



Regular Meeting Agenda

Diamondhead Education Center
200 W. Burnsville Pkway
Burnsville, MN 55337
September 8, 2022
6:30 PM

Strategic Directions

- Creating space and opportunity for each and every voice to be heard
- Actively leading by developing and sustaining a diverse and equitable education system
- Supporting and leveraging innovation to improve student outcomes and district culture
- Engaging our community to ensure common understanding of our Strategic Roadmap and the district work to support it

5:45 PM Listening Session with Directors Scott Hume and Anna Werb

I. Call to Order

- A. Welcome
- B. Pledge of Allegiance

II. Approval of Agenda

III. Information

- A. Introduce New Administrators 3
Speaker(s): Dr. Theresa Battle, Superintendent
- B. Summer Program Report 4
Speaker(s): Jason Sellars, Director of Community Education, Allison Jordan, ALC/CE Coordinator, and Courtnee Jackson Floback, Youth Services/ALC Credit Recovery Coordinator
- C. Safe Learning Plan Update 23
Speaker(s): Dr. Theresa Battle, Superintendent, and Bernie Bien, MS, BSN, RN Lead Licensed School Nurse
- D. Report about the First Day of School 36
Speaker(s): Dr. Theresa Battle, Superintendent
- E. Student Representative Report 37
- F. Superintendent Report
- G. Board Member Reports

IV. Business Meeting

2

A. Consent Agenda

Description: Although Board action is required, it is generally unnecessary to hold discussion on these items. In the event a Board member wishes to discuss an item, that item will be moved for separate consideration.

1. Approve Minutes 40
2. Approve Personnel Recommendations 52
3. Adopt a Resolution to Accept Donations 53
4. Receive a Report about the Listening Session 55
5. Approve Scheduling a Closed Session on September 22, 2022, for Security Issues 56
6. Approve Scheduling a Joint Meeting with the City of Burnsville Council on Monday, October 3, 2022, at 5:30 p.m. 57
7. Approve, on a Second Reading Basis, Non-Substantive Changes to Policy 521: *Student Disability Nondiscrimination* 58
8. Approve, on a Second Reading Basis, Changes to Policies 427: *Workload Limits for Certain Special Education Teachers*, and 615: *Testing Accommodations, Modifications and Exemptions for IEPs, Section 504 Plans and LEP Students* 61
9. Approve, on a First Reading Basis, Non-Substantive Changes to Policies 207: *Public Hearings*, 301: *School District Administration*, and 302: *Superintendent* 69

B. New Business 75

1. Approve Inver Hills Income Contract 77
Speaker(s): Dr. Kathy Funston, Director of Strategic Partnerships and Pathways
2. Approve Revisions to the School Board-Superintendent Communication Practices 83
Speaker(s): Lesley Chester, Chair
3. Approve, on a First Reading Basis, Changes to Policies 422: *Policies Incorporated by Reference*, 523: *Policies Incorporated by Reference*, 101: *Legal Status of the School District*, 210: *Conflict of Interest - School Board Members*, 303: *Superintendent Selection*, and 304: *Superintendent Contract, Duties and Evaluation* 92
Speaker(s): Dr. Theresa Battle, Superintendent

V. Adjourn

District 191 welcomes members of the public to attend Board of Education meetings, work sessions and other public gatherings. However, public participation is allowed only during listening sessions, which are held before regular board meetings. Community members who wish to share their thoughts and opinions on meeting topics should contact the Superintendent's office at 952-707-2005 to schedule a meeting with the Superintendent or member of her leadership team.



**Agenda III.A.
September 8, 2022**

To: Board of Education
From: Dr. Theresa Battle, superintendent
Date: September 2, 2022
Re: Introduce New Administrators



**Agenda III.B.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, Superintendent

From: Jason Sellars, Director of Community Education, Allison Jordan, ALC/CE
Coordinator, and Courtnee Jackson Floback, Youth Services/ALC Credit Recovery
Coordinator

Date: September 2, 2022

Re: Summer Program Report

Receive a report about Summer Programming from Jason Sellars, Director of Community Education, Allison Jordan, ALC/CE Coordinator, and Courtnee Jackson Floback, Youth Services/ALC Credit Recovery Coordinator.



Update: Summer Programming

Jason Sellars, Director of Community Education, Allison Jordan, ALC/CE Coordinator, and Courtnee Jackson Floback, Youth Services/ALC Credit Recovery Coordinator
September 8, 2022

Summer Programming Overview

- Summer Programming Goals and Philosophy
- Programming Locations and Enrollment
- Integrated Programming
- Learner Outcomes
- Partnerships
- Student, Parent, and Staff Feedback
- Acknowledgments



Goals of Summer Programming



Caring Community

- Expanding free and fee for service programming to students and families

Cultural Proficiency

- Providing equitable opportunities for all students during summer programming

Future Readiness

- Provide students hands-on, standards-aligned project-based learning that focuses on exploring the natural world through integration of Math, Science, Language Arts
- Providing programs which include academics, enrichment and credit recovery
- Provide additional supports for Multilingual Learners, Special Education students

Inclusive Partnership

- Partnering with external agencies to provide learning opportunities for students and families

Student Agency

- Providing students with voice and choice in learning including hands on experiences to explore learning styles

Summer Programming Locations and Students Served

Area Learning Center Programming (ALC)

Vista View Elementary (413)	PreKindergarten, Kindergarten, 1st Grade
Hidden Valley Elementary (419)	2nd grade, 3rd grade, 4th Grade, Special Education
Eagle Ridge Middle School (258)	5th grade, 6th grade, 7th grade
Burnsville High School (487)	8th grade STEM Academy, 9-12 Credit Recovery, Special Education
Harriet Bishop Elementary (89)	2nd grade, 3rd grade, 4th grade

Kindergarten Jump Start

Vista View (80)	Gideon Pond (117)	PreKindergarten Readiness
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School Age Care Programming

Edward Neill and Gideon Pond (270)	Project Kids (Kindergarten-5th grade)
Harriet Bishop (450)	The Edge (6th-9th grade)
Diamondhead Education Center (137)	Early Childhood Education

Summer Programming Locations and Students Served

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Adult Education Programming

Summer Academy for Adults (77)
Gertens Garden Center (63)

English Language classes and GED tutoring
Workplace Literacy, English Language Classes

Youth Programming

PreK-5th Grade (710)
6-12 Programming (155)
Blaze Sports (383)
Aquatics (200)

Coding, Drone Programming, STEM, Ethnobotany, Fencing
Driver's Education, Swing Dance
K-12 Sports

Summer Bridge Academy

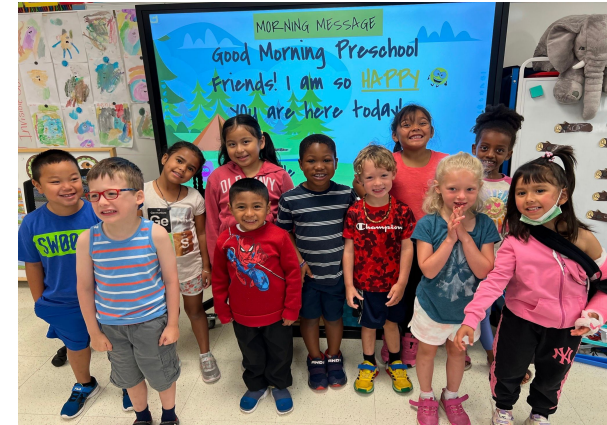
Burnsville High School (45)

Math programming in partnership with Lakeville

Community Education Summer Programming - Total Impact



*** Approximately
4,273 total students in
Summer Programming

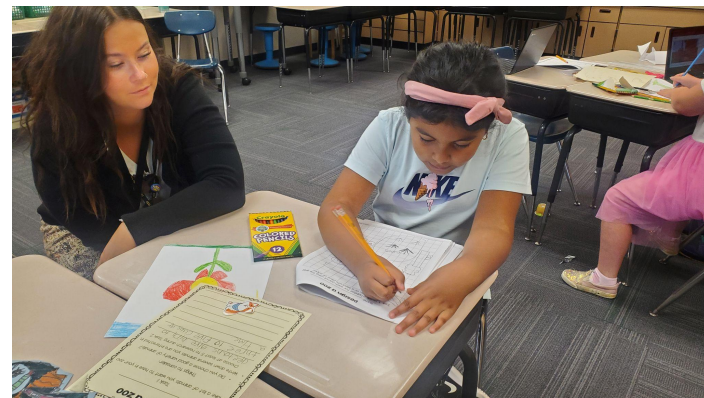


Newly Integrated Programming

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- 2 week Extended Summer at Harriet Bishop
- Field Trips on Friday for K-5 Summer Programming



Summer Programming Learner Outcomes

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- Continual Learning Plans (CLPs) for all Area Learning Center students
- CLPs measure growth in Literacy, Math, and Social Emotional areas
- CLPs shared with families at the completion of summer programming
- Being a Reader (BAR) assessments for Kindergarten and 1st graders in addition to CLP

Learner Outcomes

Growth In Math

Kindergarten:

pre-assessment average score: 68.62%

post-assessment average score: 72.33%

3.72% increase

First Grade:

pre-assessment average score: 53.86%

post-assessment average score: 61.15%

7.29% increase

Second Grade:

pre-assessment average score: 45.91%

post-assessment average score: 58.00%

12.09% increase

Third Grade:

pre-assessment average score: 43.06%

post-assessment average score: 53.93%

10.87% increase

Fourth Grade:

pre-assessment average score: 49.90%

post-assessment average score: 70.91%

21.01% increase

Fifth Grade:

pre-assessment average score: 44.12%

post-assessment average score: 75.94%

31.81% increase

Sixth Grade:

pre-assessment average score: 34.55%

post-assessment average score: 66.48%

31.93% increase

Seventh Grade:

pre-assessment average score: 23.35%

post-assessment average score: 79.92%

56.57% increase

Learner Outcomes

Growth In Literacy

Kindergarten:

pre-assessment average score: 41.40%

post-assessment average score: 55.59%

14.19% increase

First Grade:

pre-assessment average score: 55.44%

post-assessment average score: 73.40%

17.96% increase

Second Grade:

pre-assessment average score: 78.33%

post-assessment average score: 85.17%

6.84% increase

Third Grade:

pre-assessment average score: 55.87%

post-assessment average score: 64.56%

8.69% increase

Fourth Grade:

pre-assessment average score: 59.29%

post-assessment average score: 64.77%

5.49% increase

Fifth Grade:

pre-assessment average score: 58.12%

post-assessment average score: 76.53%

18.41% increase

Sixth Grade:

pre-assessment average score: 53.33%

post-assessment average score: 74.82%

21.49% increase

Seventh Grade:

pre-assessment average score: 56.03%

post-assessment average score: 72.20%

16.17% increase

Learner Outcomes

9-12 Credit Recovery and 8th Grade Summer STEM Success Academy

Summer Program	Credits Earned
8th Grade STEM	76.5 credits by 53 students
9th-12th Grade Credit Recovery	562 credits by 271 students

Academic Year Day Program	Credits Earned
267 Students Registered	300 credits by 168 students



Community Partnerships

- University of Minnesota
- 4-H Extension Learning Programs
- YMCA
- Glendale Church
- Minnesota National Wildlife Refuge
- Savage Parks and Rec
- The Garage
- Burnsville Fire Department
- Science Explorers
- MN Science Museum
- Base Camp
- Minnesota Zoo
- Feed My Starving Children
- RAD Zoo
- Dakota County Parks and Rec



- Open Door
- Chess
- Burnsville Athletic Club
- Pantry 191
- Blaze Camps
- Conquer Gym
- Culinary Kitchen
- 191 Aquatics
- Tech Trek
- Soccer Skills
- Mayer Arts
- Training Haus
- Safeway

Parent Feedback

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“My son loved summer school! The staff were all wonderful and engaging! Thank you so much!”

“We loved the full days. Definitely helped our son!”

“My children had a wonderful time in the kindergarten jump start program.”

“I thought that the field trips were awesome.”

“My son loved the GTI programs!”

“I was impressed with the number of staff on-site available to help with drop-off. Seemed very organized.”

“Thank you very much for your time that you gave to my child because he came happy with everything they did.”

Staff Feedback

“I LOVED the kids I worked with!! They reminded me why I love teaching.”

“It is amazing that students have the opportunity to write songs, get exposure to digital music production, how to run a professional venue and learn music video production values. That's an incredible thing to offer students in our very online and media-driven world and may get them to think about possible career paths down the road.”

“Kids had many opportunities for projects, movement, and multimodal learning. The teachers were excited to be there which made the students excited to attend.”

“I loved working summer school! It is amazing to see a team of educators who are all excited and happy to be working with students and being so adaptable for all student needs.”

“This program is the only one I have heard of where almost all students are EXCITED to be in summer school.”



Student Supports and Personalized Learning

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- Multilingual Staff
- Special Education Staff
- Intervention Staff
- AmeriCorps
- Headway
- Speech and Language



Planning for Summer 2023

20

- Review parent and summer staff survey data
- Review student achievement data
- Review curriculum at each grade level
- Engage current and potential new partnerships
- Ensure accurate reporting to MDE
- Expand programming and partnerships



Thank You

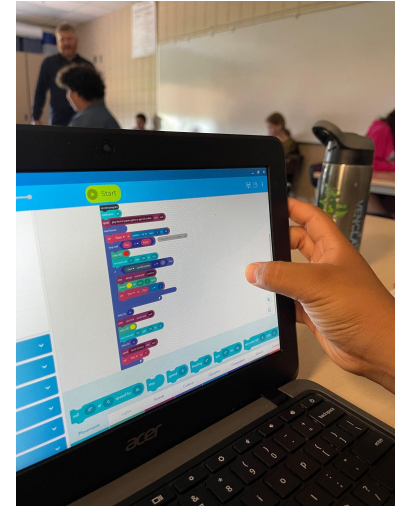
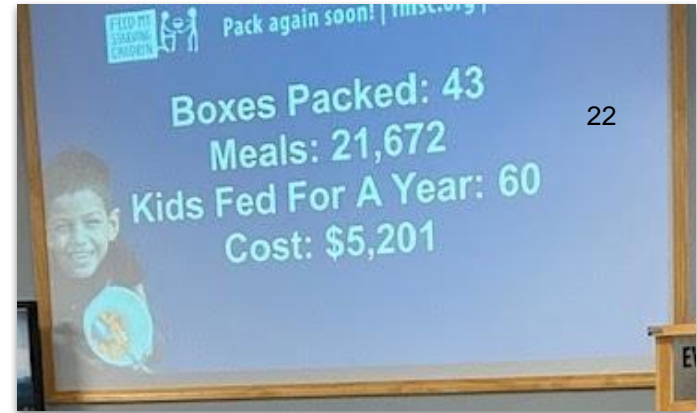
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- Students and Families
- Summer staff at all levels and in all programs
- Department Directors and Coordinators
- Dr. Battle and Leadership Team
- Core ALC team



Thank
you





**Agenda III.C.
September 8, 2022**

To: Board of Education

From: Dr. Theresa Battle, superintendent, and Bernie Bien, MS, BSN, RN lead licensed school nurse

Date: September 2, 2022

Re: Safe Learning Plan Update

Receive a Safe Learning Plan Update from Dr. Theresa Battle, superintendent, and Bernie Bien, MS, BSN, RN lead licensed school nurse.



Safe Learning Plan Update

Dr. Theresa Battle, superintendent,
and Bernie Bien, MS, BSN, RN, Lead
Licensed School Nurse

September 8, 2022

Health and Safety Community Level

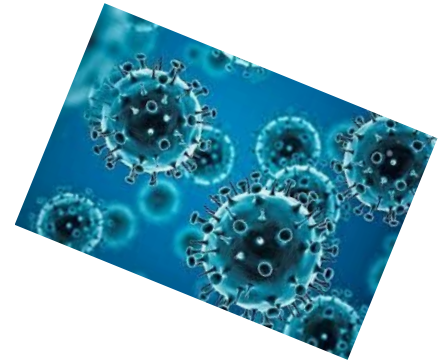
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A measure of the impact of COVID-19 illness on health and health care systems

- New cases in the community
- New admissions due to COVID-19
- In-patient beds occupied by COVID-19 patients

Dakota and Scott County Data

- Cases per 100,000



CDC Guidance Changes

- Continued support for mitigation strategies for the prevention of multiple communicable diseases
- Removed recommendation to Cohort
- Changed recommendation to conduct screening testing
- Updates to Quarantine and Isolation Guidance
- Added detailed information on when to wear a mask, managing cases and exposures, and responding to outbreak

Rationale: The landscape has changed in the US

- SARS-CoV-2 will continue to circulate globally
- High levels of vaccine- and infection-induced immunity
- Effective treatments and prevention tools
- Greatly reduced risk of medically significant illness, hospitalization, and death for most
- Public health is focusing on sustainable efforts to minimize impact of COVID-19 on health and society

Mitigation Strategies

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Maintain current mitigation strategies

- Ventilation and filtration
- Cleaning and disinfection
- Promote physical distancing
- Support student and staff staying home when sick
- Case tracking and surveillance
- Continue to notify families at elementary and early learning for positive cases
- Promote vaccination opportunities
- Promote respiratory and hand hygiene
- Testing home test kits and community testing resources to students and staff
- Provide guidance regarding isolation and quarantine

Isolation

Staying Home and away from other when testing positive

- Stay home and isolate from others for at least 5 days
- Wear a well fitted mask for a full 10 days when around others
- Shortened isolation: Returning on Day 6 - Day 10
 - Symptom improvement
 - Fever free for 24 hours
 - Continuation of wearing a well fitted mask when around others.
- For students who can not wear a mask
 - Stay home for the full 10 days isolation
 - Consider the use of testing to determine end of at home isolation

Quarantine

Exposure to someone who has COVID-19

- Removal of home quarantine
- Wear a well fitted mask around others for 10 days if you have been identified as a close contacts regardless of vaccination status or prior COVID-19 infection.
- Get tested on or after day 5
- Stay home if symptoms develop

MN State High School Athletics Guidance - Updated 8/15/2022

- Days 0-5: May not participate in-person practice or competitions
- Days 6-10: Individuals may participate in an in-person practice and competition with a mask
- Individuals may not actively participate in swimming, diving, or while stunting in cheer, as a mask cannot be worn safely.
- With two sequential negative tests 48 hour apart, the masks may be removed sooner than day 10

Thank You

9/8/2022 Board Meeting

Slide 1

Tonight I am going to review CDC guidance that was released on August 11 for k-12 Schools and Early Care Education Programs to support safe in-person learning. This document supports core practices for infectious disease prevention as part of normal day to day operations.

Last year, CDC developed the COVID Community Level metric to measure the impact of COVID-19 illness on health and the health care system. This metric ranks the level as low, medium or high. These factors include:

- New cases in the community
- New admissions due to COVID
- Percentage of in patient beds occupied by COVID-19 patients

Currently, both Scott County and Dakota County are classified as low community levels.

The cases per 100,000 for Scott county - 98.65

Dakota County - 121.67

Also, promising is that the waste water surveillance for COVID is showing a decrease in viral load. These metrics are good and support movement from a covid pandemic to a communicable disease prevention focus.

Slide 2

This slide highlights a summary of changes recommended by CDC and MDH.

The mitigation practice of cohorting or maintaining pods has been discontinued.

Routine COVID screening is no longer recommended therefore the staff optional COVID screening program has been discontinued.

There are also a few modifications in the isolation and quarantine guidance which I will address in more detail later.

Slide 3

As the COVID landscape has changed across the world CDC has provided the 'Rationale' for moving towards a more sustainable health and safety model.

COVID is behaving like a virus and it will continue to mutate and circulate and infect. Because of this we need to always be mindful of COVID but the result is a community with higher infection-induced immunity. We are also seeing the positive impact of vaccinations reducing serious illness or death.

Slide 4 Mitigation Strategies

CDC supports the continued mitigation strategies for disease prevention. I will highlight a few areas.

- Mask - Are optional for individuals and will continue to be supported and respected in their decision.
- Partnering with Smitty and Sons, we will continue to keep some windows open for ventilation on school buses. In our early learning classrooms we are in the process of adding air purifiers.
- As a health service team, we will continue to track COVID cases and provide guidance to staff and families. We will also continue with classroom notification letters in our early learning and elementary classrooms for families.
- During open houses on August 31, we collaborated with community partners to provide covid vaccination and routine back to school vaccination opportunities to students and families.
- Dakota County Public Health held a clinic at the HS and Dakota Child and Family Clinic was stationed at ER. I also want to give a shout out to the PN staff that continues to provide vaccinations and health care at the DH clinic on Tuesdays and Thursdays.
- During open houses we were able to distribute home test kits to families and this week we secured kits from MDE for staff. A shout out goes to Dave Lake, Mark Glende and the operations department for distributing these test kits to schools.

Slide 4 Isolation

Now onto isolation which is the action when someone is infected with COVID.

This guidance has not changed from the fall in regards to the option of a shortened isolation period with ending isolation on day 6 instead of day 10.

Individuals are eligible for a shortened isolation and return on day 6 if symptoms have improved, fever free and able to continue to wear a mask through day 10 when around others.

The change in the isolation guidance relates to our early learners and individuals with disabilities and / or health conditions preventing wearing a well fitted mask.

In this situation, testing out of home isolation is an option which requires two sequential negative tests 48 hours apart with the first test on day 5.

Slide 5 Quarantine

Quarantine is the action when someone has been exposed to COVID.

The new guidance recommends the removal of home quarantining and instead supports in person learning while wearing a well fitted mask for the 10 days.

For individuals unable to wear a mask additional mitigation may be added to the classroom along with supporting staying home if symptoms develop.

Slide 6 Athletics

Following the CDC guidance, the state HS athletics updated their guidance.

Athletics may participate in practice and competition on day 6-10 while wearing a mask.

Athletics may test out of mask wearing sooner than day 10 with the presence of two sequential negative tests.

Thank you



**Agenda III.D.
September 8, 2022**

To: Board of Education
From: Dr. Theresa Battle, superintendent
Date: September 2, 2022
Re: Report about the First Day of School

Receive a report about the First Day of School from Dr. Theresa Battle, superintendent.



**Agenda III.E.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Ava Drobnick, student board representative

Date: September 2, 2022

Re: Student Board Representative Monthly Report

Receive a report from Ava Drobnick, student board representative.



**Agenda III.F.
September 8, 2022**

To: Board of Education
From: Dr. Theresa Battle, superintendent
Date: September 2, 2022
Re: Superintendent Report

Receive a report from Dr. Theresa Battle, superintendent.



**Agenda III.G.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Lesley Chester, board chair

Date: September 2, 2022

Re: Board Member Reports

Receive reports from board members.

School Board Minutes
 INDEPENDENT SCHOOL DISTRICT 191
 August 25, 2022

The regular meeting of the Board of Education was called to order by Vice Chair Hume at 6:30 p.m. The meeting was held at Diamondhead Education Center, 200 West Burnsville Parkway, Burnsville, MN, 55337.

Call to Order

Directors Alt, Hume, Miller, and Chair Chester were present. Directors Conner, Said, and Werb were absent. Superintendent Dr. Battle, administrators, staff and members of the public were also present.

Attendance

Chair Chester welcomed the audience and asked Alt to lead the Pledge of Allegiance.

Welcome and Pledge

Agenda

Moved by Miller, seconded by Hume, to approve the agenda. The motion carried unanimously (4, 0).

Received a report about Summer Projects from Dave Lake, director of operations and transportation.

Reports

Received a report about the SMART Goals for the ISD 191 Board of Education for 2022-2023 from Lesley Chester, chair.

Received a report about the Superintendent Goals for 2022-2023 from Dr. Theresa Battle, superintendent.

Received reports from Alt on behalf of the Policy Review Committee and Burnsville Festival Fire Muster, Hume on behalf of the Legislative Committee, and Chester on behalf of the ISD 917.

Moved by Alt, seconded by Miller, to approve the consent agenda.
 -Approve minutes of the August 11, 2022, regular meeting and August 16, 2022, retreat.

Consent Agenda
 Minutes
 Personnel

-Approve personnel recommendations for Abigayil Cisek, Alisha Bolfing, Allison Engebretson, Alyssa Hanson, Angela Rimbo, Betsy Galles, Callie Athey, Denise Nordeen, Dimitri Russell, Emiley Hoffman, Emily Cherne, Emily Peka, Haley Warren, Heather Guertin, Jason Mode, Kaitlyn Shirley, Kaitlynn Krueger, Katie Reeson, Kaylin Elfering, Kelsey Hull, Krista Lesiecki, Mark Gonnella, Megan Flom, Megan Glashagel, Megan Reissy, Rachael Larson, Samantha Witt, Timothy Mikkelson, Emiley Peka, Molly Romano,

Alison Drutowski, Alex Buddington, Caroline Cullison, Jessica Maule, Katherine Kermes, Lauren Akers, Amanda Carrick, Deonta El-Shabazz, Derek Tano, Erin O'Hara Stuart, Krystal Ebel, Lissette Alcala, Myra Salinas, Shannon Simpson, Trey Blanchard, Hudayfi Barsug, Jeremy Nelson, Mo Bille, Safiyo Jama, Shannon Haas, Donita Luth, and Scott Wurdeman.

-Adopt a resolution to approve and accept donations as presented.

-Approve May payroll checks in the net amount of \$3,936,585.32. May claims to date, wire transfers and adjustments totaling \$7,823,641.86. Also, that the Board accepts May receipts of \$20,555,303.73 and investments for the General Fund, 2015A School Building Bonds, and OPEB of \$71,195,626.88 as of May 31, 2022.

-Accept the Budget Analysis for the month ending May 31, 2022.

-Receive a report about the Listening Session on August 11, 2022.

-Approve, on a second reading basis, non-substantive changes to Policy 204: *School Board Meeting Minutes*.

-Approve, on a second reading basis, changes to Policies 205: *Open Meetings and Closed Meetings*, 208: *Development, Adoption, and Implementation of Policies*, 305: *Policy Implementation*, and 533: *Wellness*.

-Approve, on a first reading basis, non-Substantive changes to Policy 521: *Student Disability Nondiscrimination*.

The motion carried unanimously (4, 0).

Moved by Hume, seconded by Miller, to adopt the RESOLUTION DECLARING THE OFFICIAL INTENT OF THE DISTRICT TO REDEEM OR DEFEASE A PORTION OF CERTAIN OUTSTANDING TAXEXEMPT OBLIGATIONS THAT FINANCED THE RIVER RIDGE AND METCALF FACILITIES IN THE EVENT OF DELIBERATE ACTION; AUTHORIZING THE REDEMPTION OR DEFEASANCE OF SUCH OBLIGATIONS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT; AND APPROVING CERTAIN OTHER ACTIONS WITH RESPECT THERETO

WHEREAS, Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota (the "District"), previously issued the following tax-exempt obligations, the proceeds of which financed or refinanced the acquisition and betterment of, and maintenance projects at, various District facilities, including facilities located at: 100 River Ridge Ct., Burnsville, Minnesota 55337 (the River Ridge Facility") and 2250 Diffley Road, Eagan,

Donations
Checks, claims,
receipts and
investments

Budget Analysis

Listening
Session
Policies

Form of
Remedial Action
Resolution
(Defeasance and
Alternative Use
of Disposition
Proceeds)

Minnesota 55122 (the “Metcalf Facility”):

(a) General Obligation School Building Bonds, Series 2015A (the “Series 2015A Bonds”), issued by the District on May 7, 2015, in the original aggregate principal amount of \$64,485,000;

(b) General Obligation Alternative Facilities Refunding Bonds, Series 2016A (the “Series 2016A Bonds”), issued by the District on March 15, 2016, in the original aggregate principal amount of \$36,715,000; and

(c) General Obligation Alternative Facilities Refunding Bonds, Series 2020A (the “Series 2020A Bonds”), issued by the District on November 4, 2020, in the original aggregate principal amount of \$11,485,000; and

WHEREAS, 3.19% of the proceeds of the Series 2015A Bonds, 0.12% of the proceeds of the Series 2016A Bonds, and 0.29% of the proceeds of the Series 2020A Bonds financed or refinanced the acquisition and betterment of, and maintenance projects at, the River Ridge Facility; and

WHEREAS, 1.53% of the proceeds of the Series 2015A Bonds, 13.71% of the Series 2016A Bonds, and 7.99% of the proceeds of the Series 2020A Bonds financed or refinanced the acquisition and betterment of, and maintenance projects at, the Metcalf Facility; and

WHEREAS, the Series 2015A Bonds and the Series 2016A Bonds are subject to optional redemption and prepayment on February 1, 2025, and the Series 2020A Bonds are subject to optional redemption and prepayment on February 1, 2027, and therefore the period between the issue date and the first call date of the Series 2015A Bonds, the Series 2016A Bonds, and the Series 2020A Bonds (collectively, the “Bonds”) is not more than 10 1/2 years; and

WHEREAS, the Bonds mature on the dates and in the principal amounts as set forth in EXHIBIT A attached hereto; and

WHEREAS, the District sold the River Ridge Facility to Abdullahi Jama pursuant to a commercial purchase agreement, dated April 22, 2021, and in connection with such sale, the District was advised by Kennedy & Graven, Chartered, bond counsel to the District (“Bond Counsel”), that such deliberate action did not cause any of the bonds

that financed or refinanced the River Ridge Facility to meet the private activity bond tests under Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the District has entered into a purchase agreement, dated April 28, 2022 (the "Purchase Agreement"), with Syndica, LLP, an unrelated third-party buyer, a nongovernmental person (a "Buyer"), for the sale of the Metcalf Facility; and

WHEREAS, the Purchase Agreement constitutes a bona fide and arm's length arrangement, pursuant to which the Buyer will pay fair market value for the Facility; and

WHEREAS, the Purchase Agreement is currently subject to several material contingencies; and

WHEREAS, on the date the Purchase Agreement is no longer subject to any material contingencies, the District will be deemed to have taken a deliberate action under Section 141 of the Code, and Treasury Regulations, Section 1.141-2(d) that causes the Bonds to become private activity bonds; and

WHEREAS, an issuer of tax-exempt bonds that takes a deliberate action causing such bonds to become private activity bonds may take a remedial action described in Treasury Regulations, Section 1.141-12 to resolve the deliberate action and preserve the tax-exempt status of the bonds, including but not limited to the redemption or defeasance of all nonqualified bonds under Section 1.141-12(d); and

WHEREAS, Treasury Regulations, Section 1.141-12(d)(2) provides that if the consideration for the disposition of the bond-financed property is exclusively cash, the requirements for the redemption or defeasance of all nonqualified bonds will be met if the issuer uses all of such disposition proceeds to redeem a pro rata portion of the nonqualified bonds at the earliest call date after the deliberate action, within 90 days of the date of the deliberate action, or establish a defeasance escrow for such bonds within 90 days of the deliberate action in the event the bonds are not callable within 90 days of the date of the deliberate action; and

WHEREAS, Treasury Regulations, Section 1.141-12(d)(3) provides that an issuer may satisfy the requirements for redemption or

defeasance of nonqualified bonds within 90 days of the deliberate action if the issuer declares its official intent to redeem or defease all of the bonds that would become nonqualified in the event of a subsequent deliberate action that would cause the bonds to become private activity bonds and the issuer redeems or defeases such bonds prior to that deliberate action; and

WHEREAS, the District has determined to make this declaration of official intent to redeem or defease all of the Bonds that would become nonqualified in the event of a subsequent deliberate action that would cause such bonds to become private activity bonds (the "Nonqualified Bonds") in accordance with Treasury Regulations, Section 1.141-12(d), to the extent the extent callable; and

WHEREAS, the District has further determined to establish a defeasance escrow, as defined in Treasury Regulations, Section 1.141-12(d)(6), to redeem any Nonqualified Bonds that are not callable within 90 days of a deliberate action, at their earliest call date; and

WHEREAS, the District has further determined to authorize the execution of an escrow agreement and all other documents and instruments related thereto as the School Board of the District may, in consultation with Bond Counsel and Ehlers and Associates, Inc., municipal advisor to the District (the "Municipal Advisor"), determine are necessary or appropriate in connection with such defeasance; and

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota that: Section 1. Declaration of Official Intent to Redeem or Defeas Nonqualified Bonds. The District declares its official intent pursuant to Treasury Regulations, Section I.141-12(d) to redeem or defease any Nonqualified Bonds prior to a deliberate action that may cause any of the Bonds to meet the private activity bond tests or within 90 days of the execution of a Purchase Agreement, and if any Nonqualified Bonds are not callable within 90 days of any such deliberate action, establish a defeasance escrow within 90 days of the deliberate action for deposit therein the cash proceeds received by the District from the sale of the Metcalf Facility and/or other available funds to redeem Nonqualified Bonds on their earliest call date. Section 2. Redemption or Defeasance of the Nonqualified Bonds. The District hereby authorizes the redemption and defeasance of the Nonqualified Bonds in

accordance with the following procedures and plan (herein the "Plan"):

(A) The District hereby authorizes and directs the redemption of any Nonqualified Bonds that may be redeemed within 90 days of the execution of a Purchase Agreement (defined above to include any purchase agreement that is not subject to any material contingencies);

(B) For any Nonqualified Bonds that are not callable within such period, the District hereby authorizes and directs the defeasance of such Nonqualified Bonds and the establishment of a defeasance escrow out of the disposition proceeds received by the District from the sale of the Metcalf Facility or other available funds of the District, the terms of which defeasance escrow shall be finally determined, specified, and approved by the Superintendent of the District and/or the Chair of the School Board of the District and the District Clerk (the "Authorized Officers"), and each such Authorized Officer shall be and hereby is authorized to make the final determination of the terms and manner of defeasance, and the terms of the Escrow Agreement (as hereinafter described) and purchase of the escrowed securities to fund the escrow for accomplishing the defeasance, and the final maturities and portions thereof of the percentage of the Nonqualified Bonds to be defeased. The Nonqualified Bonds selected for defeasance shall be determined by any Authorized Officer in accordance with the requirements of Treasury Regulations, Section 1.141-12(j)(2).

(B) The defeasance escrow shall be established within 90 days of the date the Purchase Agreement is no longer subject to any material contingencies in accordance with Treasury Regulations, Section 1.141-12(d).

(C) The Nonqualified Bonds shall be paid from the defeasance escrow on their respective maturity dates, which dates the District hereby finds are the first date each of such obligations may be called, and written notice of defeasance shall be given in such forms as approved by any Authorized Officer.

(D) The cash sum received by the District from the sale of the Metcalf Facility and/or other funds of the District shall be deposited in the defeasance escrow with the initial registrar and paying agent with respect to the Bonds, or another suitable financial institution in

the State of

Minnesota whose deposits are insured by the Federal Deposit Insurance Corporation and combined capital and surplus is not less than \$500,000 (the "Escrow Agent"). The District shall enter into an escrow agreement with the Escrow Agent (the "Escrow Agreement"), setting forth the terms necessary to carry out the Plan set forth herein, and as the School Board of the District may determine, in consultation with Bond Counsel and the Municipal Advisor. The authority to approve, execute, and deliver the Escrow Agreement and any other documents to be executed and delivered by the District in connection with the defeasance of the Nonqualified Bonds is hereby delegated to the Authorized Officers and such other officials, subject to the following conditions:

(i) the Escrow Agreement or such other documents do not materially adversely affect the interests of the District;

(ii) the Escrow Agreement or such other documents do not contravene or violate any policy of the District; and

(iii) the Escrow Agreement or such other documents are acceptable in form and substance to Bond Counsel. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the Escrow Agreement or such other aforementioned documents and the terms of this resolution. The execution of any instrument by the Authorized Officers shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof.

(D) Written notice of the defeasance shall be given to the Commissioner of the Internal Revenue Service within 90 days from the date the defeasance escrow is established in accordance with Treasury Regulations, Section 1.141- 12(d)(4).

(E) In the event the disposition proceeds received by the District from the sale of the Metcalf Facility are not sufficient to fully fund the escrow requirements to defease all of the Nonqualified Bonds, the District will nonetheless be deemed to meet the requirements for the defeasance remedial action so long as the disposition proceeds are exclusively cash and the District uses all of such disposition proceeds to establish a defeasance escrow for a pro rata portion of

the Nonqualified Bonds within 90 days of the deliberate action, as provided in Treasury Regulations, Section 1.141-12(d)(2). In the event the disposition proceeds received by the District from the sale of the Metcalf Facility exceed the amount necessary to fully fund the defeasance escrow for the defeasance of the Nonqualified Bonds, then the remaining disposition proceeds shall be expended by the District within two years for other governmental purposes of the District and in a manner that does not cause the Bonds to become private activity bonds, in accordance with the remedial action provisions under Treasury Regulation §1.141-12(e).

(F) The engagement of Bond Counsel, the Municipal Advisor, any verification agent, and the Escrow Agent, to assist and serve the District in carrying out the Plan is hereby approved, ratified and authorized, and the payment of the reasonable fees and costs of such providers is hereby approved and authorized. Section 3. Paying Agent Instructions. To provide for the discharge and defeasance of the Nonqualified Bonds and all liens securing same, the District hereby approves and authorizes any of the Authorized Officers to prepare and send written instructions to the paying agent for the Bonds (the "Paying Agent"), in such form and content as approved by any such Authorized Officer or any other officer or official representative of the District, as any of them may determine to be necessary or appropriate. Section 4. Further Action. Each of the Chair, the District Clerk, the District Treasurer, or any other officer or official representative of the District, acting alone and without the necessity of the joinder of any other authorized District official, is hereby authorized and directed to take all action as may be necessary or appropriate to effectuate this resolution and the redemption or defeasance of the Nonqualified Bonds, including but not limited to:

- (i) making all arrangements necessary or appropriate with the Paying Agent for the redemption or defeasance of the Nonqualified Bonds,
- (ii) making such deposits to the defeasance escrow as may be necessary for the defeasance of the Nonqualified Bonds,
- (ii) approving the final terms of and execution of the Escrow Agreement with the Escrow Agent,
- (iv) authorizing the investment of the funds held in defeasance

escrow under the Escrow Agreement in accordance with the terms of this resolution,

(v) approving and authorizing the payment of the costs incurred in connection with the remedial actions described in this resolution, including the fees and costs of Bond Counsel, the Municipal Advisor, the verification agent, and the fees and expenses of the Paying Agent and the Escrow Agent and all related costs, and

(vi) taking all other actions that are reasonably necessary or appropriate to provide for the redemption or defeasance of the Nonqualified Bonds.

The motion carried unanimously (4, 0).

Moved by Miller, seconded by Alt, to approve the 2022-2023 BHS Student Activity Handbook. The motion carried unanimously (4 0).

Moved by Hume, seconded by Miller, to approve, on a first reading basis, changes to Policies 427: Workload Limits for Certain Special Education Teachers, and 615: Testing Accommodations, Modifications and Exemptions for IEPs, Section 504 Plans and LEP Students. The motion carried unanimously (4, 0).

Moved by Alt, seconded by Miller, that the board of education approves for the 2023 - 2024 school year, the proposed programming priorities and staffing retention protections and their qualifying criteria in the following areas:

Board Priorities

PROGRAMMING PRIORITIES AND STAFFING RETENTION PROTECTIONS	QUALIFYING CRITERIA
Retain the staff, at their 2022-2023 total FTE, who teach Chef 2, Chef 3, and Hospitality Internship (Culinary Pathway) courses that are approved by the site administrator for the 2023-2024 school year schedule.	Current MN teaching license, vocational license, Safe Schools certified, ProStart trained, credentialed by partnering postsecondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach	Current MN teaching license in the areas under STEM and

Project Lead the Way (PLTW + Engineering Pathway) courses that are approved by the site administrator for the 2023-2024 school year schedule.	specialized PLTW certification for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach Concurrent Enrollment courses that are approved by the site administrator for the 2023-2024 school year schedule.	Current MN teaching license, additional post-graduate education, and credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach Healthcare Core, Nursing Assistant, and EMT (Healthcare Pathway) courses that are approved by the site administrator for the 2023-2024 school year schedule.	Current MN teaching license, meet all requirements of MDE and MDH, and credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach CTE Eligible courses that are approved by the site administrator for the 2023-2024 school year schedule.	Current MN teaching license and CTE license for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach Education Pathway courses that are approved by the site administrator for the 2023-2024 school year schedule.	Current MN teaching license, post-graduate coursework, training in the Pathways2Teaching program with Dr. Bianco through University of Colorado - Denver, credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach AP Computer Science, Mobile CS Principles, AP Mobile CS Principles, Computer Applications (IT Pathway) courses that are approved by the site administrator for the	Current MN teaching license and documented training in the specific area of computer science and programming, credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.

2023-2024 school year schedule.	
Retain the staff, at their 2022-2023 total FTE, who teach Welding/Autobody, Intro to Consumer Auto, Advanced Auto/Vehicle Services (Automotive Pathway) courses that are approved by the site administrator for the 2023-2024 school year schedule	Current MN teaching license and specific training, Automotive Service Excellence (ASE) certified, credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who teach Construction Trades I and II (Construction Pathway) courses that are approved by the site administrator for the 2023-2024 school year schedule	Current MN teaching license and credentialed by partnering post-secondary institution for the 2023-2024 school year schedule.
Retain the staff, at their 2022-2023 total FTE, who are TOSA's identified as Deans that are approved by the site administrator for the 2023-2024 school year staffing.	Current MN K-12 Principal or Secondary Principal license and 3 years of building level Dean experience during the 2023-2024 school year schedule.

Be It Further Resolved that: staffing retention protection aligns with the district 191 strategic plan and are for traits such as unique specialized training, external certifications or licenses, language proficiency, and recruitment and retention of teachers and administrators with diverse racial and ethnic backgrounds. the staffing retention protections do not limit the board's ability to determine the programs, functions, overall budget, utilization of technology, organizational structure, selection of personnel, ability to discipline, and the direction and number of personnel. The motion carried unanimously (4, 0).

Moved by Miller, seconded by Hume, to approve the Superintendent's Goals for 2022-2023. Moved by Alt, seconded by Miller, to amend the goals and add the following statement under letter d, "Send an automated survey to families upon their departure of removing their child or children from ISD 191. The survey would collect information as to why their family made this choice. Analyze the survey data in addition to in-house data. Present survey data

Superintendent Goals

and analysis as an annual report to the board.” The amendment to the goals carried unanimously. The main motion as amended carried unanimously after discussion (4, 0).

Moved by Miller, seconded by Hume, to approve the SMART Goals for the ISD 191 Board of Education for 2022-2023. The motion carried unanimously (4, 0).

Board Goals

Moved by Alt, seconded by Hume, to approve the 2022-23 Board Planning Document. The motion carried unanimously (4, 0).

Board Planning

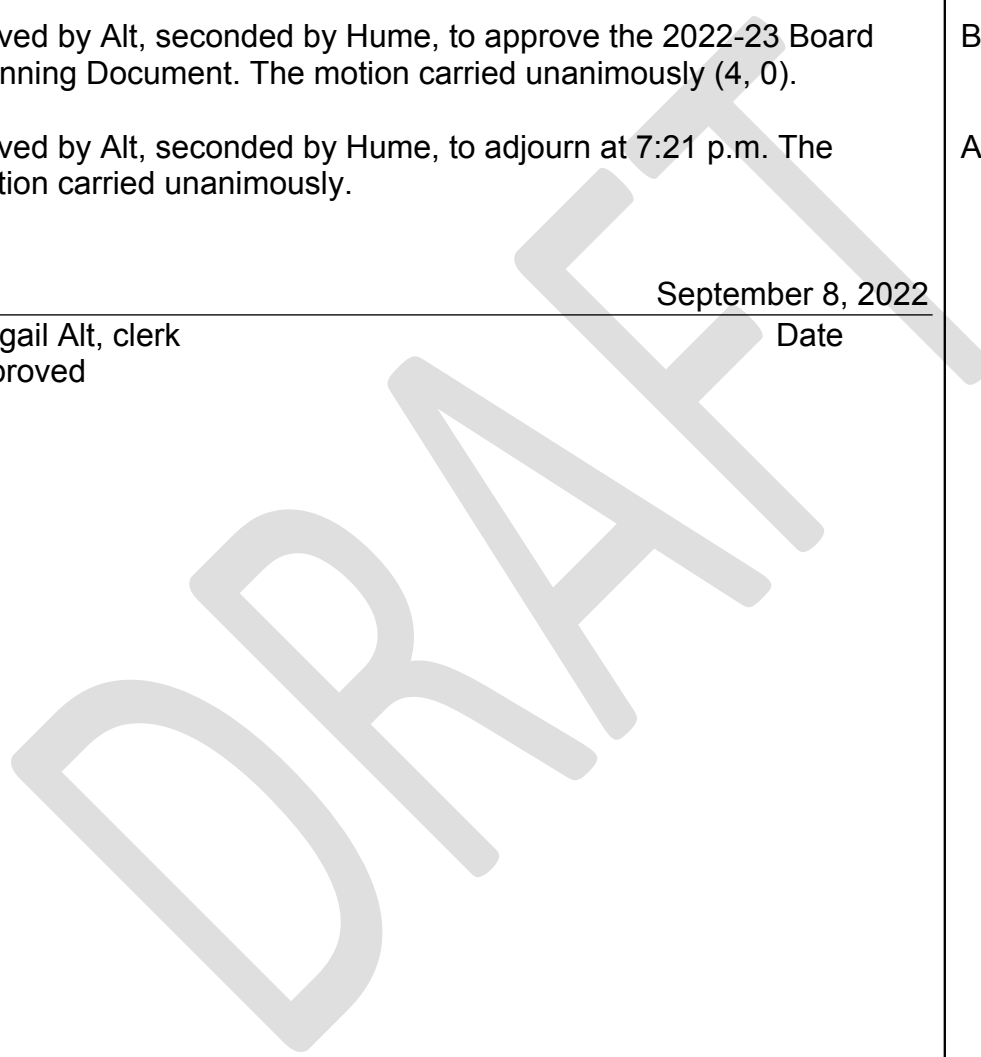
Moved by Alt, seconded by Hume, to adjourn at 7:21 p.m. The motion carried unanimously.

Adjourn

September 8, 2022

Abigail Alt, clerk
approved

Date



**Burnsville-Eagan-Savage Public Schools
Independent School District 191
Human Resources**

TO: Members, Board of Education
Dr. Theresa Battle, Superintendent

FROM: Stacey Sovine, Executive Director of Human Resources

DATE: September 8, 2022

RE: Recommended Personnel Changes

CLASSIFICATION	ACTION	POSITION CONTROL	NAME	FINAL	LOCATION	POSITION	EFFECTIVE DATE	HOURS / FTE
Certified	Appointment		Jennifer DeDomines		Diamondhead Education Center	Teacher	08/24/2022	1.0 FTE
Certified	Appointment		Allison Rossow		District-wide	Teacher	08/24/2022	1.0 FTE
Certified	Appointment		Alta Brown		Hidden Valley Elementary	Teacher	08/29/2022	1.0 FTE
Certified	Appointment		Andrew Tofte		WM. Byrne Elementary School	Long Term Substitute Teacher	08/29/2022-10/31/2022	1.0 FTE
Certified	Appointment		Brianna Nelson		Sky Oaks Elementary School	Teacher	08/30/2022	1.0 FTE
Certified	Appointment		Daniel O'Brien		Diamondhead Education Center	ECFE Parent Educator	08/29/2022	.89 FTE
Certified	Appointment		Devon Green		Sky Oaks Elementary School	Social Worker	08/29/2022	8 hours/day
Certified	Appointment		Emily Carver		District-wide	Teacher	08/30/2022	1.0 FTE
Certified	Appointment		Erin Weaver		Diamondhead Education Center	ECFE Parent Educator-Long Term Substitute	09/07/2022	1.0 FTE
Certified	Appointment		Jane Amundson		Eagle Ridge Middle School	Long Term Substitute Teacher	08/29/2022	1.0 FTE
Certified	Appointment		Margaret Burns		Burnsville High School	Teacher	08/24/2022	1.0 FTE
Certified	Appointment		Sarah Alcock		Diamondhead Education Center	ECFE Parent Educator	08/29/2022	.39 FTE
Certified	Appointment		Susan Nixon		District-wide	Psychologist	08/24/2022	0.4 FTE
Certified	Appointment		Tracy Sehr		Diamondhead Education Center	Teacher	08/29/2022	.48 FTE
Certified	Change of Assignment		Bill Heim		Burnsville High School	Associate Principal	09/01/2022	8 hours/day
Certified	Change of Assignment		Susan Nixon		District-wide	Psychologist	09/01/2022	1.0 FTE
Certified	Resignation		Brianna Nierengarten		Burnsville High School	Psychologist	09/01/2022	1.0 FTE
Classified	Appointment		Adam Iverson		Nicollet Middle School	Student Council Advisor	Year Round	Stipend
Classified	Appointment		Amy Ha		Harriet Bishop Elementary	CE Program Supervisor	08/29/2022	4 hours/day
Classified	Appointment		Angelle Patricia		Diamondhead Education Center	Community Education Program Associate	09/01/2022	8 hours/day
Classified	Appointment		Brad Sorensen		Nicollet Middle School	Student Council Advisor	Year Round	Stipend
Classified	Appointment		Cassidy Kusniryk		Eagle Ridge Middle School	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Charline Lazenby		Harriet Bishop Elementary	Educational Assistant	08/29/2022	7.5 hours/day
Classified	Appointment		Darya Dracheva		Hidden Valley Elementary	Educational Assistant	08/29/2022	3 hours/day
Classified	Appointment		Elissa Kapusinski		Hidden Valley Elementary	Educational Assistant	08/29/2022	2 hours/day
Classified	Appointment		Elizabeth Weilandgruber		Eagle Ridge Middle School	Quiz Bowl Advisor	Year Round	Stipend
Classified	Appointment		Hayley Horning Shibley		Nicollet Middle School	Head Coach- Girls Tennis	08/31/2022	Stipend
Classified	Appointment		Heidi Gillies		Hidden Valley Elementary	Educational Assistant	08/29/2022	2.50 hours/day
Classified	Appointment		Janet Lopez		Hidden Valley Elementary	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Karina Colareta		Vista View Elementary School	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Kelli Mitsch		Diamondhead Education Center	Administrative Assistant	08/29/2022	8 hours/day
Classified	Appointment		Khadra Noor		Rahn Elementary School	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Moriah Combs		Diamondhead Education Center	Community Education Associate	09/06/2022	8 hours/day
Classified	Appointment		Natasha (Crix) Schonewill		Virtual Academy	Educational Assistant	08/29/2022	7.5 hours/day
Classified	Appointment		Paola Solorio		Hidden Valley Elementary	Educational Assistant	08/29/2022	2.5 hours/day
Classified	Appointment		Pat Mosey		Eagle Ridge Middle School	Head Coach- Girls Track	Spring Season	Stipend
Classified	Appointment		Pat Mosey		Eagle Ridge Middle School	Head Coach- Girls/Boys Cross Country	Fall Season	Stipend
Classified	Appointment		Raha Somerville		Hidden Valley Elementary	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Richenda Swalley		Burnsville High School	Food Service Associate	08/23/2022	3.75 hours/day
Classified	Appointment		Sara Sunde		Rahn Elementary School	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Sarah Parker		Burnsville High School	Assistant Volleyball Coach	Fall Season	Stipend
Classified	Appointment		Sofia Hussein		Gideon Pond Elementary	Educational Assistant	08/29/2022	7.25 hours/day
Classified	Appointment		Taylor Pettengill		Vista View Elementary School	Educational Assistant	09/06/2022	7.25 hours/day
Classified	Change of Assignment		Airiana Johans		Hidden Valley Elementary	Food Services Manager	08/22/2022	7.5 hours/day
Classified	Change of Assignment		Cassidy Solomon		Sky Oaks Elementary School	Educational Assistant	08/29/2022	1.75 hours/day
Classified	Change of Assignment		Kristy Berge		Sky Oaks Elementary School	Educational Assistant	08/29/2022	3.25 hours/day
Classified	Change of Assignment		Paula Arthur		Sky Oaks Elementary School	Psychologist	08/29/2022	1.0 FTE
Classified	Change of Assignment		Shannon Simpson		Burnsville High School	Food Service Assistant Manager	09/01/2022	7.5 hours/day
Classified	Change of Assignment		Stacey Sovine		District-wide	Executive Director of Administrative Services	08/25/2022	8 hours/day
Classified	Resignation		Abdulahi Omar		Burnsville High School	Cultural Liaison	09/09/2022	8 hours/day
Classified	Resignation		Anne Spott		Harriet Bishop Elementary	Educational Assistant	08/26/2022	7.25 hours/day
Classified	Resignation		Axmad Kaahiye		Eagle Ridge Middle School	Assistant Coach- Boys Soccer	Fall Season	Stipend
Classified	Resignation		Axmad Kaahiye		Burnsville High School	Assistant Coach- Boys Soccer	Fall Season	Stipend
Classified	Resignation		Ayan Daoud		Hidden Valley Elementary	Educational Assistant	08/26/2022	7.25 hours/day
Classified	Resignation		Floyd Daniels		Nicollet Middle School	Educational Assistant	08/26/2022	7.5 hours/day
Classified	Resignation		Heidi Gillies		Hidden Valley Elementary	Food Service	08/28/2022	3.75 hours/day
Classified	Resignation		Lamia Stambouli		Gideon Pond Elementary	Community Education Associate	08/30/2022	4 hours/day
Classified	Resignation		Raven Klein		Burnsville High School	Assistant Coach- Volleyball	Fall Season	Stipend
Classified	Resignation		Steven Koneczny		Burnsville High School	Assistant Coach- Football	Fall Season	Stipend
Classified	Resignation		Taylor Pettengill		Rahn Elementary School	Community Education Coordinator II	08/26/2022	8 hours/day
Classified	Resignation		Winston Ruiz		Eagle Ridge Middle School	Educational Assistant	08/29/2022	7.25 hours/day



**Agenda IV.A.3.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Tyler Dehne, director of finance

Date: September 2, 2022

RECOMMENDATION: To adopt a resolution to approve and accept donations as presented.

RESOLUTION TO ACCEPT DONATIONS

WHEREAS,

1. School Board Policy 706 establishes guidelines for the acceptance of gifts to the District; and
2. Minnesota Statute 123B.02, Subd. 6 states the School Board may receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated; and
3. Minnesota Statute 465.03 states the School Board may accept a grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members; and
4. Businesses and individuals have submitted donations to the district;

THEREFORE, BE IT RESOLVED by the School Board of ISD 191 to approve and accept with appreciation the donations as presented below and to permit their use as designated by the donors.

Moved by: _____

Seconded by: _____

Members in favor of the motion:

Members opposed:

Whereupon said Resolution was declared duly passed and adopted on September 8, 2022.

Clerk – Board of Education

Date	Donor	Recipient	Terms	Donation
8/24/2022	Burnsville Band Boosters Association	Burnsville High School	Funding for flagline stipends for marching band.	\$4,623.00
8/24/2022	Burnsville Chamber of Commerce	Burnsville High School	Funds from the Bite of Burnsville to support BHS Culinary Pathway	\$1,209.70
8/19/2022	Minnesota Department of Education	District 191	To support non-exclusionary professional development and practices in secondary schools.	\$85,285.99

Total monetary donation received: \$91,118.69



**Agenda IV.A.4.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Dr. Chris Bellmont, assistant superintendent

Date: September 2, 2022

Re: Report about the Listening Session

Recommendation: Receive a report about the Listening Session on August 25, 2022.

No one spoke at the Listening Session on August 25, 2022.



**Agenda IV.A.5.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Lesley Chester, board chair

Date: September 2, 2022

Re: Schedule a Closed Session on September 22, 2022, for Security Issues

Recommendation: Approve scheduling a closed session for security issues, as permitted by Minn. Stat. 13D.05, Subd. 3(d), on September 22, 2022, at 6:30 p.m. at Diamondhead Education Center, 200 West Burnsville Parkway, Burnsville.



**Agenda IV.A.6.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Lesley Chester, board chair

Date: September 2, 2022

Re: Schedule a Joint Meeting with the City of Burnsville Council on Monday, October 3, 2022, at 5:30 p.m.

Recommendation: Approve scheduling a joint meeting with the City of Burnsville Council on Monday, October 3, 2022, at 5:30 p.m. at Fire Station 1, 14275 Newton Avenue, Burnsville.

**Agenda IV.A.7.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Amy Piotrowski, director of student support services

Date: September 2, 2022

Re: Policy 521: *Student Disability Nondiscrimination*

Recommendation: Approve, on a second reading basis, non-substantive changes to Policy 521: *Student Disability Nondiscrimination*.

The policy was reviewed by the Policy Review Committee on June 21, 2022. The first reading was approved by the board on August 25.

- MSBA: Update text and legal reference.

Adopted: 1996

Burnsville-Eagan-Savage School District Policy 521

Reviewed: 8/25/2022

Revised: 9/8/2022

Rescinds: ACC and JBC

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect students with a disability from discrimination on the basis of disability and to identify and evaluate individuals who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such individuals may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Burnsville-Eagan-Savage School District provides equal educational opportunity to all qualified individuals. Students with a disability who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The Board of Education is committed to identifying and evaluating qualified individuals who, within the intent of Section 504, may need services, accommodations, or programs in order that such individuals may receive a free appropriate public education.
- C. For this policy, a student who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more major life activity, including learning; or
 - 2. has a record of such an impairment; or
 - 3. is regarded as having such an impairment, and
 - 4. who is of the age for which non-disabled persons are provided educational services; or
 - 5. who is of an age of which it is mandatory under state law to provide such services to individuals with disabilities; or
 - 6. who is required to receive a free appropriate public education under the Individuals with Disabilities Education Improvement Act.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even

though they are not eligible for special education pursuant to the Individuals with Disabilities Education Improvement Act.

III. COORDINATOR

Persons who have questions or comments should contact Amy Piotrowski, Director of Student Support Services, 200 West Burnsville Parkway, Burnsville, MN 55337, 952-707-6261, apiotrowski@isd191.org. This person is the school district's Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may contact the Director of Student Support Services.

Legal References:

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
 34 C.F.R. Part 104 (Section 504 Implementing Regulations)
 20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)

Cross References: Burnsville-Eagan-Savage School District Policy 402 (Disability Nondiscrimination)

**Agenda IV.A.8.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Amy Piotrowski, director of student support services

Date: September 2, 2022

Re: Policies 427: *Workload Limits for Certain Special Education Teachers*,
and 615: *Testing Accommodations, Modifications and Exemptions for IEPs, Section
504 Plans and LEP Students*

Recommendation: Approve, on a second reading basis, changes to Policies 427: *Workload Limits for Certain Special Education Teachers*, and 615: *Testing Accommodations, Modifications and Exemptions for IEPs, Section 504 Plans and LEP Students*.

The policies were reviewed by the Policy Review Committee on June 21, 2022. The first reading was approved by the board on August 25.

- Policy 427 – MSBA updated text
- Policy 615 – MSBA update references

Adopted: 8/27/2015
 Reviewed: 8/25/2022
 Revised: 9/8/2022
 Rescinds:

Burnsville-Eagan-Savage School District Policy 427

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

I. PURPOSE

The purpose of this policy is for the Burnsville-Eagan-Savage School District to establish general parameters for determining the workload limits of special education staff who provide services to children and youth with disabilities receiving direct special education services 60 percent or less of the instructional day.

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

“Special education staff” and “special education teacher” both mean a teacher employed by the school district who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children and youth with specific disabling conditions.

B. Direct Services

"Direct services" means special education services provided by a special education teacher or a related service professional when the services are related to instruction, including cooperative teaching.

C. Indirect Services

"Indirect services" means special education services provided by a special education teacher or a related service professional which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe.

D. Workload

"Workload" means a special education teacher’s total number of minutes required for all due process responsibilities including direct and indirect services, evaluation and reevaluation time, management of Individual Education Program (IEP) plans, travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

- A. Workload limits for Burnsville-Eagan-Savage School District 191 special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the superintendent.
- B. In determining workload limits for special education staff, the Burnsville-Eagan-Savage School District shall take into consideration the following factors: student contact minutes; evaluation and reevaluation time; indirect services; management of IEPs; travel time; and other services required in the IEPs of eligible students.

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

This policy shall not be construed as a reopening of negotiations between the school district and the special education teachers' exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the school district set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the school district and the special education teachers' exclusive representative.

Legal References: Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)
 Minn. R. 3525.2340, Subp. 4.B.
 Minn. R. 3525.0210, Subps. 14, 27, 44, and 49 (Definitions of “direct services,” “indirect services,” “teacher” and “workload”)

Cross References: Burnsville-Eagan-Savage School District Policy 508 Extended School Year for Certain Students with Individualized Education Programs
 Burnsville-Eagan-Savage School District Policy 608 Instructional Services—Special Education

Adopted: 9/14/2017
 Reviewed: 8/25/2022
 Revised: 9/8/2022
 Rescinds :

Burnsville-Eagan-Savage School District Policy 615

615 TESTING ACCOMMODATIONS, MODIFICATIONS, AND EXEMPTIONS FOR IEPs, SECTION 504 PLANS, AND EL STUDENTS

I. PURPOSE

The purpose of the policy is to provide adequate opportunity for students identified as having individualized education program (IEP), Rehabilitation Act of 1973, § 504 accommodation plan (504 plan), or English Language (EL) needs to participate in statewide assessment systems designed to hold schools accountable for the academic performance of all students.

II. GENERAL STATEMENT OF POLICY

A. Minnesota Test of Academic Skills (MTAS)

1. The school district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how a student with a disability will participate in statewide testing.
2. Participation decisions will be made separately for mathematics, reading, and science. The assessment options are the Minnesota Comprehensive Assessment (MCA) and the MTAS.
3. Eligibility Requirements
 - a. The following requirements must be met for a student with a significant cognitive disability to be eligible for the MTAS:
 - (1) The IEP team must consider the student's ability to access the MCA, with or without accommodations;
 - (2) The IEP must review the student's instructional program to ensure that the student is receiving instruction linked to the general education curriculum to the extent appropriate. If instruction is not linked to the general education curriculum, the IEP team must review the student's goals and determine how access to the general curriculum will be provided;
 - (3) The IEP team determined the student's cognitive functioning to be significantly below age expectations. The team also determined that the student's disability has a

significant impact on his or her ability to function in multiple environments, including home, school, and community;

- (4) The IEP team determined that the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments;
 - (5) The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate measure of the student's academic progress and how the student would participate in statewide testing.
- b. MTAS participation decisions must not be made on the following factors:
- (1) Student's disability category;
 - (2) Placement;
 - (3) Participation in a separate, specialized curriculum;
 - (4) An expectation that the student will receive a low score on the MCA;
 - (5) Language, social, cultural, or economic differences;
 - (6) Concern for accountability calculations.

B. Alternate ACCESS for ELs

- 1. The school district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how an identified EL student with a disability will participate in statewide testing.
- 2. Eligibility Requirements
 - a. The student must be identified as EL in MARSS in order to take an English language proficiency assessment.
 - b. The student must have a significant cognitive disability. If the student has been identified as eligible to take the MTAS in mathematics, reading, or science, the student meets this criterion.
 - c. For students in grades that the MTAS is not administered:

- (1) the student must have cognitive functioning significantly below age level;
 - (2) the student's disability must have a significant impact on his or her ability to function in multiple environments, including home, school, and community; and
 - (3) the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments.
- d. The IEP team must consider the student's ability to access the ACCESS, with or without accommodations.
 - e. The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate English language proficiency assessment for the student.
3. Alternate ACCESS participation decisions must not be made on the following factors:
 - a. Student's disability category;
 - b. Participation in a separate, specialized curriculum;
 - c. Current level of English language proficiency;
 - d. The expectation that the student will receive a low score on the ACCESS for ELs;
 - e. Language, social, cultural, or economic differences;
 - f. Concern for accountability calculations.

C. EL Students New to the United States

EL students new to the United States will take all assessments, including all academic assessments (math, reading, and science), as well as the English Language Proficiency Assessment (ACCESS).

III. DEFINITION OF TERMS

See the current "Procedures Manual for the Minnesota Assessments" which is produced by the Minnesota Department of Education and available through minnesota.pearsonaccessnext.com.

IV. GRANTING AND DOCUMENTING ACCOMMODATIONS, MODIFICATIONS, OR EXEMPTIONS FOR BASIC SKILLS AND GRAD TESTING

See Chapter 5 of the current “Procedures Manual for the Minnesota Assessments” and 2020-21 Guidelines for Administration of Accommodations and Linguistic Supports http://minnesota.pearsonaccessnext.com/resources/resources-training/manuals/Guidelines%20for%20Accomm_2020-21.pdf

V. RECORDS

All test accommodations, modifications, or exemptions shall be reported to the school district test administrator. The school district test administrator shall be responsible for keeping a list of all such test accommodations, modifications, and exemptions for school district audit purposes. Testing results will be documented and reported.

Legal References: Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World’s Best Workforce)
 Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
 Minn. Stat. § 125A.08 (Individualized Education Programs)
 Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
 Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
 Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
 Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
 Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
 Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
 Eligibility Requirements for the Minnesota Test of Academic Skills (MTAS),
<https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mda2/~edisp/006087.pdf>
 Alternate ACCESS for ELLs Participation Guidelines,
<https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mdq5/~edisp/049763.pdf>

Cross References: Burnsville-Eagan-Savage School District Policy 104 (School District Mission Statement)
 Burnsville-Eagan-Savage School District Policy 601 (School District Curriculum and Instruction Goals)
 Burnsville-Eagan-Savage School District Policy 613 (Graduation Requirements)
 Burnsville-Eagan-Savage School District Policy 614 (School District Testing Plan and Procedure)
 Burnsville-Eagan-Savage School District Policy 616 (School District

System Accountability)



**Agenda IV.A.9.
September 8, 2022**

To: Board of Education
From: Dr. Theresa Battle, superintendent
Date: September 2, 2022
Re: Policies 207: *Public Hearings*, 301: *School District Administration*,
and 302: *Superintendent*

Recommendation: Approve, on a first reading basis, non-substantive changes to Policies 207: *Public Hearings*, 301: *School District Administration*, and 302: *Superintendent*

The policies were reviewed by the Policy Review Committee on August 23, 2022.

- MSBA deleted the Service Manual Reference.

Adopted: 10/1999

Burnsville-Eagan-Savage School District Policy 207

Reviewed: ~~1/9/2020~~9/8/2022

Revised: ~~05/28/2015~~MSBA 2022

Rescinds: BDE

207 PUBLIC HEARINGS

I. PURPOSE

The school board recognizes the importance of obtaining public input on matters properly before the school board during public hearings. The purpose of this policy is to establish procedures to efficiently receive public input.

II. GENERAL STATEMENT OF POLICY

~~In order for~~ the school board to efficiently receive public input on matters properly before the school board, the school board establishes the procedures set forth in this policy are established by the school board.

III. PROCEDURES

A. Public Hearings

Public hearings are required by law ~~to be held~~ concerning certain issues, including but not limited to, school closings (~~Minn. Stat. §~~Minnesota Statutes section 123B.51), truth in taxation (Minn. Stat. § 375.065) education district establishment (~~Minn. Stat. §~~Minnesota Statutes section 123A.15), and agreements for secondary education (~~Minn. Stat. §~~Minnesota Statutes section 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the school board's discretion ~~of the school board~~.

B. Notice of Public Hearings

Public notice of a public hearing required by law shall be given as provided by the enabling legislation. Public notice of other hearings shall be given in the manner required for a regular meeting if held in conjunction with a regular meeting, in the manner required for a special meeting if held in conjunction with a special meeting, or as otherwise determined by the school board.

C. Public Participation

The school board retains the right to require that those in attendance at a public hearing indicate their desire to address the school board and complete and file with the clerk of the school board an appropriate request card prior to ~~the~~ commencement of the hearing if the school board utilizes this procedure. In that case, any request to address the school board after the commencement of the

hearing will be granted only at the school board's discretion ~~of the school board~~.

1. Format of Request: If required by the school board, a written request of an individual or a group to address the school board shall contain the name and address of the person or group seeking to address the school board. It shall also contain the name of the group represented, if any, and a brief statement of the subject to be covered or the issue to be addressed.
2. Time Limitation: The school board retains the discretion to limit the time for each presentation as needs dictate.
3. Groups: The school board retains the discretion to require that any group of persons who desire to address the school board designate one representative or spokesperson. ~~In the event that~~ If the school board requires the designation of a representative or spokesperson, no other person in the group will be recognized to address the school board, except as the school board otherwise determines ~~sd by the school board~~.
4. Privilege to Speak: A school board member should direct ~~any~~ remarks or questions through the chair. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
5. Personal Attacks: Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
6. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary ~~in order~~ to provide an orderly, efficient, and fair opportunity ~~for those present~~ to be heard.

Legal References: Minn. Stat. § 123A.15 (Establishing Education District ~~Establishment~~)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123B.51 (School Closings)

Cross References: Burnsville-Eagan-Savage School District Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)

Adopted: 5/28/2015

Burnsville-Eagan-Savage School District Policy 301

Reviewed: ~~4/9/2020~~9/8/2022

Revised: ~~5/28/2015~~MSBAA 2022

Rescinds:

301 SCHOOL DISTRICT ADMINISTRATION

I. PURPOSE

The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

II. GENERAL STATEMENT OF POLICY

- A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school district administration to develop a school environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services equitably.
- B. The school board expects all activities related to ~~the school district~~ operations ~~of the school district~~ to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school board.
- C. The school board shall seek specific recommendations, background information and professional advice from the school district administration, and will hold the administration accountable for sound management of the schools.
- D. Although the school board holds the superintendent ultimately responsible for administration of the school district and annual evaluation of each principal, the school board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school building level.
- E. The school board and school administration shall work together to share information and decisions that best serve the needs of school district students within financial and facility constraints that may exist.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)

Cross References: ~~None MSBA Service Manual, Chapter 3, Superintendent of Schools~~

Adopted: 6/1982

Burnsville-Eagan-Savage School District Policy 302

Reviewed: ~~1/9/2020~~9/8/2022

Revised: ~~3/8/2018~~MSBA 2022

Rescinds: CBA

302 SUPERINTENDENT

I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent who shall serve as an ex officio, nonvoting member of the school board and as chief executive officer of the school system.

III. GENERAL RESPONSIBILITIES

- A. The superintendent will take the leading role in continuously improving the district while keeping the best interests of students as a top priority.
- B. The superintendent is responsible for the management of the schools, the administration of all school district policies, and is directly accountable to the school board.
- C. The superintendent shall annually evaluate each principal assigned responsibility for supervising a school building in the district.
- D. The superintendent may delegate responsibilities to other school district personnel, but shall continue to be accountable for actions taken under such delegation.
- E. Where responsibilities are not specifically prescribed, nor school board policy applicable, the superintendent shall use personal and professional judgment, subject to review by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: Burnsville-Eagan-Savage School District Policy 202 (School Board Officers)
 Burnsville-Eagan-Savage School District Policy 208 (Development, Adoption, and Implementation of Policies)
 Burnsville-Eagan-Savage School District Policy 214 (Out-of-State Travel by School Board Members)
 Burnsville-Eagan-Savage School District Policy 301 (School District

Administration)
Burnsville-Eagan-Savage School District Policy 303 (Superintendent Selection)
Burnsville-Eagan-Savage School District Policy 304 (Superintendent Contract, Duties, and Evaluation)
Burnsville-Eagan-Savage School District Policy 305 (Policy Implementation)
Burnsville-Eagan-Savage School District Policy 306 (Administrator Code of Ethics)
Burnsville-Eagan-Savage School District Policy 412 (Expense Reimbursement)
Burnsville-Eagan-Savage School District Policy 510 (School Activities)
Burnsville-Eagan-Savage School District Policy 511 (Student Fundraising)
Burnsville-Eagan-Savage School District Policy 513 (Student Promotion, Retention, and Program Design)
Burnsville-Eagan-Savage School District Policy 602 (Organization of School Calendar and School Day)
Burnsville-Eagan-Savage School District Policy 605 (Alternative Programs)
Burnsville-Eagan-Savage School District Policy 701 (Establishment and Adoption of School District Budget)
Burnsville-Eagan-Savage School District Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
Burnsville-Eagan-Savage School District Policy 802 (Disposition of Obsolete Equipment and Material)
Burnsville-Eagan-Savage School District Policy 903 (Visitors to School District Buildings and Sites)
Burnsville-Eagan-Savage School District Policy 905 (Advertising)
Burnsville-Eagan-Savage School District Policy 906 (Community Notification of Predatory Offenders)
Burnsville-Eagan-Savage School District Policy 907 (Rewards)
MSBA Service Manual, Chapter 3, Superintendent of Schools

September 8, 2022 Board Meeting

Board Members' Questions and Staff Responses regarding BoardBook materials

(Inver Hills Contract)

Board Member Question	Staff Response
<p>I am sure it's in the math of it all, but I'm wondering how the flat rate of \$15 per credit hour was reached, in terms of reimbursement above the formula.</p>	<p>The Minnesota State Colleges & Universities in the metro area have charged a PSEO by Contract flat rate of \$225 per credit (tuition, fees, textbooks) for several years. The 2022-23 PSEO by Contract reimbursable rate is \$226.62. However, "this rate has remained flat, and for a number of years it has failed to cover the colleges' costs of instruction and books for PSEO by Contract students." This increase was communicated in a memo from both Inver Hills Community College and Normandale Community College to Lisa Rider on March 14, 2022. The PSEO by Contract rate is now \$241.62 (\$226.42 + \$15) per credit.</p>

(Safe Learning Plan Update)

Board Member Question	Staff Response
<p>I guess overall, I am not entirely clear as to whether both possible exposure and positive test results matter at this point in time.</p> <p>On slide #6, the verbiage becomes confusing to me, and there are</p>	<p>Errors on slides 6 and 7 have been corrected. Isolation was listed first because there is no change from previous guidance. We may add additional language and Bernie has talking points that hopefully will clarify any confusion.</p>

grammatical errors too, I believe. For example, I am unsure what the trigger is for Isolation. Based on the information included on the slide, it would seem to me that the Quarantine piece would appear as the first item, and Isolation would be the second.

Not being sure what you wish to communicate, maybe revisit this and edit for clarity, to ensure that anyone reading the slide (as opposed to anyone watching the report) will understand.

Slide 7 - same comments.



Agenda Item IV.B.1.
September 8, 2022

To: Board of Education
Dr. Theresa Battle, superintendent

From : Dr. Kathy Funston, director of strategic partnerships and pathways

Date: August 31, 2022

Re: Approve Contract with Inver Hills Community College for Post-Secondary Education Options (PCON) services for 2022-2027 school years.

Recommendation: That the Board of Education approve the income contract with the State of Minnesota acting through its Board of Trustees of the Minnesota State, on behalf of Inver Hills Community College for PCON for the 2022-2027 School Year and authorize the Director of Administrative Services to execute the agreement.

The five-year agreement will continue to require us to pay invoices directly billed by Inver Hills Community College at the rate of the MDE PSEO reimbursement rate plus \$15 per credit hour per student.

ISD 191 will be billed at the rate of \$241.62 per credit for FY23. This rate is inclusive of all tuition, fees, and required textbooks and course materials. The course registration information for each student will be included with the invoice from Inver Hills Community College. This rate is subject to change in future contracts. Effective July 1, 2022, the per-credit rate for PSEO by Contract will be established each fiscal year at \$15 above the MDE reimbursement rate. MDE has communicated their rates for FY23 to be 226.62. This rate does not include the \$15. This rate will increase each year as it is now attached to the general education formula increases approved by legislation. For future years our rate will be \$15 + Formula used by MDE $[\cdot88 * \text{general education formula} \text{ less } \$425 * 1.2/30]$.

I recommend approval of this five-year agreement with Inver Hills Community College.

Attachment: State of Minnesota Inver Hills Community College

F.Y.	Cost Center	Obj. Code	Amount	Vendor #	P.O. #

**STATE OF MINNESOTA
 INVER HILLS COMMUNITY COLLEGE
 MINNESOTA STATE COLLEGES AND UNIVERSITIES
 INCOME CONTRACT**

This contract is by and between **Burnsville High School** (hereinafter "SCHOOL DISTRICT") and the State of Minnesota acting through its Board of Trustees of the Minnesota State Colleges and Universities (hereinafter "MINNESOTA STATE"), on behalf of Inver Hills Community College (hereinafter "INVER HILLS").

WHEREAS, the SCHOOL DISTRICT has a need for a specific service; and

WHEREAS, MINNESOTA STATE, is empowered to enter into income contracts pursuant to Minnesota Statutes, Chapter 136F;

NOW, THEREFORE, it is agreed:

THE INTENT OF THIS CONTRACT is that all parties authorize enrollment for eligible high school students in courses at INVER HILLS. Eligible students are the same students defined as eligible for the Post-Secondary Enrollment Options program by Minnesota Statutes 124D.09, MINNESOTA STATE Board Policy 3.5 and System Procedure 3.5.1, and INVER HILLS policies.

1. DUTIES OF MINNESOTA STATE:

- a. Admission requirements and acceptance to the PSEO Program are pursuant to Minnesota Statutes 124D.09 and MINNESOTA STATE policies, and determined by INVER HILLS.
- b. INVER HILLS will provide an orientation session to students and parents that will include information regarding academic planning, course selection and registration, college expectations, resources and services that are available to students, transfer information, and college policies including data privacy policy, attendance policy, code of conduct policy, satisfactory academic progress policy, book borrowing policy, and course drop/withdraw policy.
- c. INVER HILLS will determine the number of college courses or credits that PSEO students will be allowed to take. Students are allowed to enroll in high school courses in addition to any number of college courses.
- d. INVER HILLS will determine the courses that PSEO students will be allowed to take. Students may not register for certain courses including developmental courses not considered college level (numbered below 1000), non-credit courses, and courses that incur travel expenses. Students may not register for selected courses determined by INVER HILLS, including courses in special programs or courses that have a higher rate of tuition or additional fees. Students must meet the course prerequisite requirements established by INVER HILLS.
- e. INVER HILLS agrees that the SCHOOL DISTRICT will not be invoiced for courses that a student officially drops or withdraws from within the first 14 calendar days of the semester.
- f. INVER HILLS will provide transcripts for enrolled students to the SCHOOL DISTRICT at the conclusion of each semester.

2. DUTIES OF THE SCHOOL DISTRICT:

- a. The SCHOOL DISTRICT will provide to INVER HILLS an official high school transcript for each student applying to the PSEO program.
- b. The SCHOOL DISTRICT will complete and sign their portion of the appropriate authorization form prior to the student being admitted to INVER HILLS. The authorization form must contain student and parental consent and the SCHOOL DISTRICT verification of eligibility. The authorization form must be submitted to INVER HILLS each semester prior to course registration.
- c. The SCHOOL DISTRICT is responsible for enforcing that a student is enrolled less than full time at their high school while participating in the PSEO Program.
- d. The SCHOOL DISTRICT is responsible for providing academic counseling to the students to assist them in selecting courses and making the determination that the courses they complete at INVER HILLS will fulfill their high school graduation requirements.

3. CONSIDERATION AND TERMS OF PAYMENT:

- a. Consideration for all services performed and goods or materials supplied by INVER HILLS pursuant to this contract shall be paid by the SCHOOL DISTRICT as follows:

The SCHOOL DISTRICT will be billed at the rate of Two Hundred Forty One dollars and 62/100 (241.62) per credit for FY23. This rate is inclusive of all tuition, fees, and required textbooks and course materials. The course registration information for each student will be included with the invoice from INVER HILLS requesting payment. This rate is subject to change in future contracts. Effective July 1, 2022, the per-credit rate for PSEO by Contract will be established each fiscal year at \$15 above the MDE reimbursement rate.

- b. Terms of Payment: INVER HILLS will send an invoice to the SCHOOL DISTRICT by December 1st for fall semester courses and by May 1st for spring semester courses. Payment is due within thirty (30) days after the invoice is issued.

4. TERM OF CONTRACT: This contract shall be effective on **July 1, 2022, or upon the date that the final required signature is obtained by MINNESOTA STATE**, whichever occurs later, and shall remain in effect until **June 30, 2028**, or until all obligations set forth in this contract have been satisfactorily fulfilled, whichever occurs first.

5. CANCELLATION: This contract may be canceled by the SCHOOL DISTRICT or MINNESOTA STATE at any time, with or without cause, upon thirty (30) days written notice to the other party. In the event of such a cancellation, MINNESOTA STATE shall be entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed.

6. AUTHORIZED REPRESENTATIVES:

- a. The SCHOOL DISTRICT'S Authorized Representative for the purposes of administration of this contract is:

Name: Theresa Battle
 Title: Superintendent
 Address: 200 W. Burnsville Pkwy., Burnsville, MN 55337
 Telephone: 952-707-2000
 E-mail: tbattle@isd191.org

- b. MINNESOTA STATE'S Authorized Representative for the purposes of administration of this contract is:

Name: Mark Faxvog
 Title: Business Office Director
 Address: 2500 East 80th Street, Inver Grove Heights, MN 55076
 Telephone: 651-450-3851
 E-Mail: mark.faxvog@inverhills.edu

Each authorized representative shall have final authority for acceptance of services of the other party and shall have responsibility to ensure that all payments due to the other party are paid pursuant to the terms of this contract.

7. ASSIGNMENT: Neither the SCHOOL DISTRICT nor MINNESOTA STATE shall assign or transfer any rights or obligations under this contract without the prior written approval of the other party.
8. LIABILITY: The SCHOOL DISTRICT shall indemnify, save, and hold MINNESOTA STATE, its agents and employees, harmless from any and all claims or causes of action arising from the performance of this contract by the SCHOOL DISTRICT or the SCHOOL DISTRICT'S agents or employees. This clause shall not be construed to bar any legal remedies the SCHOOL DISTRICT may have for MINNESOTA STATE'S failure to fulfill its obligations pursuant to this contract.
9. AMERICANS WITH DISABILITIES ACT COMPLIANCE (hereinafter "ADA"): The SCHOOL DISTRICT is responsible for complying with the Americans with Disabilities Act, 42 U. S. C. 12101, et. seq. and regulations promulgated pursuant to it. MINNESOTA STATE IS NOT responsible for issues or challenges related to compliance with the ADA beyond its own routine use of facilities, services, or other areas covered by the ADA.
10. AMENDMENTS: Any amendments to this contract shall be in writing and shall be executed by the same parties who executed the original contract or their successors in office.
11. GOVERNMENT DATA PRACTICES ACT: The requirements of Minnesota Statutes § 13.05, subd. 11 apply to this contract. The SCHOOL DISTRICT and MINNESOTA STATE must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by MINNESOTA STATE in accordance with this contract, and as it applies to all data, created, collected, received, stored, used, maintained, or disseminated by the SCHOOL DISTRICT in accordance with this contract. The civil remedies of Minnesota Statutes §13.08 apply to the release of the data referred to in this clause by either the SCHOOL DISTRICT or MINNESOTA STATE.

 In the event the SCHOOL DISTRICT receives a request to release the data referred to in this clause, the SCHOOL DISTRICT must immediately notify MINNESOTA STATE. MINNESOTA STATE will give the SCHOOL DISTRICT instructions concerning the release of the data to the requesting party before the data is released.
12. JURISDICTION AND VENUE: This contract shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this contract, or the breach thereof, shall be located only in the state or federal court with competent jurisdiction in Ramsey County, Minnesota.
13. STATE AUDITS: The books, records, documents, and accounting procedures and practices of the SCHOOL DISTRICT relevant to this contract shall be subject to examination by the contracting department and the Legislative Auditor.
14. OTHER PROVISIONS: NONE

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

APPROVED:

**1. MINNESOTA STATE COLLEGES AND UNIVERSITIES
INVER HILLS COMMUNITY COLLEGE**

By (authorized signature)
Title
Date

2. SCHOOL DISTRICT: **Burnsville High School**

The SCHOOL DISTRICT certifies that the appropriate person(s) have executed the contract on behalf of the SCHOOL DISTRICT as required by applicable articles, by-laws, resolutions, or ordinances.

By (authorized signature)
Title
Date

By (authorized signature)
Title
Date

3. AS TO FORM AND EXECUTION:

By (authorized college/university/system office initiating agreement)
Title
Date



**Agenda IV.B.2.
September 8, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Lesley Chester, board chair

Date: September 2, 2022

Re: School Board-Superintendent Communication Practices

Recommendation: Approve revisions to the School Board-Superintendent Communication Practices.

The School Board-Superintendent Communication Practices were reviewed during a workshop on August 11, 2022.

Philosophy/Purpose

Clear and timely communication between members of the Board of Education and the Superintendent is essential to a productive working relationship by establishing trust and ensuring all parties are informed and prepared to be effective.

Clearly defining communications procedures, as well as roles and responsibilities, will help reduce confusion and the potential for misinformation or conflicting information to be shared to other parties, including district leadership, staff and community members. Additionally, it will help support Board Members in their role of Governance and support the Superintendent to provide leadership and supervision for the school district.

Goals of these Communications Protocols

- Clearly define roles and expectations for communication between Board Members and the Superintendent
- Set expectations for communication involving Board Members and district staff
- Ensure clear and consistent two-way communication

Values

In working together for District 191, Board Members and the Superintendent will model the District 191 Values as outlined in the Strategic Roadmap.

- Caring Community - Our culture will actively encourage and embrace each member of the community, creating a sense of support that fosters their individual growth and pursuit of learning.
- Cultural Proficiency - Our school community will work to understand our assumptions and biases, making a commitment to value and manage cultural uniquenesses and adapt education to meet the needs of each student.
- Future Readiness - Our students will know they are ready to meet every next challenge through the confidence that comes from adventurous exploration and rigorous academics.
- Inclusive Partnership - Our collaboration and communication will inspire a culture of trust where students, families and staff are reflected in decisions that shape our district.
- Student Agency - Our students will make choices that personalize their learning journey, proactively building a day-to-day experience that leads them toward their passion and purpose.

Guiding Principles of Board/Superintendent Communication

- We will speak with one voice.
- We will value and respect the unique and distinct roles of the Board and the Superintendent.
- We will communicate positively about each other, staff and District 191 as a whole.
- We will advocate for District 191 and public education.

- We will communicate regularly and clearly with the goal of keeping board members informed about 85 events and/or changes that may have a consequential impact on the district overall. Communicate to the Board in advance of staff and community.

Legal Requirements

The Board and Superintendent will follow all applicable state laws concerning open meetings.

Roles and Responsibilities

As a body of elected officials, the Board as a whole represents the community at large and has the responsibility to oversee the operation of the school district, through the Superintendent.

Board Members:

- Speak with one voice, communicating the decisions of the Board with support from the Superintendent and advocating for District 191 schools.
- Work together, taking recommendations from the Superintendent, to establish district policy, adopt the district budget, and conduct district business as outlined in policy and state statute.
- Work together to provide direction to and review the work of the Superintendent.
- Represent the voice of the community through constituent relations, including by bringing concerns of community members and staff, as detailed below.
- Supports publicly the work of the district and communicates the value of District 191 schools and programs.

Board Chair:

- Serves as a liaison between the Board and the Superintendent.
- Is responsible for sharing information pertaining to Board work with all Board members on a timely basis and is the primary conduit of information flow from the Board to the Superintendent.
- Works with the Superintendent to set meeting agendas, as outlined by Policy.
- Works with the Superintendent and Director of Communications to act as primary spokesperson for the Board with the media.

Superintendent:

- In consultation with the Board Chair, establishes and reviews these communications protocols.
- Schedules meetings with individual board members.
- Provides information requested by board members, as outlined in these protocols.
- Works with the Board Chair to set meeting agendas, as outlined by Policy.

Regular Communication

Weekly email: The Superintendent will provide a weekly update to Board Members via email. The weekly update will include issues selected by the Superintendent as important, updates requested by the Board, and information from members of the Superintendent's leadership team. Board Members are expected to check emails in a timely manner.

The executive assistant to the superintendent will provide a weekly update for calendar invites and events to board members.

One-on-one meetings: The Superintendent will meet regularly with individual Board Members to provide 86 information, hear and answer questions or concerns, and conduct business (e.g. setting agendas or scheduling meetings), as needed. At the Superintendent's discretion, she will send a follow-up email to all Board Members as a response to specific requests/questions.

Board work sessions: The Board Chair and Superintendent may schedule work sessions for the Board where topics of particular importance can be presented and discussed in depth. In general, staff participation at these meetings will be limited to presenting information and answering questions.

Regular Board Meetings: As scheduled by the Board each year, the Board will hold regular meetings for conducting district business and receiving informational reports. Agendas will be set by the Superintendent, Board Chair, and Vice Chair. Documents for Board meetings will be available to Board Members per policy.

Board Members are asked to submit questions about materials in advance, so they can be answered before the meeting. Board Members may still choose to ask their question(s) at the meeting, if they feel there is a benefit to the answer being shared in a public forum.

Communication with Staff

In general, Board Members should make requests for information to the Superintendent, who will determine the appropriate method for responding to those requests.

The Board and its members will not issue directives to staff except through the Superintendent or the Superintendent's designated representative(s). Regarding staff presentations in Boardbook, suggestions for revisions and questions should be sent to the staff member, direct supervisor and Superintendent if the staff member is not a member of the executive leadership team.

Individual Board Members will not request reports or compilation of materials from staff that involves significant work time unless the majority of a Board Committee or the Board as a whole approved the preparation of the report.

Emergency/Crisis Communication

In the event of an emergency/event, the Superintendent will ensure that all Board Members are aware of the situation as soon as possible, providing details that are available. In general, this information will be provided by email, with a text notification being sent by the Superintendent to bring Board Members' attention to the email.

After the initial alert is shared with the full BOE, formal Communications process for notification is Chair, BOE, staff, then students/families. This helps ensure that Chair and BOE is informed and can provide last minute feedback on planned communications outside of BOE. More importantly, it ensures full board support of the superintendent in formal, external communications to our school community.

As needed updates on emergency situations may be provided by the Communications Director or other staff members, as requested by the Superintendent.

When seeking input from board members before making a public statement about a district or public crisis, allow 24-48 hours for board members to provide input before releasing the message to the staff or public.

Community Relations

Members of the Board will refer all personal appeals, applications, complaints, and other communications concerning the administration of the school district to the Superintendent or his or her designated representative(s) for investigation and report to the Board Member.

Board Members will encourage staff and community members to follow the chain of command, bringing their complaint or concern to their teacher, principal, Supervisor and/or Superintendent, as appropriate.

Responses to community members will be provided by the Board Chair, in consultation with the Superintendent and appropriate staff.

Protocol for Special Events

The superintendent, when speaking at special events, will acknowledge board members by name who are present at special events especially when other elected officials (city, state and federal) are in attendance.

Philosophy/Purpose

Clear and timely communication between members of the Board of Education and the Superintendent is essential to a productive working relationship by establishing trust and ensuring all parties are informed and prepared to be effective.

Clearly defining communications procedures, as well as roles and responsibilities, will help reduce confusion and the potential for misinformation or conflicting information to be shared to other parties, including district leadership, staff and community members. Additionally, it will help support Board Members in their role of Governance and support the Superintendent to provide leadership and supervision for the school district.

Goals of these Communications Protocols

- Clearly define roles and expectations for communication between Board Members and the Superintendent
- Set expectations for communication involving Board Members and district staff
- Ensure clear and consistent two-way communication

Values

In working together for District 191, Board Members and the Superintendent will model the District 191 Values as outlined in the Strategic Roadmap.

- Caring Community - Our culture will actively encourage and embrace each member of the community, creating a sense of support that fosters their individual growth and pursuit of learning.
- Cultural Proficiency - Our school community will work to understand our assumptions and biases, making a commitment to value and manage cultural uniquenesses and adapt education to meet the needs of each student.
- Future Readiness - Our students will know they are ready to meet every next challenge through the confidence that comes from adventurous exploration and rigorous academics.
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- We will speak with one voice.
- We will value and respect the unique and distinct roles of the Board and the Superintendent.
- We will communicate positively about each other, staff and District 191 as a whole.
- We will advocate for District 191 and public education.

- We will ~~strive to have no surprises by~~ communicate~~ing~~ regularly and clearly with the goal of keeping⁸⁹ board members informed about events and/or changes that may have a consequential impact on the district overall. [Communicate to the Board in advance of staff and community.](#)

Legal Requirements

The Board and Superintendent will follow all applicable state laws concerning open meetings.

Roles and Responsibilities

As a body of elected officials, the Board as a whole represents the community at large and has the responsibility to oversee the operation of the school district, through the Superintendent.

Board Members:

- Speak with one voice, communicating the decisions of the Board with support from the Superintendent and advocating for District 191 schools.
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The superintendent, when speaking at special events, will acknowledge board members by name who are present at special events especially when other elected officials (city, state and federal) are in attendance.

**Agenda IV.B.3.
September 8, 2022**

To: Board of Education

From: Dr. Theresa Battle, superintendent

Date: September 2, 2022

Re: Policies 422: *Policies Incorporated by Reference*, 523: *Policies Incorporated by Reference*, 101: *Legal Status of the School District*, 210: *Conflict of Interest - School Board Members*, 303: *Superintendent Selection*, and 304: *Superintendent Contract, Duties and Evaluation*

Recommendation: Approve, on a first reading basis, changes to Policies 422: *Policies Incorporated by Reference*, 523: *Policies Incorporated by Reference*, 101: *Legal Status of the School District*, 210: *Conflict of Interest - School Board Members*, 303: *Superintendent Selection*, and 304: *Superintendent Contract, Duties and Evaluation*.

The policies were reviewed by the Policy Review Committee on August 23, 2022.

- Policies 422 and 523 – MSBA deleted unneeded cross-references.
- Policy 101, 210, 303 and 304 – MSBA deleted the Service Manual Reference. The Policy Review Committee made a few revisions to Policy 304 including using the word “annually” instead of “periodically,” keeping the duties of the vice chair in the policy, and adding a cross reference to Policy 202.

Adopted: 9/10/2015
 Reviewed: ~~5/27/2021~~9/8/2022
 Revised: ~~6/10/2021~~MSBA 2022
 Rescinds:

Burnsville-Eagan-Savage School District Policy 422

422 POLICIES INCORPORATED BY REFERENCE

PURPOSE

Certain policies as contained in this policy reference manual are applicable to employees, contractors, volunteers as well as to students. In order to avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to employees:

- ~~Policy 102 Equal Educational Opportunity~~
- ~~Policy 103 Complaints – Students, Employees, Parents, Other Persons~~
- Policy 105 Equity, Access and Excellence in Education
- ~~Policy 206 Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations~~
- ~~Policy 211 Criminal or Civil Action Against School District, School Board Member, Employee, or Student~~
- ~~Policy 305 Policy Implementation~~
- ~~Policy 401 Equal Employment Opportunity~~
- Policy 505 Distribution of Non-school-Sponsored Materials on School Premises by Students and Employees
- Policy 507 Corporal Punishment
- Policy 510 Student Activities
- Policy 511 Fundraising
- Policy 514 Bullying Prohibition Policy
- Policy 517 Student Recruiting
- Policy 518 DNR-DNI Orders
- Policy 519 Interviews of Students by Outside Agencies
- Policy 522 Title IX Sex Nondiscrimination Policy and Grievance Procedure
- Policy 524 Internet Acceptable Use and Safety Policy
- Policy 525 Violence Prevention
- Policy 526 Hazing Prohibition
- Policy 610 Field Trips
- ~~Policy 710 Extracurricular Transportation~~
- ~~Policy 711 Video Recording on School Buses~~
- ~~Policy 712 Video Surveillance Other Than on Buses~~
- ~~Policy 802 Disposition of Obsolete Equipment and Material~~

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

Cross References:

Adopted: 10/22/2015

Burnsville-Eagan-Savage School District Policy 5230

Reviewed: ~~4/26/2018~~ 8/2022

Revised: 4.9/2020 MSBA 2022

Rescinds:

523 POLICIES INCORPORATED BY REFERENCE

PURPOSE

Certain policies as contained in this policy reference manual are applicable to students as well as to employees. ~~In order to~~ To avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies ~~which~~ that also apply to students:

- ~~Policy 102 — Equal Educational Opportunity~~
- ~~Policy 103 — Complaints — Students, Employees, Parents, Other Persons~~
- ~~Policy 206 — Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations~~
- ~~Policy 211 — Criminal or Civil Action Against School District, School Board Member, Employee, or Student~~
- ~~Policy 305 — Policy Implementation~~
- Policy 413 Harassment and Violence
- Policy 417 Chemical Use and Abuse
- Policy 418 Drug-Free Workplace/Drug-Free School
- Policy 419 Tobacco- Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
- Policy 498 Political Campaigns and Activities
- ~~Policy 524 — Internet Acceptable Use and Safety Policy~~
- ~~Policy 525 — Violence Prevention~~
- ~~Policy 610 — Field Trips~~
- ~~Policy 613 — Graduation Requirements~~
- ~~Policy 614 — School District Testing Plan and Procedure~~
- ~~Policy 615 — Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and EL Students~~
- ~~Policy 616 — School District System Accountability~~
- ~~Policy 707 — Transportation of Public School Students~~
- ~~Policy 708 — Transportation of Nonpublic School Students~~
- ~~Policy 709 — Student Transportation Safety Policy~~
- ~~Policy 710 — Extracurricular Transportation~~
- ~~Policy 711 — Video Recording on School Buses~~
- ~~Policy 712 — Video Surveillance Other Than on Buses~~
- ~~Policy 801 — Equal Access to School Facilities~~

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

Cross References:

Adopted: 6/25/2015
 Reviewed: ~~9/26/2019~~8/2022
 Revised: ~~6/9/2016~~MSBA 2022
 Rescinds:

Burnsville-Eagan-Savage School District Policy 101

101 LEGAL STATUS OF THE SCHOOL DISTRICT

I. PURPOSE

A primary principle of this nation is that the public welfare demands an educated and informed citizenry. The power to provide for public education is a state function vested in the state legislature and delegated to local school districts. The purpose of this policy is to clarify the legal status of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.
- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.

III. RELATIONSHIP TO OTHER ENTITIES

- A. The school district is a separate legal entity.
- B. The school district is coordinate with and not subordinate to the county(ies) in which it is situated.
- C. The school district is not subservient to municipalities within its territory.

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT

- A. Funds
 - 1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools and authority to manage and expend such funds, subject to applicable law.

2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
3. School district administrators/board members occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

1. The school district shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of schools, payment of indebtedness, and all proper expenses.
2. The school district may issue bonds in accordance with the provisions of [Minnesota Statutes chapter 475](#)~~Minn. Stat. Ch. 475,~~ or other applicable law.
3. The school district has authority to accept gifts and donations for school purposes, subject to applicable law.

C. Property

1. The school district may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district administrators/board members hold school property as trustees for the use and benefit of students, taxpayers, and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.
2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to [Minnesota Statutes section 465.71](#)~~Minn. Stat. § 465.71~~ or other applicable law.
3. The school district has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.

4. The school district has authority to enter into employment contracts. As a public employer, the school district, through its designated representatives, shall meet and negotiate with public employees in an appropriate bargaining unit and enter into written collective bargaining agreements with such employees, subject to applicable law.

E. Instructional Resources, Educational Materials, and Studies

1. The school district shall establish and apply the school curriculum.
2. The school district, through its school board and administrators, has the authority to determine what instructional resources, educational materials, and studies should be pursued.

F. Actions and Suits

The school district has authority to sue and to be sued.

Legal References: Minn. Const. art. 13, § 1
 Minn. Stat. Ch. 123B (School Districts, Powers and Duties)
 Minn. Stat. Ch. 179A (Public Employment Labor Relations)
 Minn. Stat. § 465.035 (Public Corporation, Conveyance or Lease of Land)
 Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers; ~~Municipalities Duties of Political Subdivisions~~)
Minnesota Association of Public Schools v. Hanson, 287 Minn. 415, 178 N.W.2d 846 (1970)
Independent School District No. 581 v. Mattheis, 275 Minn. 383, 147 N.W.2d 374 (1966)
Village of Blaine v. Independent School District No. 12, 272 Minn. 343, 138 N.W.2d 32 (1965)
Huffman v. School Board, 230 Minn. 289, 41 N.W.2d 455 (1950)
State v. Lakeside Land Co., 71 Minn. 283, 73 N.W.970 (1898)

Cross References: Burnsville-Eagan-Savage School District Policy 201 (Legal Status of School Board)
 Burnsville-Eagan-Savage School District Policy 603 (Curriculum Development)
 Burnsville-Eagan-Savage School District Policy 604 (Instructional Curriculum)
 Burnsville-Eagan-Savage School District Policy 606 (Instructional Resources)
 Burnsville-Eagan-Savage School District Policy 704 (Development and Maintenance of an Inventory of Fixed Asset Accounting System)
 Burnsville-Eagan-Savage School District Policy 705 (Investments)
 Burnsville-Eagan-Savage School District Policy 706 (Acceptance of Gifts)
 Burnsville-Eagan-Savage School District Policy 801 (Equal Access to School Facilities)

~~MSBA Service Manual, Chapter 3, Employee Negotiations~~

MSBA ~~Service Manual, Chapter 13,~~ School Law Bulletin "F" (Contract and Bidding Procedures)

Adopted: 4/1987

Burnsville-Eagan-Savage School District Policy 210

Reviewed: ~~12/12/2019~~8/2022

Revised: ~~11/16/2017~~MSBA 2022

Rescinds: BBFA

210 CONFLICT OF INTEREST – SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

The policy of the school board is to contract 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 thereof. Accordingly, the school board will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

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

2. The designation of an official newspaper, or publication of official matters therein, in which the school 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 school 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 school board ~~must~~shall 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 wherein the facts of the emergency are also stated.
 - c. Before a claim is paid, the interested school board member ~~must~~shall file with the clerk of the school board an affidavit stating:
 - (1) The name of the school 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 school board member in the contract; and
 - (6) That to the best of the school 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 school board member may contract with the school district to provide construction materials or services, or both, when the sealed bid process is used. When the contract comes before the school board for consideration, the interested school board member may not vote on the contract. (Note: This section applies only when the school district has a population of 1,000 or less according to the last federal census.)

6. A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.

- C. In the following circumstances, the school board may as an exception, by majority vote at a meeting ~~where-at which~~ all school board members are present, contract for services with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee ~~where-only if~~ 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 school board member under that contract or employment relationship, will not exceed \$208,000 in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in employment at a meeting ~~where-in which~~ all school board members are present, that employment ~~must-beis~~ immediately terminated and that school board member ~~will-havehas~~ no further rights to employment while serving as a school board member in the school district.

~~D. A contract made pursuant to the aforementioned exceptions will be void unless the following procedures are observed:~~

~~1. The school 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;~~

~~2. 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 wherein the facts of the emergency are also stated; and~~

~~3. Before a claim is paid, the interested school board member must file with the clerk of the school board an affidavit stating the following:~~

~~a. The name of the school board member and the office held (if any);~~

~~b. An itemization of the goods or services furnished;~~

~~c. The contract price;~~

~~d. The reasonable value;~~

~~e. The interest of the school board member in the contract; and~~

~~f. That, to the best of the school 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.~~

~~D.E.~~ The school board may contract with a class of school district employees, such as teachers or custodians, ~~where-when~~ the spouse of a school board member is a member of the class of employees contracting with the school 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 school board to invoke this exception, it must have a majority of disinterested school board members vote to approve the contract, direct the school board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting ~~where-in which~~ the contract is approved.

IV. LIMITATIONS ON RELATED EMPLOYEES

- A. The school board ~~can-must~~ hire or dismiss teachers only at duly called meetings. ~~Where-When~~ 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 school board.
- B. The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

V. CONFLICTS PRIOR TO TAKING OFFICE

A school board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the school board member took office and presents an actual or potential conflict of interest, shall immediately notify the school board of such interest. It shall thereafter be the responsibility of the school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the school 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. Any school board member who has an actual or potential conflict shall notify the school board of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

Legal References: Minn. Stat. § 122A.40, Subd. 3 (~~Employment; Contracts; Termination~~)
 (~~Teacher Hiring; Dismissal~~)
 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. 90-A (Aug. 14, 1957)
Op. Atty. Gen. 90-C-5 (July 30, 1940)
Op. Atty. Gen. 437-A-4 (March 15, 1935)

Cross References: Burnsville-Eagan-Savage School District Policy 101 (Legal Status of the School Board)
Burnsville-Eagan-Savage School District Policy 209 (Code of Ethics)
Burnsville-Eagan-Savage School District Policy 499 (Nepotism Prohibition)
~~MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties~~

Adopted: 2/1990

Burnsville-Eagan-Savage School District Policy 303

Reviewed: ~~1/9/2020~~9/8/2022

Revised: ~~8/24/2017~~MSBA 2022

Rescinds: CBB

303 SUPERINTENDENT SELECTION

I. PURPOSE

The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent to serve as the chief executive officer of the school district and to conduct the daily operations of the school district.

III. QUALIFICATIONS

- A. The school board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.
- B. The school board will consider professional preparation, experience, skill, and demonstrated competence of qualified applicants in making a final decision. ~~The school board will conduct a search to find the person it believes can most effectively translate into action its policies and the aspirations of the community.~~

IV. SELECTION

- A. A process for recruitment, screening, and interviewing of candidates shall be developed by the school board.
- B. The school board may ~~contract for assistance in the search for a superintendent, seek the advice and counsel of interested individuals or of an advisory committee, or it may employ a consultant to assist in the superintendent selection. However, the final selection will rest with the school board after a thorough consideration of qualified applicants.~~
- C. The school board shall provide the contract for the superintendent and specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the school board shall observe all requirements of state and federal law and school board policy.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Rules, Chapter 3512

Cross References: ~~None MSBA Service Manual, Chapter 3, Superintendent of Schools~~

Adopted: 5/2004

Burnsville-Eagan-Savage School District Policy 304

Reviewed: ~~1/9/2020~~9/8/2022

Revised: ~~11/16/2017~~MSBA 2022

Rescinds: AFB

304 SUPERINTENDENT CONTRACT, DUTIES, AND EVALUATION

I. PURPOSE

The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description, and the use of an approved instrument to evaluate performance.

II. GENERAL STATEMENT OF POLICY

A. The superintendent's contract shall be used to formalize the employment relationship and to specifically identify and clarify all conditions of employment with the superintendent.

B. ~~The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the school board in consultation with the superintendent. The school board shall use this instrument to annually evaluate the performance of the superintendent. Evaluation is a summative description of the superintendent's performance in all areas of his/her responsibility. The purpose of the performance evaluation is to recognize effective leadership and management, encourage improved performance, communicate and clarify school board expectations, generate mutual understanding, improve communication, and facilitate the process of planning to meet future needs. The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent~~

~~1. The school board will formally evaluate the superintendent at least annually.~~

~~2. The superintendent and school board members will establish a clear set of expectations for the evaluation, including the goals to be accomplished and the instrument(s) to be used, to provide a consistent and fair process for the evaluation.~~

C. The school board may use the model contract approved by the boards of the Minnesota School Boards Association and the Minnesota Association of School Administrators as a model instrument.

~~III. PROCESS FOR CONDUCTING THE SUPERINTENDENT'S EVALUATION~~

- A. School board members will complete as much of the evaluation form as possible before the evaluation meeting.
- B. At the evaluation meeting, the superintendent will meet with the school board to present information regarding the status of annual goal accomplishment, overall performance relative to the job description, and input from others regarding performance. School board members may ask clarifying questions.
- C. The school board and superintendent together will engage in discussion using the information provided by the superintendent in addition to school board members' individual evaluative comments. Following this joint discussion, the school board may ask the superintendent for time by itself to determine evaluation outcomes. If granted, the superintendent will be invited to rejoin the school board for a final review and comment.
- D.A. The vice chair will prepare a summative evaluation draft based on the discussion noted above and on written comments from individual school board members. All school board members will review the draft. Following that review, the vice chair will meet with the superintendent to share the summative evaluation and the school board's perspective regarding the superintendent's performance. A copy of the summative evaluation instrument will be provided to the superintendent for his/her personnel file.
- E.B. The vice chair will summarize the findings of the performance evaluation at the next public meeting of the school board following the evaluation.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: ~~None MSBA Service Manual, Chapter 3, Superintendent of Schools (See Model Contract, Sample Performance Appraisals, and Model Job Description)~~
Burnsville-Eagan-Savage School District Policy 202 (School Board Officers)