Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)
Minn. Stat. § 471.88 (Exceptions)
Op. Atty. Gen. 161-a-20, December 17, 1970
Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W.2d 428 (1956)

Cross References:

Policy 205 (Open Meetings and Closed Meetings)
Policy 206 (Public Hearings and Public Participation in School Board Meetings, Data
Privacy Considerations)
Policy 209 (Code of Ethics)

See also, Edina Public School Board Operating Norms

Policy
adopted: 04/16/07
amended: 10/22/12
revised: 12/15/15
revised: 8/12/19
revised: 7/13/20

INDEPENDENT SCHOOL DISTRICT 273
Edina, Minnesota

School Board

Open Meetings and Closed Meetings

I. Purpose

This policy provides guidelines to assure the rights of the public to be present at school board meetings, while also protecting ~~an~~ the individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

II. General Statement of Policy

- A. Except as otherwise expressly provided by statute, all school board meetings, including executive sessions, are open to the public.
- B. The school district embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest.
- C. The board conducts its business under a presumption of openness. At the same time, the board recognizes and respects the privacy rights of individuals as provided by law. The board recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the board.

III. Definition

- A. A "meeting" means a gathering of at least a quorum of the members of the school board at which members discuss, decide and make recommendations or final decisions relating to the official business of the board. The term does not include a chance or social gathering.
- B. A "quorum" is a majority of the members.

IV. Procedures

A. Meetings

1. Regular Meetings

The school board will approve a schedule of regular school board meetings

annually. This schedule will be displayed for the public at the school district office and on the school district Website. ~~A schedule of the regular meetings of the school board is kept on file at its primary offices.~~ If the board decides to hold a regular meeting at a time or place different from the time or place stated in its approved regular meeting schedule, the change must first be approved by the board and it must give follow the same notice of the meeting as for a special meeting.

2. Special Meetings

Special meetings are meetings that are not part of the yearly Board-approved regular meeting schedule.

- a. For a special meeting, the board will post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district. The board's actions at the special meeting are limited to those topics included in the notice.
- b. The notice will also be delivered, by standard or electronic mail, to each person who has filed a written request for notice of special meetings. This notice shall be posted and mailed or delivered at least three days before the date of the meeting.
- c. The notice will be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.
- d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the board is required to send notice to that person only concerning those particular subjects.
- e. The board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than sixty (60) days before the expiration date of request for notice, the board will send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

- a. An emergency meeting is a special meeting called because of circumstances that, in the school board's judgment of the board, require immediate consideration.
- b. 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.

- c. The board will make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number. The notice to the news medium must be provided as soon as reasonably practicable after the notice has been provided to the board members.
 - d. The notice of the emergency meeting, which includes the subject of the meeting, is given by telephone or any other method used to notify the members of the school board.
 - e. Posted or published notice of an emergency meeting is not required.
 - f. The notice requirements for an emergency meeting as set forth in this policy supersedes any statutory notice requirement for a special meeting that is an emergency meeting.
4. Recessed or Continued Meetings

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.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings [in compliance with Minn. Stat. Ch.13D](#).

6. Actual Notice

If a person receives actual notice of a meeting of the board at least [twenty-four \(24\)](#) hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

7. [Meetings during Health Pandemic or Chapter 12 Declared-Emergency](#)

In the event of a health pandemic or an emergency declared under Minn. Stat. Ch. 12, a meeting may be conducted by telephone or other electronic means in compliance with Minn. Stat. § 13D.021.

8. Meetings Conducted by Interactive Technology

A meeting may be conducted by interactive technology, [Zoom](#), ~~Skype~~, or other similar electronic means in compliance with Minn. Stat § 13D.02.

B. Open Meetings and Data

1. Meetings may not be closed ~~to discuss merely because the data that to be discussed~~ are not public data, ~~except as provided under Minnesota law.~~ **to discuss** ~~merely because the data that to be discussed~~ are not public data, **except as provided under Minnesota law.**
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the board's authority and is reasonably necessary to conduct the business or agenda item before the board.
3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting is public.

C. Reasons for a Closed Meeting

1. Labor Negotiations Strategy

- a. The board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, ~~conducted pursuant to Minnesota's Public Employment Labor Relations Act (PELRA).~~ **conducted pursuant to Minnesota's Public Employment Labor Relations Act (PELRA).**
- b. The time and place of the closed meeting must be announced at the public meeting. A written roll of board members and all other persons present at the closed meeting will be made available to the public after the closed meeting. The **proceedings of a closed meeting to discuss negotiation strategies** will be audio recorded. The audio recording must be preserved for two years after the contract discussed at the meeting is signed. The recording ~~is~~ **will be** made available to the public after all labor contracts are signed by the board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services

All negotiations, mediation ~~meetings sessions~~, and hearings between the board and its employees or their respective representatives are public meetings. **Mediation meetings may be** ~~except when~~ closed by the Commissioner of the Bureau of Mediation Services ("BMS"). The use of recording devices, **stenographic records, or other recording methods** is prohibited in mediation sessions closed by BMS.

3. Preliminary Consideration of Allegations **or Charges** Against an Individual

- a. The board will close one or more meetings for preliminary consideration of allegations against an individual subject to its authority. If the board

members conclude that discipline of any nature may be warranted as a result of those specific allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open.

- b. A meeting must also be open at the request of the individual who is the subject of the meeting.
- c. A closed meeting [for this purpose](#) must be electronically recorded at the expense of the district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

4. Performance Evaluations

- a. The board may close a meeting to evaluate the performance of an individual who is subject to its authority.
- b. The board will identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the board will summarize its conclusions regarding the evaluation.
- c. A meeting must be open at the request of the individual who is the subject of the meeting.
- d. A closed meeting [for this purpose](#) must be electronically recorded at the expense of the district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

5. Attorney–Client [Privilege](#) Meeting

- a. A meeting may be closed if permitted by the attorney–client privilege. Attorney–client privilege applies when litigation is imminent or threatened, or when the board needs advice above the level of general legal advice (i.e., regarding specific acts and their legal consequences). A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting.
- b. 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.
- c. The law does not require that such a meeting be recorded.

6. Dismissal Hearing—~~Student, Teacher~~

- a. A hearing on the dismissal of a licensed teacher ~~is~~ **will be** public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence is public.
- b. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act is closed unless the student, parent, or guardian requests an open hearing.
- c. To the extent a teacher or student dismissal hearing is held before the board and is closed, the closed meeting must be electronically recorded at the expense of the district. The recording must be preserved for at least three **(3)** years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- a. If the board has declined to renew the coaching contract of a licensed or non-licensed head varsity coach, it must notify the coach within **fourteen (14)** days of that decision.
- b. If the coach requests the reasons for the nonrenewal, the board must give the coach ~~the~~ **its** reasons in writing within **ten (10)** days of receiving the request: **conducted pursuant to Minnesota's Public Employment Labor Relations Act (PELRA)**.
- c. On the request of the coach, the board must provide the coach with a reasonable opportunity to respond to the reasons at a board meeting.
- d. The meeting may be open or closed at the election of the coach, unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2 to discuss educational or certain other nonpublic data.
- e. A ~~closed~~-meeting **closed for this purpose** must be electronically recorded at the expense of the **school** district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if 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.
- e. A closed meeting must be electronically recorded at the expense of the [school](#) district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

9. Purchase and Sale of Property

- a. The board may close a meeting:
 - (1) to determine the asking price for real or personal property to be sold by the district;
 - (2) to review confidential or nonpublic appraisal data; and
 - (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- b. 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.
- c. The closed meeting must be tape recorded at the expense of the [school](#) district. The tape must be preserved for eight (8) years after the date of the meeting 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.
- d. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

10. Security Matters

- a. The board may close a meeting (1) to receive security briefings and reports, (2) to discuss issues related to security systems, (3) to discuss emergency response procedures, and (4) to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed

would pose a danger to public safety or compromise security procedures or responses.

- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the [school](#) district and the recording must be preserved for at least four (4) years.

11. Other Meetings

Other meetings must be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the [school](#) district. The recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

D. Procedures for Closing a Meeting

The board [will](#) ~~provides~~ notice of a closed meeting just as for an open meeting. A [school](#) board meeting may be closed only after a majority vote at an open 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.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. Ch. 13D (Open Meeting Law)

Minn. Stat. § 121A.47, Subd. 5 (~~Student Dismissal Hearing~~) ([Exclusion and Expulsion Procedures](#))

Minn. Stat. § 122A.33, Subd. 3 (~~Coaches; Opportunity to Respond~~) ([License and Degree Exemption for Head Coach](#))

Minn. Stat. § 122A.40, Subd. 14 (~~Teacher Discharge Hearing~~) ([Employment; Contracts; Termination](#))

Minn. Stat. § 179A.14, Subd. 3 (~~Labor Negotiations~~) ([Procedures](#))

Minn. R. 5510.2810 ([Petition for Mediation](#))

Brown v. Cannon Falls Township, 723 N.W.2d 31 (Minn. App. 2006)

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)

Dept. of Admin. Advisory Op. No. 21-003 (April 19, 2021)

Dept. of Admin. Advisory Op. No. 21-002 (January 13, 2021)

Dept. of Admin. Advisory Op. No. 19-012 (October 24, 2019)

Dept. of Admin. Advisory Op. No. 19-008 (May 22, 2019)

Dept. of Admin. Advisory Op. No. 19-006 (April 9, 2019)

Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)

Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)

Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)

Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)

Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)

Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)

Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)

Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)

Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)

Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

Cross References:

[Policy 203 \(Operation of the School Board\)](#)

Policy 206 (Public Hearings and Public Participation in School Board Meetings, Data
Privacy Considerations)

Policy 406 (Public and Private Personnel Data)

Policy 515 (Protection and Privacy of Student Records)

Policy

adopted: 04/16/07

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revised: 11/14/16

revised: 11/19/18

INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota

School Board

Conflict of Interest – School Board Members

I. Purpose

This policy reflects state statutes regarding conflicts of interest and engagement in school district business activities in a manner designed to avoid any conflict of interest or the appearance of impropriety.

II. General Statement of Policy

The school district contracts for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance of a conflict of interest.

III. General Prohibitions and Recognized Statutory Exceptions

- A. A school board member who is authorized to take part in any manner in making a sale, lease, or contract in his or her official capacity must not have a personal financial interest in that sale, lease, or contract or personally benefit financially from that interest .
- B. In the following circumstances, however, the board may, as an exception, by unanimous vote, contract for goods or services with a board member of the district:
 1. In the designation of a bank or savings association, in which a board member is interested, as an authorized depository for district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. A board member having an interest must disclose that interest and the disclosed interest will be entered upon the minutes of the board. Disclosure must be made when the bank or savings association is first designated as a depository or source of borrowing, or when the board member is elected, whichever is later. Disclosure serves as notice of the interest and ~~need must~~ only be made once;
 2. The designation of an official newspaper, or publication of official matters in the newspaper, in which the board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;

3. A contract with a cooperative association of which the board member is a shareholder or stockholder but not an officer or manager;
4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:
 - a. The board must authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
 - b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution in which the facts of the emergency are also stated.

Before a claim is paid, the interested school board member must file with the clerk of the school board an affidavit stating:

- (1) The name of the board member and the office held;
- (2) An itemization of the goods or services furnished;
- (3) The contract price;
- (4) The reasonable value;
- (5) The interest of the board member in the contract; and
- (6) That to the best of the board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.

5. A board member may rent space in a ~~public~~ district facility at a rate commensurate with that paid by other members of the public.
- C. In the following circumstances, the board may as an exception, by majority vote at a meeting where all board members are present, contract for services with a board member of the school district:—A board member may be newly employed or may continue to be employed by the district as an employee **only if** where there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that board member under that contract or employment relationship, will not exceed \$20,000 in that fiscal year. If the board member does not receive majority approval to be initially employed or to continue in employment at a meeting where all board

members are present, that employment ~~must~~ will be immediately terminated and that board member ~~has~~ will have no further rights to employment while serving as a board member in the district.

- D. The board may contract with a class of district employees, such as teachers or custodians, ~~when~~ where the spouse of a board member is a member of the class of employees contracting with the board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. ~~In order~~ For the board to invoke this exception, it must have a majority of disinterested board members vote to approve the contract, direct the board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting ~~in which~~ where the contract is approved.

IV. Limitations of Related Employees

- A. The school board ~~must~~ can hire or dismiss teachers only at duly called meetings. ~~When~~ if a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full board.
- B. The board may not employ any teacher related by blood or marriage to a board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full board.

V. Conflicts Prior to Taking Office

A school board member with personal financial interest in a sale, lease, or contract with the district that was entered before the board member took office and presents an actual or potential conflict of interest, must immediately notify the board of this interest. It is the responsibility of the board member to refrain from participating in an action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

VI. Determination as to Whether a Conflict of Interest Exists

The determination as to whether a conflict of interest exists is to be made by the school board. A board member who has an actual or potential conflict must notify the board of the conflict immediately. The board member must cooperate with the board as necessary for the board to make its determination.

Legal References:

Minn. Stat. § 122A.40, Subd. 3 (~~Teacher Hiring, Dismissal~~) ([Employment; Contracts; Termination](#))

Minn. Stat. § 123B.195 (Board Member's Right to Employment)

Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty)

Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)

Minn. Stat. § 471.89 (Contract, When Void)

Op. Atty. Gen. 437-A-4, March 15, 1935

Op. Atty. Gen. 90-C-5, July 30, 1940

Op. Atty. Gen. 90-A, August 14, 1957

Cross References:

Policy 101 (Legal Status of the School Board)

Policy 209 (Code of Ethics)

Policy

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revised: 12/17/18

INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota