



Regular Meeting Agenda

Diamondhead Education Center
200 W. Burnsville Parkway
Burnsville, MN 55337
October 13, 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 Abigail Alt and Scott Hume

I. Call to Order

- A. Welcome
- B. Pledge of Allegiance

II. Approval of Agenda

III. Information

- A. District 288 Association Membership Opportunity 3
 - Speaker(s):** Amy Piotrowski, Director of Student Support Services
- B. Student Representative Report 4
- C. Superintendent Report 5
- D. Board Member Reports 6

IV. Business Meeting

- 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 7
- 2. Approve Personnel Recommendations 11
- 3. Adopt a Resolution to Accept Donations 12
- 4. Receive a Report about the Listening Session

5. Approve, on a First Reading Basis, Changes to Policies 103: <i>Complaints - Students, Employees, Parents, Other Persons; 401: Equal Employment Opportunity; 402: Disability Nondiscrimination Policy; 408: Subpoena of a School District Employee; and 520: Student Surveys</i>	18
B. New Business	30
1. Approve Burnsville Ice Center Rental Agreement Speaker(s): Dr. Chris Bellmont, Assistant Superintendent	31
2. Approve, on a First Reading Basis, Changes to Policy 514: <i>Bullying Prohibition Policy</i> Speaker(s): Dr. Chris Bellmont, Assistant Superintendent	41
3. Approve, on a First Reading Basis, Changes to Policy 516: <i>Student Medication</i> Speaker(s): Amy Piotrowski, Director of Student Support Services	52
V. Adjourn to a Workshop about the Memorandum of Understanding for Recruiting and Retaining Staff of Color Speaker(s): Dr. Theresa Battle, Superintendent, and Wendy Drugge, Burnsville Education Association President	59



**Agenda III.A.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Amy Piotrowski, director of student support services

Date: October 6, 2022

Re: District 288 Association Membership Opportunity

Receive a report about District 288 Association Membership Opportunity from Amy Piotrowski, director of student support services.



**Agenda III.B.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Siham Ibrahim, student board representative Substitute

Date: October 6, 2022

Re: Student Board Representative Monthly Report

Receive a report from Siham Ibrahim, student board representative substitute.



**Agenda III.C.
October 13, 2022**

To: Board of Education
From: Dr. Theresa Battle, superintendent
Date: October 6, 2022
Re: Superintendent Report

Receive a report from Dr. Theresa Battle, superintendent.



**Agenda III.D.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Lesley Chester, board chair

Date: October 6, 2022

Re: Board Member Reports

Receive reports from board members.

School Board Minutes
 INDEPENDENT SCHOOL DISTRICT 191
 September 29, 2022

The regular meeting of the Board of Education was called to order by Chair Chester 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, Conner, Hume, Miller, Said, Werb, and Chair Chester were present. Superintendent Dr. Battle, Student Representative Ava Drobnik, administrators, staff and members of the public were also present.

Attendance

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

Welcome and Pledge

Moved by Miller, seconded by Werb, to approve the agenda. The motion carried unanimously (7, 0).

Agenda

Received a report about the Strategic Roadmap Implementation Plan from Dr. Theresa Battle, superintendent, Aaron Tinklenberg, director of communications, Dr. Kathy Funston, director of strategic partnerships and pathways, Imina Oftedahl, director of curriculum, instruction and assessment, and Amy Piotrowski, director of student support services.

Reports

Received reports about Board committees, appointments, and school assignments from Hume about Gideon Pond Elementary and Burnsville High School Hall of Fame, Conner reported about the Burnsville Chamber, and Chester about ISD 917.

Moved by Conner, seconded by Miller, to approve the consent agenda.

Consent Agenda

-Approve minutes of the September 8, 2022, regular board meeting and September 22, closed session.

Minutes

-Approve personnel recommendations for Abigail Buesgens, Carisa Florendo, Cole Rogers, David Palmer, Dorothy Clark-Miles, Erik Shimshock, Helen Gullikson, Jenna Elliott, Jennfier Bohr, Kalley Stern, Ryann Armstrong, Jennfier Bohr, Axmad Kaahiye, Brendan Klein, Christian Kibler, Christine Haslock, Daniel Hartman, Dasia Kendall, Deonta El-Shabazz, Emma Kaplan, Eric Reuss, Erik Dantof, Hudayfi Barsug, Isiah Sims, Jack Tillman, Jarrod Leake, Jennifer Waller McDevitt, Jessica Thomas, Jonathan Reeves,

Personnel

Kathrine Vogt, Kimberly Robran, LaShunda Claiborn, Laura Hermansen, Lukah Evans, Madison Thornton, Megan Lewandowski, Monica Gihl, Motee Subah, Nancy Herbold, Nicholas Armstrong, Nojelyn Kato, Paul Nesseth, Ronna Johnson, Samuel Gaylord, Shamso Moalim, Sonya Coleman, Staci Strowbridge, Thelma Jones, Trey Blanchard, Tyler Music, Angelie Patricio, Arnold Andreasen, Ashley Snoddy, Derek Tano, Derek Tano, Karen Hickerson, Mark Nelson, Molly Moran, Safaa Bernoussi, Sandra Holman, Shamso Moalim, Susan Hanson, Tristyn Tucker, and Victoria Stubbs.

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

-Approves June payroll checks in the net amount of \$5,110,428.51. June claims to date, wire transfers and adjustments totaling \$8,737,392.00. Also, that the Board accepts June receipts of \$16,388,476.30 and investments for the General Fund, 2015A School Building Bonds, and OPEB of \$75,188,457.28 as of June 30, 2022.

-Approve July payroll checks in the net amount of \$4,240,258.93. July claims to date, wire transfers and adjustments totaling \$11,079,276.42. Also, that the Board accepts July receipts of \$3,020,314.60 and investments for the General Fund, 2015A School Building Bonds, and OPEB of \$62,467,564.82 as of July 31, 2022.

-Accept the Budget Analysis for the month ending June 30, 2022.

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

-Receive a report about the Listening Session on September 8, 2022.

-That the Board accepts the Budget Analysis for the month ending June 30, 2022.

-That the Board accepts the Budget Analysis for the month ending July 31, 2022.

-Receive a report about the Listening Session on September 8, 2022.

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

-Approve, on a second 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 motion carried unanimously (7, 0).

Moved by Alt, seconded by Miller, to approves the Cooperative Sponsorship in Girls Hockey between Burnsville High School, Bethlehem Academy (Faribault), Faribault High School,

Donations
Checks, claims,
receipts, and
investments

Budget Analysis

Listening
Session
Policies

Girls Hockey

DeLaSalle, St. Agnes, and St. Paul Academy and Summit School. The motion carried unanimously (7, 0).

Moved by Hume, seconded by Werb, to certify the proposed property tax levy for taxes payable in 2023 and authorize the clerk to execute the levy certification forms in the “maximum amount” and to also schedule the Truth in Taxation Hearing on December 8, 2022, to be held during the regularly scheduled board meeting beginning at 6:30 p.m. The motion carried unanimously (7 0).

Certify Proposed Tax Levy

Moved by Miller, seconded by Said, to approves the following rates of pay for the 2022-2023 school year. The motion carried unanimously (7, 0).

Casual Rates of Pay

The meeting adjourned to a workshop at 7:26 p.m. The purpose of the workshop was . Plan with Goals and Strategies for Reducing Enrollment Loss and Retention of Students and Implement the Plan throughout the 2022-23 School Year and to discuss sharing board meetings. The workshop adjourned at 8:26 p.m.

Adjourn to a Workshop

October 13, 2022

Abigail Alt, clerk

Date approved

School Board Minutes
INDEPENDENT SCHOOL DISTRICT 191
October 3, 2022

The ISD 191 Board of Education and the Burnsville City Council met for a special work session on October, 3, 2022, at Fire Station 1, 14275 Newton Ave, Burnsville, Minnesota, 55337.

The meeting was called to order at 5:33 p.m. by Mayor Kautz.

Call to Order

Council Present: D. Gustafson, E. Kautz, D. Kealey, C. Schulz
City Staff Present: B. Brewer, E. Henderson, B. Jungmann, K. Knighton-Johnson, G. Lindberg, H. McPhee, T. Schwartz
ISD 191 Present: A. Alt, A. Conner, S. Hume, T. Battle
ISD 191 Absent: I. Chester, E. Miller, S. Said and A. Werb

Attendance

The purpose of the meeting was collaboration and partnership.

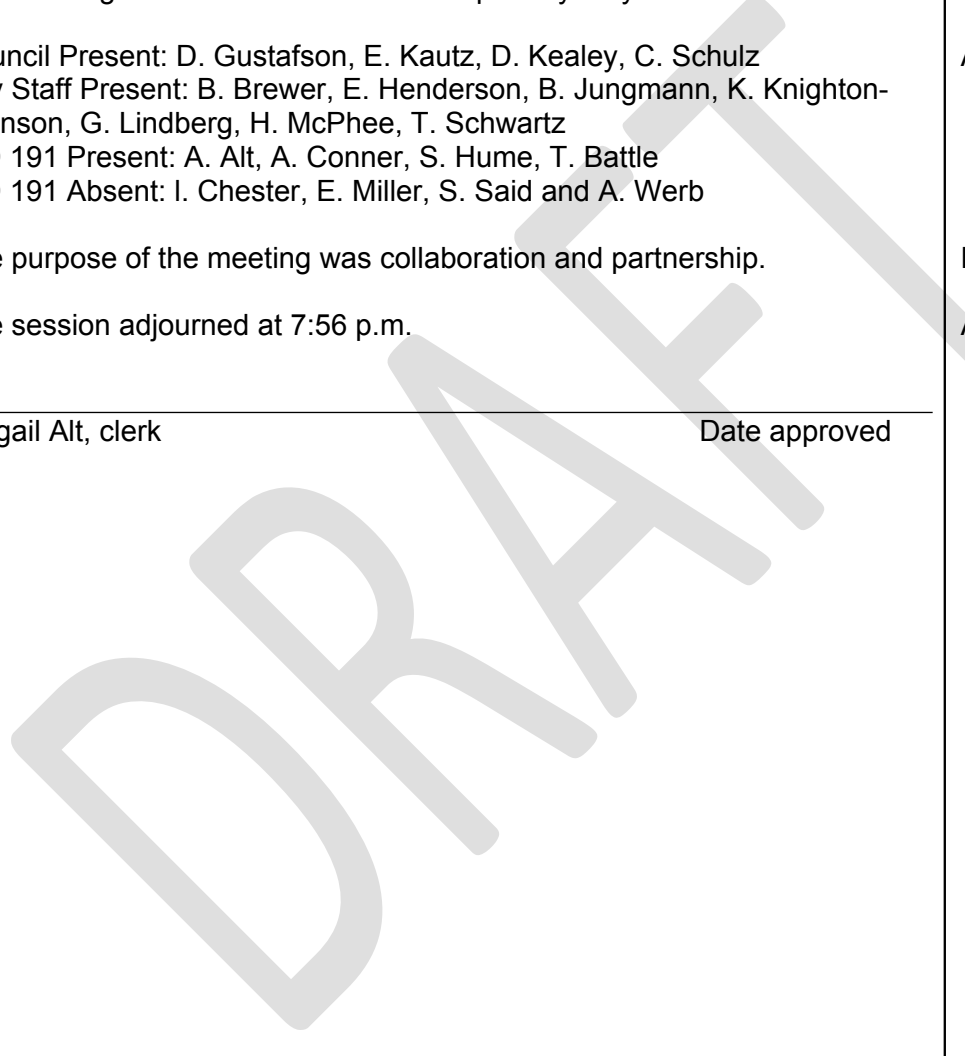
Purpose

The session adjourned at 7:56 p.m.

Adjourn

Abigail Alt, clerk

Date approved



**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: October 11, 2022
RE: Recommended Personnel Changes

CLASSIFICATION	ACTION	POSITION CONTROL	NAME	FINAL	LOCATION	POSITION	EFFECTIVE DATE	HOURS / FTE
Certified	Appointment		Casey Hildreth	*	Gideon Pond Elementary	Long Term Substitute Teacher	10/10/2022	1.0 FTE
Classified	Appointment		Alyssa Beck		Diamondhead Education Center	Community Education Supervisor	10/06/2022	8 hours/day
Classified	Appointment		Bjorn Anderson		Edward Neill Elementary	Computer Club	Year Round	Stipend
Classified	Appointment		Cynthia Zambrano		Harriet Bishop Elementary	Food Service Associate	10/03/2022	3.75 hours/day
Classified	Appointment		Daniel Boos		Nicollet Middle School	Middle School Wrestling Coach	Winter Season	Stipend
Classified	Appointment		Elizabeth Weilandgruber	*	Eagle Ridge Middle School	Quiz Bowl Advisor	Year Round	Stipend
Classified	Appointment		Faduma Ali	*	Vista View Elementary School	Community Education Supervisor	09/19/2022	7 hours/day
Classified	Appointment		Hamza Hassan	*	District-wide	Community Education Supervisor	10/03/2022	8 hours/day
Classified	Appointment		Javier Blazquez	*	Nicollet Middle School	Girls Soccer Coach	Fall Season	Stipend
Classified	Appointment		Julio Neptuno Terozan	*	Nicollet Middle School	Girls and Boys Cross Country	Fall Season	Stipend
Classified	Appointment		Kari Hill	*	Rahn Elementary School	Student Safety Patrol	09/30/2022	Stipend
Classified	Appointment		Laura Hermansen	*	Eagle Ridge Middle School	Girls Soccer Coach	Fall Season	Stipend
Classified	Appointment		Lori Keuler	*	Rahn Elementary School	Student Safety Patrol	09/30/2022	Stipend
Classified	Appointment		Megan Lewandowski	*	Eagle Ridge Middle School	Girls Soccer Coach	Fall Season	Stipend
Classified	Appointment		Pierre Conwell	*	Nicollet Middle School	Boys Soccer Coach	Fall Season	Stipend
Classified	Appointment		Regina Utur		Hidden Valley Elementary	Food Service Associate	10/03/2022	3.75 hours/day
Classified	Appointment		Ronna Johnson	* correction	Burnsville High School	Student Council	Year Round	Stipend
Classified	Appointment		Rosario Encalada	*	Edward Neill Elementary	Food Service Associate	10/10/2022	8 hours/day
Classified	Appointment		Sarah Parker		Edward Neill Elementary	Peer Support/Helpers	Year Round	Stipend
Classified	Appointment		Sarah Parker		Edward Neill Elementary	Student Safety Patrol	Year Round	Stipend
Classified	Appointment		Staci Miller		St. John's	Registered Nurse	09/29/2022	.562 FTE
Classified	Change of Assignment		Malaz Mohamed Ahmed	*	Diamondhead Education Center	Educational Assistant	10/25/2022	6.5 hours/day
Classified	Resignation		Chad Meyer		Eagle Ridge Middle School	Science Fair	09/30/2022	Stipend
Classified	Resignation		Denise Engberg		WM. Byrne Elementary School	Administrative Assistant-Elementary	09/20/2022	Stipend
Classified	Resignation		Elissa Kapusinski	*	Hidden Valley Elementary	Educational Assistant	08/29/2022	2 hours/day
Classified	Resignation		Hamdi Dahir	*	Gideon Pond Elementary	Educational Assistant	10/21/2022	7.25 hours/day
Classified	Resignation		Mariana Quintana Nunez		District-wide	Cultural Liaison	10/07/2022	8 hours/day
Classified	Resignation		Paola Solorio	*	Hidden Valley Elementary	Educational Assistant	10/05/2022	2.5 hours/day
Classified	Resignation		Sahra Ahmed		WM. Byrne Elementary School	Educational Assistant	08/26/2022	2.5 hours/day
Classified	Resignation		Selena Martinez		Sky Oaks Elementary School	Food Service Associate	10/10/2022	3.75 hours/day
Classified	Resignation		Shelly Kowalski	*	WM. Byrne Elementary School	Educational Assistant	10/21/2022	7.25 hours/day
Classified	Resignation		Staci Strowbridge		Harriet Bishop Elementary	Science Fair	Year Round	Stipend

Date	Donor	Recipient	Terms	Donation
9/15/2022	JULIE NADEAU INSURANCE AGENCY INC	BrainPower in a BackPack	Donation	\$300
9/15/2022	MARGARET GREEN	BrainPower in a BackPack	DONATION	\$120
9/15/2022	CARRIE AND THOMAS RADUE	BrainPower in a BackPack	Donation	\$25
9/15/2022	JAMES AND SUSAN MAY SCHMID	BrainPower in a BackPack	Donation	\$100
9/15/2022	GREGORY AND AUREL NEWTSON	BrainPower in a BackPack	Donation	\$100
9/15/2022	BRIDGET MOLITOR	BrainPower in a BackPack	Donation	\$50
9/15/2022	Dakota County	BrainPower in a BackPack	Donation	\$600
8/15/2022	Julie and Brian Tuttle	BrainPower in a BackPack	Donation	\$40
8/15/2022	Katherine Rath	BrainPower in a BackPack	Donation	\$325
9/1/2022	Thomas Allen Inc, Burnsville	BrainPower in a BackPack	Donation	Food donation
9/9/2022	USA Karate Burnsville & Rosemount C/O Alsa Kim	Vista View Elementary	Donation for students	Donation of numerous school supplies
9/23/2022	multiple families	Gideon Pond Elementary	Celebration Book Club Program	\$545
8/31/2022	Multiple Gideon Pond Families	Gideon Pond Elementary	Gideon Pond Classroom & Building School Supply Drive	\$345
8/31/2022	Blackbaud Giving Fund	Gideon Pond Elementary	Classroom Supply donation	\$300

Total monetary donation received: \$2,850.00



**Agenda IV.A.4.
October 13, 2022**

To: Board of Education

From: Dr. Theresa Battle, superintendent

Date: September 30, 2022

Re: Report about the Listening Session

Recommendation: Receive a report about the Listening Session on September 29, 2022.

No one spoke at the Listening Session on September 29, 2022.

**Agenda IV.A.5.
October 13, 2022**

To: Board of Education

From: Dr. Theresa Battle, superintendent, Stacey Sovine, executive director of administrative services, and Imina Oftedahl, director of curriculum, instruction and assessment

Date: September 30, 2022

Re: Policies 103: *Complaints - Students, Employees, Parents, Other Persons*; 401: *Equal Employment Opportunity*; 402: *Disability Nondiscrimination Policy*; 408: *Subpoena of a School District Employee*; and 520: *Student Surveys*.

Recommendation: Approve, on a first reading basis, changes to Policies 103: *Complaints - Students, Employees, Parents, Other Persons*; 401: *Equal Employment Opportunity*; 402: *Disability Nondiscrimination Policy*; 408: *Subpoena of a School District Employee*; and 520: *Student Surveys*

The policies were reviewed by the Policy Review Committee on September 27, 2022.

- Policy 103 – This policy was reviewed by the committee on August 23 and September 27. MSBA delete Service Manual reference
- Policy 401 – MSBA updated statutory reference and remove "executive"
- Policy 402 – MSBA update references
- Policy 408 – MSBA deleted Service Manual reference
- Policy 520 – MSBA update Policy 522 cross reference

Adopted: 6/1986

Burnsville-Eagan-Savage School District Policy 103

Reviewed: ~~9/26/2019~~10/13/2022

Revised: ~~10/26/2017~~MSBA 2022

Rescinds: KL

103 COMPLAINTS – STUDENTS, EMPLOYEES, PARENTS, OTHER PERSONS

I. PURPOSE

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, negotiated agreement, or Terms and Conditions of Employment, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

II. GENERAL STATEMENT OF POLICY

- A. Students, parents, employees, or other persons, may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent, or school board. However, persons are encouraged to file a complaint at the building level with the staff member most immediately involved with the issue when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow-up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent, who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for the investigation or follow-up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond in a reasonable time-period in writing to the complaining party concerning the completion of the investigation. The superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of ~~Minn. Stat. Ch.~~ Minnesota Statutes chapter 13 (the Minnesota Government Data Practices Act) or other law.

- D. Before a complaint against an employee is acted upon, the employee will have the opportunity to respond to the complaint with the appropriate administrator to present information relevant to the complaint.
- E. No reprisals against a complainant or witness will be tolerated.

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

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)
 Burnsville-Eagan-Savage School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Burnsville-Eagan-Savage School District Policy 413 (Harassment and Violence)
 Burnsville-Eagan-Savage School District Policy 422 (Policies Incorporated by Reference)
 Burnsville-Eagan-Savage School District Policy 514 (Bullying Prohibition)
 MSBA ~~Service Manual, Chapter 13,~~ School Law Bulletin “I” (School Records – Privacy – Access to Data)

Adopted: 11/1983 *Burnsville-Eagan-Savage School District Policy 401*
 Reviewed: ~~11/15/2018~~10/13/2022
 Revised: ~~12/13/2018~~MSBA 2022
 Rescinds:

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for Independent School District 191 employment and school district employees.

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, gender identity or expression, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. Every teacher, administrator, volunteer, contractor, or other employee of the school district shall be responsible for following this policy.
- E. Any person having a question regarding this policy should discuss it with the ~~Executive Director of Human Resources~~ superintendent or designee.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
 29 U.S.C. § 2615 (Family and Medical Leave Act)
 38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
 38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
 42 U.S.C. § 2000e *et seq.* (Equal Employment Opportunities; Title VII of the Civil Rights Act)
 42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with

Disabilities)

Cross References: Burnsville-Eagan-Savage School District Policy 402 (Disability Nondiscrimination)
 Burnsville-Eagan-Savage School District Policy 405 (Veteran's Preference)
 Burnsville-Eagan-Savage School District Policy 413 (Harassment and Violence)
 Burnsville-Eagan-Savage School District Policy 422 (Policies Incorporated by Reference)

Adopted: 05/2001

Burnsville-Eagan-Savage School District Policy 402

Reviewed: ~~3/12/2020~~10/13/2022

Revised: ~~1/11/2018~~MSBA 2022

Rescinds:

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

The purpose of this policy is to provide a fair employment setting for all persons in Independent School District 191 and to comply with state and federal law.

II. GENERAL STATEMENT OF POLICY

- A. Independent School District 191 shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. Independent School District 191 shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. Independent School District 191 shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. Independent School District 191 shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact ~~Stacey Sovine~~Hailey Busker, ~~Executive Director~~ of Human Resources ~~Coordinator~~, 200 West Burnsville Parkway, Burnsville, MN, 55337, 952-707-2010, ~~ssovinehbusker~~@isd191.org. This individual is the school district's appointed ADA coordinator.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 29 U.S.C. 794 *et seq.* (~~Section 504 of the~~ Rehabilitation Act of 1973, ~~§ 504~~)
 42 U.S.C., ~~Ch. 126~~ § 1211~~201~~ (Americans with Disabilities Act)
~~34 C.F.R. Part 35~~

29 C.F.R. Part 32 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)

34 C.F.R. Part 104 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)

Cross References: Burnsville-Eagan-Savage School District Policy 413 (Harassment and Violence)
Burnsville-Eagan-Savage School District Policy 521 (Student Disability Nondiscrimination)

Adopted: 8/2006
 Reviewed: ~~10/28/2021~~10/13/2022
 Revised: ~~9/10/2015~~MSBA 2022
 Rescinds: GBLAC

Burnsville-Eagan-Savage School District Policy 408

408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), ~~Minnesota Statutes Chapter~~ 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor. A subpoena issued by an attorney is not a court order.

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 ~~United States Code section~~U.S.C. ~~section~~§ 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA, ~~Minn. Stat. Ch. 13~~, also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately inform the ~~Executive Director of Human Resources~~ superintendent or designee that the employee has received a subpoena.
- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Rules 1205.0100, Subp. 5 (~~How These Rules Apply~~ Minnesota Rules Regarding Data Practices)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: Burnsville-Eagan-Savage School District Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
 Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)
~~MSBA Service Manual, Chapter 13, School~~ Law Bulletin “I” (School Records – Privacy – Access to Data)

Adopted: 10/22/2015
 Reviewed: ~~1/13/2022~~10/13/2022
 Revised: ~~1/27/2022~~MSBA 2022
 Rescinds:

Burnsville-Eagan-Savage School District Policy 520

520 STUDENT SURVEYS

I. PURPOSE

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 ~~U.S.C.~~ United States Code section 1232h.

III. DEFINITIONS

- A. “Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.
- B. “Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.
- C. “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- D. “Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or dental screening.

IV. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student returning a survey will be maintained.
- B. The superintendent or designee may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, gender identity and expression, or age.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student has the opportunity to opt out of the survey. Any and all documents containing the written permission of a parent for a student to opt out of a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with [Minn. Stat. Ch. Minnesota Statutes chapter 13](#) (Minnesota Government Data Practices Act), 20 [U.S.C. § United States Code s 1232g](#) (Family Educational Rights and Privacy Act) and 34 [C.F.R. Code of Federal Regulations](#) Part 99.
- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

V. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated

minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental and psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, antisocial, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
9. ~~Gender~~gender identity and expression

C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:
 - a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.
 - b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.
- d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 ~~U.S.C. §~~ United States Code section 1400, *et seq.*).
- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.
 - (1) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and

- (f) student recognition programs.
- (2) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.
2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
- a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
 - b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.
 - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.
 - c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
 - d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not

apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

VI. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 1232h (Protection of Pupil Rights)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, ~~122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)~~
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: Burnsville-Eagan-Savage School District Policy 102 (Equal Educational Opportunity)
Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)
Burnsville-Eagan-Savage School District Policy 521 (Student Disability Nondiscrimination)
Burnsville-Eagan-Savage School District Policy 522 (~~Student—Sex Nondiscrimination~~Title IX Sex Nondiscrimination, Grievance Procedure and Process)

October 13, 2022 Board Meeting

Board Members' Questions and Staff Responses regarding BoardBook materials

(MOU to Recruit and Retain Staff of Color)

Board Member Question	Staff Response
<p>Is there any data about the BIPOC enrollment numbers at Minnesota colleges and universities who are majoring in teaching or education. For instance, are 20% of college education majors BIPOC? 10%? 1%? It would be helpful, if possible, to have some understanding of the pipeline of future teachers - especially if we want to create specific metrics around what improvement looks like, in terms of the diversity of our teach</p>	<p>Information included in the Minnesota Professional Educator Licensing and Standards Board (PELSB) 2021 Data Summary Report for the 2019-2020 academic year: Teacher Preparation by race/ethnicity 82% White, 4% African American or Black, 3% Multiracial, 3% Hispanic, 3% Asian or Pacific Islander, 1% American Indian or Alaskan Native and 82% White with 4% Undeclared/other.</p> <p>There were 8788 white candidates enrolled in MN preparation programs and 1340 candidates were of color or American Indian.</p>
<p>I'm wondering if the groups with whom this will be vetted (on Slide #17) are Design Team (B) and Input (A). If vetting will take place beyond these two groups, it would be helpful to have the groups in total listed on this slide.</p>	<p>We left it open to see if board members had suggestions for groups to review the recommendations. One group we have vetted with that was not part of the GC is the Superintendent's Race Advisory group.</p>



**Agenda Item IV.B.1.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Dr. Chris Bellmont, assistant superintendent

Date: October 6, 2022

Re: Approve Burnsville Ice Center Rental Agreement for School Year 2022-2023

RECOMMENDATION: That the Board of Education approves the Burnsville Ice Center Rental Agreement for the 2022-2023 school year in the estimated amount of \$41,780.00 for a total of 178.25 hours of ice time.

The ice rental agreement with the City of Burnsville provides practice, game and playoff time for both boys and girls hockey.

The percentage change was included this year as the City of Burnsville does not have enough staff to provide the Ticket Taker/Scanner position so that has been added into the contract as well in Exhibit A. They will continue to provide the entrance security for Rink 2 during games.

Taken from Exhibit A:

1. **Ticket Personnel.** For each Event, ISD 191 will schedule ticket/scanning personnel and ISD 191 will pay such ticket/scanning personnel.
2. **Security.** The City shall provide one personnel to provide entrance security for Rink 2 entry doors during ISD 191 games and City will pay such personnel.

**CITY OF BURNSVILLE
BURNSVILLE ICE CENTER RENTAL AGREEMENT**

AGREEMENT made this 28th day of September, 2022, by and between **BURNSVILLE HIGH SCHOOL, ISD 191** (“User”) and the **CITY OF BURNSVILLE** (“City”), a Minnesota municipal corporation.

RECITALS

- A. The City is the owner and manager of the Burnsville Ice Center (“Ice Center”), which facility is conducive to and available for events open to the public.
- B. User desires to use portions of the Ice Center subject to the terms and conditions of this Agreement (“Agreement”) and all applicable laws and regulations.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein, the parties mutually agree as follows:

1. **TERM.** The City hereby permits User the use of the Ice Center and facilities incidental thereto for the period as set forth on the schedule attached hereto as “Household Reservation Report”.
2. **FACILITIES.** User will have exclusive use of ice sheet(s) as well as two or four dressing rooms during the times scheduled. The City will maintain and clean the ice rink. The common areas of the Burnsville Ice Center shall be open to the public at all times. The User will have shared use of the common areas and may not prohibit use by other patrons.
3. **PAYMENT.** The Ice Center will bill User on a monthly basis for ice time and services. The ice times scheduled in the Household Reservation Report determine the cost of the invoice as there are more and less popular times for the ice rink as shown in the City’s rate structure. Invoices shall be sent 30 to 45 days in advance of due date. All payments shall be due on or before the 15th of the month in which the User is skating.
4. **SERVICES.** Notwithstanding any other provision of this Agreement, the parties may separately agree for the provision of additional services, personnel, and staffing as needed.
5. **RULES AND REGULATIONS.** User hereby agrees that it and its members using the Ice Center will abide by all rules and regulations adopted by the City, and as amended from time to time, for use of the Ice Center.
6. **USER MAINTENANCE.** User shall be responsible for cleanup of the Ice Center and its facilities following each use of the Ice Center, including the pickup and proper disposal

of all trash, litter, and other debris left in the Ice Center by User and User's members, guest, invitees, and others utilizing the Ice Center under User's rental of the Ice Center.

7. **DAMAGE TO ICE CENTER.** User shall be liable to the City for any loss or damage to the Ice Center or its facilities occasioned by, or in connection with the use of the Ice Center by the User or User's members, guests, or invitees.
8. **INDEMNIFICATION.** User agrees to hold the City and its officers, agents, and employees harmless and defend and indemnify the City against any claims related to use of the Ice Center by User, its agents, employees, or subcontractors. User further agrees to defend, indemnify, and hold the City, its officers, agents, and employees harmless from any liability, claims, damages, costs, judgments, or expenses, including reasonable attorney's fees, occasioned by or arising in connection with the use of the Ice Center by User or User's guests or invitees, including any and all claims for bodily injury or death or property loss or damage sustained as a result of use of the Ice Center by User or User's guests or invitees.
9. **INSURANCE.** User is required to obtain general liability insurance and provide proof of such insurance upon execution of this Agreement. \$1 million commercial general liability for non-profit affiliated with City, ISD 191 or other similar Burnsville local governmental unit and \$2 million commercial general liability for all others that have contracts of \$20,000.00 or higher in value. User shall also maintain and provide proof of statutory minimum workers' compensation (or alternately) User represents that it does not have any employees or other individuals covered by this Agreement for which User would be obligated to provide workers compensation coverage.
10. **CANCELLATION OR RESCHEDULING.**
 - 10.1 **BY USER:** User shall notify Ice Center Management of any cancellation of any ice time scheduled under this Agreement no later than September 28, 2022. Except as otherwise provided herein, all ice time set forth on the Household Reservation Report must be paid for by the User whether or not the Ice Center is actually used. Ice time that is scheduled but is cancelled due to no fault of the User will not be charged to the User. Examples of excusable reasons for cancellation include: limitations determined by the federal, state, county, or local governments; limitations put in place by the Minnesota State High School League; or if User's student body has an outbreak of COVID-19 and the User is unable to use the Ice Center for a time.
 - 10.2 **BY CITY:** The City reserves the right to: a) cancel this Agreement for any default or breach of this Agreement by the User or its members; and b) reschedule the dates or times of use by the User provided under Paragraph 1, if the City deems necessary. In the event of a mechanical, or other, failure of the Ice Center equipment or facilities, the City will notify User as soon as possible. The City will reimburse fees paid by the User for any time scheduled under this Agreement which makes the Ice Center unavailable to User as a result of such failures. The

City shall not be responsible for any damages suffered by User as the result of any cancellation.

11. **DISTRIBUTION OF AGREEMENT AND RULES.** Prior to using the Ice Center pursuant to this Agreement, User shall make available a copy of the Ice Center rules and regulations to User's members.
12. **AGENT AUTHORITY.** User certifies that s/he is the User or an agent for the User and is authorized to execute this Agreement and accept the responsibility for observance of the rules and regulations of the City.
13. **ASSIGNMENT.** User shall not assign this Agreement, or any interest arising herein, without the express written consent of the City.
14. **ENTIRE AGREEMENT.** The entire agreement of the parties is contained herein, and this Agreement supersedes all prior agreements and negotiations between the parties relating to the subject matter herein as well as any previous agreements presently in effect between the parties relating to the subject matter contained herein. Any alterations, amendments, deletions, or waivers of the provisions of this Agreement shall be valid only when expressed in writing and duly signed by the parties, unless otherwise provided herein.
15. **WAIVER.** Any waiver by either party of a breach of any provision of this Agreement shall not affect, in any respect, the validity of the remainder of this Agreement.
16. **MISCELLANEOUS.**
 - 16.1 **Additional Fees.** User shall pay such other equipment rental, maintenance, and other fees as appropriate and as set forth on the attached "Reservation Report - Exhibit A" if it applies. The City reserves the right to charge supplemental fees for the use of additional locker rooms, additional ice maintenance, and additional clean up expenses.
 - 16.2 **Sale of Food and Beverages.** The City has the exclusive right to operate concession sales at the Ice Center for the sale of food and beverages, including food and beverages dispensed from vending machines.
 - 16.3 **Advertising.** No advertising by User in or on any part of the Ice Center is permitted without the express written consent of the City.
 - 16.4 **Parking Lot Usage.** The User will have shared use of the parking lot on a first come, first served basis and may not prohibit use by other patrons.
 - 16.5 **Alcohol.** Alcohol is not allowed on the premises of the Ice Center.

17. ACKNOWLEDGEMENT OF CONCUSSION AWARENESS OBLIGATIONS.

The User is a nonprofit organization that organizes youth athletic activities, acknowledges that it has obligations under Minnesota state law to inform and educate coaches, officials, youth athletes, and their parents or guardians about concussions. These obligations include, but are not limited to, making information about the nature and risks of concussions accessible to all participating coaches, officials, youth athletes, and their parents or guardians and requiring that all participating coaches and officials receive periodic online training consistent with the standards set forth in Minnesota Statute and by the Centers for Disease Control. By signing this form and using these facilities, the undersigned acknowledges that it is subject to the responsibilities existing under Minnesota Statutes and verifies that all coaches, officials, youth athletes, and their parents or guardians have complied with the mandated policies prescribed by Minnesota Statute Sections 121A.37 and 121A.38.

- 18. COVID-19 INFORMATION.** The parties have a role to play in protecting the community from the COVID-19. To slow the spread of COVID-19 the City has adopted the guidelines listed below. When using the Ice Center, the User and its agents, employees, students, coaching staff, and volunteers are required to adhere to the following guidelines: Strictly follow building occupancy information provided to you. If you are feeling sick or have been exposed to someone with COVID-19, please stay home and do not use the park amenities. Use social distancing and maintain at least six feet between individuals at all times. Cover coughs and sneezes with a tissue, then throw the tissue in the trash. Wash hands often with soap and water for at least 20 seconds, especially after going to the bathroom, before eating, and after blowing your nose, coughing, or sneezing. Use hand sanitizer that contains at least 60% alcohol if soap and water are not available. Avoid touching eyes, nose, and mouth with unwashed hands. All groups using the facility must be under competent adult (18+) leadership.

- 19. NOTICE.** All notices required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered in person or deposited in the United States Mail, postage prepaid, as follows:

If to the City, to: Dean Mulso
 Recreation Facilities Manager
 City of Burnsville

If to User, to: ISD 191, Burnsville High School
 200 Burnsville Pkwy
 Burnsville, MN 55337

By signing this Agreement, the parties acknowledge that they have read, understand, and agreed to abide by all its conditions as stipulated.

TITLE OF USERS

CITY OF BURNSVILLE

By: _____

Gregg Lindberg, City Manager

Its: _____

Date: _____

Tax ID Number _____

Address _____

Phone _____

Date _____

Elizabeth Kautz, Mayor

Date: _____

THE CITY OF BURNSVILLE REQUIRES, AS A CONDITION OF THIS AGREEMENT, THAT CONTRACTOR'S EMPLOYEES, VOLUNTEERS, OR ASSOCIATES REFRAIN FROM CARRYING FIREARMS WHILE ON CITY PROPERTY

EXHIBIT B

1. **Rates.** The Ice Center will bill User on a monthly basis for ice time as follows:
 - a. \$240.00 per hour at 4.5 hours per Varsity combined with a Junior Varsity game and/or 2.5 hours per one Varsity or one Junior Varsity game; plus
 - b. \$150 cleaning fee per single game and \$225 per double game.
2. **Payments.** Payments to the Ice Center of the above fees will be made by User within thirty (30) days of receipt of each invoice.
3. **Ticket Proceeds.** The parties agree that, for the purpose of High School hockey games (“Event”) fifty percent (45%) of the ticket proceeds will be paid to the City, and fifty five percent (55%) of the ticket proceeds will be retained by the User. Ticket proceeds will be paid to the City within sixty (60) days of City issuing invoice to ISD 191.
4. **Sales Tax.** Sales tax will not be deducted from gate receipts prior to the above percentage splits being determined and paid.
5. **Ticket Personnel.** For each Event, ISD 191 will schedule ticket/scanning personnel and ISD 191 will pay such ticket/scanning personnel.
6. **Security.** The City shall provide one personnel to provide entrance security for Rink 2 entry doors during ISD 191 games and City will pay such personnel.
7. **Adult Supervision.** For each Event, User agrees that the “home school” will provide and pay the public service officer or officers and the adult supervision for the student section.
8. **First Aid Personnel.** For each Event, User agrees that the “home school” will provide and pay the first aid personnel for each game under their game agreement.
9. **Scorekeeper/Announcer.** For each Event, User agrees that the “home school” will provide and pay scorekeeper or announcer scorekeeper combination held under this Agreement.

Ice Rink Reservation Report with \$

Primary Phone: (952)707-2111
 Phone Extension:
 Primary Email: gpaek@isd191.org
 Household #: 344

Burnsville High School Hockey
 600 East Highway 13

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Burnsville, MN 55337

Jay	Date	Time Period	Location	Facility Name	Reservation Purpose	Hours	Fees/Tax	Amt Paid	Total Du
Monday	10/31/2022	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Tuesday	11/01/2022	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Wednesday	11/02/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	11/02/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	11/04/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.25	300.00	0.00	300.00
Friday	11/04/2022	5:30pm - 6:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.25	300.00	0.00	300.00
Saturday	11/05/2022	5:30pm - 7:00pm	Burnsville Ice	Rink 2	Phoenix JV Scrimmage vs Ro	1.50	360.00	0.00	360.00
Monday	11/07/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Monday	11/07/2022	4:00pm - 5:15pm	Burnsville Ice	Rink 2	Phoenix JV	1.25	300.00	0.00	300.00
Wednesday	11/09/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	11/09/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	11/11/2022	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	2.00	480.00	0.00	480.00
Friday	11/11/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	11/14/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.25	300.00	0.00	300.00
Tuesday	11/15/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.25	300.00	0.00	300.00
Tuesday	11/15/2022	5:30pm - 6:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.00	240.00	0.00	240.00
Wednesday	11/16/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	11/16/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Thursday	11/17/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.25	300.00	0.00	300.00
Thursday	11/17/2022	5:30pm - 6:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.00	240.00	0.00	240.00
Friday	11/18/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	11/18/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	11/21/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.25	300.00	0.00	300.00
Monday	11/21/2022	5:30pm - 6:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.00	240.00	0.00	240.00
Tuesday	11/22/2022	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Eagan JV	2.50	600.00	0.00	600.00
Tuesday	11/22/2022	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Eagan JV	2.00	480.00	0.00	480.00
Wednesday	11/23/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix	1.00	240.00	0.00	240.00
Monday	11/28/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.25	300.00	0.00	300.00
Tuesday	11/29/2022	4:00pm - 5:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.00	240.00	0.00	240.00
Tuesday	11/29/2022	5:15pm - 6:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.00	240.00	0.00	240.00
Wednesday	11/30/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	11/30/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Thursday	12/01/2022	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Prior Lake JV	2.50	600.00	0.00	600.00
Thursday	12/01/2022	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Prior Lake V	2.00	480.00	0.00	480.00
Friday	12/02/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	12/02/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	12/05/2022	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.25	300.00	0.00	300.00
Tuesday	12/06/2022	4:00pm - 5:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.00	240.00	0.00	240.00
Tuesday	12/06/2022	5:15pm - 6:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV	1.00	240.00	0.00	240.00
Wednesday	12/07/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	12/07/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00

Ice Rink Reservation Report with \$

Primary Phone: (952)707-2111
 Phone Extension:
 Primary Email: gpaek@isd191.org
 Household #: 344

Burnsville High School Hockey
 600 East Highway 13

Burnsville, MN 55337

Day	Date	Time Period	Location	Facility Name	Reservation Purpose	Hours	Fees/Tax	Amt Paid	Total Du
Thursday	12/08/2022	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Lakeville Sout	2.50	600.00	0.00	600.00
Thursday	12/08/2022	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Lakeville South	2.00	480.00	0.00	480.00
Friday	12/09/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	12/09/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Saturday	12/10/2022	4:45pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Shakopee JV	2.25	540.00	0.00	540.00
Saturday	12/10/2022	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Shakopee V	2.00	480.00	0.00	480.00
Monday	12/12/2022	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V & JV	2.00	480.00	0.00	480.00
Wednesday	12/14/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	12/14/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	12/16/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	12/16/2022	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	12/19/2022	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.50	360.00	0.00	360.00
Tuesday	12/20/2022	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V & JV	2.00	480.00	0.00	480.00
Wednesday	12/21/2022	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	12/21/2022	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Thursday	12/22/2022	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Eden Prairie J	2.50	600.00	0.00	600.00
Thursday	12/22/2022	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Eden Prairie V	2.00	480.00	0.00	480.00
Tuesday	12/27/2022	10:00am - 12:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V & JV	2.00	230.00	0.00	230.00
Wednesday	12/28/2022	10:00am - 11:30am	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	172.50	0.00	172.50
Wednesday	12/28/2022	10:00am - 11:30am	Burnsville Ice	Rink 2	Phoenix JV	1.50	172.50	0.00	172.50
Thursday	12/29/2022	10:00am - 11:30am	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	172.50	0.00	172.50
Thursday	12/29/2022	10:00am - 11:30am	Burnsville Ice	Rink 2	Phoenix JV	1.50	172.50	0.00	172.50
Monday	01/02/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.50	360.00	0.00	360.00
Tuesday	01/03/2023	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Wednesday	01/04/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	01/04/2023	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Thursday	01/05/2023	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Eastview JV	2.50	600.00	0.00	600.00
Thursday	01/05/2023	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Eastview V	2.00	480.00	0.00	480.00
Friday	01/06/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	01/06/2023	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	01/09/2023	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Tuesday	01/10/2023	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Duluth	2.50	600.00	0.00	600.00
Tuesday	01/10/2023	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Duluth	2.00	480.00	0.00	480.00
Wednesday	01/11/2023	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Wednesday	01/11/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Friday	01/13/2023	4:00pm - 5:15pm	Burnsville Ice	Rink 2	Phoenix V	1.25	300.00	0.00	300.00
Friday	01/13/2023	4:45pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Apple Valley/Burnsville JV vs	2.25	540.00	0.00	540.00
Friday	01/13/2023	5:15pm - 6:15pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Friday	01/13/2023	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Apple Valley/Burnsville V vs	2.00	480.00	0.00	480.00
Monday	01/16/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	1.50	360.00	0.00	360.00
Tuesday	01/17/2023	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00

Ice Rink Reservation Report with \$

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Primary Phone: (952)707-2111
 Phone Extension:
 Primary Email: gpaek@isd191.org
 Household #: 344

Burnsville High School Hockey
 600 East Highway 13

Burnsville, MN 55337

Day	Date	Time Period	Location	Facility Name	Reservation Purpose	Hours	Fees/Tax	Amt Paid	Total Du
Wednesday	01/18/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	01/18/2023	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	01/20/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	01/20/2023	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	01/23/2023	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Wednesday	01/25/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	01/25/2023	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	01/27/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	01/27/2023	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Saturday	01/28/2023	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix JV vs Rosemount	2.50	600.00	0.00	600.00
Saturday	01/28/2023	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V vs Rosemount	2.00	480.00	0.00	480.00
Monday	01/30/2023	4:00pm - 6:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix	2.00	480.00	0.00	480.00
Wednesday	02/01/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.75	420.00	0.00	420.00
Wednesday	02/01/2023	4:00pm - 5:30pm	Burnsville Ice	Rink 2	Phoenix JV	1.50	360.00	0.00	360.00
Friday	02/03/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Friday	02/03/2023	4:00pm - 5:00pm	Burnsville Ice	Rink 2	Phoenix JV	1.00	240.00	0.00	240.00
Monday	02/06/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Tuesday	02/07/2023	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.25	300.00	0.00	300.00
Wednesday	02/08/2023	6:30pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V Playoff Game Pos	2.50	600.00	0.00	600.00
Thursday	02/09/2023	4:30pm - 7:00pm	Burnsville Ice	Gary R. Harker Rink	Apple Valley/Burnsville JV vs	2.50	600.00	0.00	600.00
Thursday	02/09/2023	7:00pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Apple Valley/Burnsville V vs J	2.00	480.00	0.00	480.00
Friday	02/10/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Saturday	02/11/2023	6:30pm - 9:00pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V Section Playoff Ga	2.50	600.00	0.00	600.00
Monday	02/13/2023	4:00pm - 5:30pm	Burnsville Ice	Gary R. Harker Rink	Phoenix V	1.50	360.00	0.00	360.00
Tuesday	02/14/2023	4:00pm - 5:15pm	Burnsville Ice	Gary R. Harker Rink	BHS Girls V	1.25	300.00	0.00	300.00
Wednesday	02/15/2023	4:00pm - 5:45pm	Burnsville Ice	Gary R. Harker Rink	BHS Girls V	1.75	420.00	0.00	420.00
Thursday	02/16/2023	3:15pm - 4:45pm	Burnsville Ice	Gary R. Harker Rink	BHS Girls V	1.50	360.00	0.00	360.00
Friday	02/17/2023	3:15pm - 4:45pm	Burnsville Ice	Gary R. Harker Rink	BHS Girls V	1.50	360.00	0.00	360.00
Totals for Household # 344:						178.25	41,780.00	0.00	41,780.00



**Agenda IV.B.2.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Dr. Chris Bellmont, assistant superintendent

Date: September 30, 2022

Re: Policy 514: *Bullying Prohibition Policy*

Recommendation: Approve, on a first reading basis, changes to Policy 514: *Bullying Prohibition Policy*.

Policy 514 was reviewed by the Policy Review Committee on September 27, 2022.

- MSBA update Policy 522 Cross Reference Title, minor edits to text, and Section IX “Policy Review” was added.
- Policy 514 must be reviewed annually.

Adopted: 03/06
 Reviewed: ~~10/14/2021~~10/13/2022
 Revised: ~~10/28/2021~~MSBA 2022
 Rescinds: ACD-JBD, JBD-ACD

Burnsville-Eagan-Savage School District Policy 514

514 BULLYING PROHIBITION POLICY

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying of students and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior involving students.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual or a group, of a student, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to individuals who directly engage in an act of bullying, but also to those who, by their indirect behavior, condone or support an act of bullying. This policy also applies to anyone whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying of a student.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying of a student shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy. The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who commit, permit, condone, or tolerate bullying of a student or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

- G. The school district will act to investigate all complaints of bullying of a student reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct, aimed

at a student, that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the person engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying as defined in this policy.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles

approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any student who believes ~~he or she has~~ they have been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three working days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion,

expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable school district policies; and applicable regulations.

- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur

during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

- B. The school district shall require ongoing professional development, consistent with ~~Minnesota Statute~~ section§ 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate

and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor

who regularly interacts with students at the time of initial employment with the school district.

- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes section 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
 Minn. Stat. § 120B.232 (Character Development Education)
 Minn. Stat. § 121A.03 (~~Sexual, Religious and Racial Harassment and Violence~~Model Policy)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
 Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.69 (Hazing Policy)
 Minn. Stat. § Ch. 124E (Charter School)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
 34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: Burnsville-Eagan-Savage Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Burnsville-Eagan-Savage Policy 413 (Harassment and Violence)
 Burnsville-Eagan-Savage Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 Burnsville-Eagan-Savage Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
 Burnsville-Eagan-Savage Policy 422 (Policies Incorporated by Reference)
 Burnsville-Eagan-Savage Policy 423 (Employee-Student Relationships)

Burnsville-Eagan-Savage Policy 501 (School Weapons Policy)
Burnsville-Eagan-Savage Policy 506 (Student Discipline)
Burnsville-Eagan-Savage Policy 507 (Corporal Punishment)
Burnsville-Eagan-Savage Policy 515 (Protection and Privacy of Pupil
Records)
Burnsville-Eagan-Savage Policy 521 (Student Disability
Nondiscrimination)
Burnsville-Eagan-Savage Policy 522 (~~Student Sex Nondiscrimination~~Title
IX Sex Nondiscrimination Policy)
Burnsville-Eagan-Savage Policy 524 (Internet Acceptable Use and Safety
Policy)
Burnsville-Eagan-Savage Policy 525 (Violence Prevention)
Burnsville-Eagan-Savage Policy 526 (Hazing Prohibition)
Burnsville-Eagan-Savage Policy 529 (Staff Notification of Violent
Behavior by Students)
Burnsville-Eagan-Savage Policy 709 (Student Transportation Safety
Policy)
Burnsville-Eagan-Savage Policy 711 (Video Recording on School Buses)
Burnsville-Eagan-Savage Policy 712 (Video Surveillance Other Than on
Buses)



**Agenda IV.B.3.
October 13, 2022**

To: Board of Education
Dr. Theresa Battle, superintendent

From: Amy Piotrowski, director of student support services

Date: September 30, 2022

Re: Policy 516: *Student Medication*

Recommendation: Approve, on a first reading basis, changes to Policy 516: *Student Medication*.

Policy 516 was reviewed by the Policy Review Committee on September 27, 2022.

- Fix Numerical Order of Legal References and changes by administration.
- The Policy Review Committee requested that parent and guardian be used consistently throughout the policy.

Adopted: 1/99

Burnsville-Eagan-Savage School District Policy 516

Reviewed: ~~8/12/2021~~10/13/2022

Revised: ~~8/26/2021~~MSBA 2022

Rescinds: JLCD

516 STUDENT MEDICATION

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, or designee such as a health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent or guardian. (The administration of prescription and non-prescription medication at school requires authorization from a person licensed to prescribe medications and a completed signed request from the student's parent or guardian.)
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § Minnesota Statutes section 152.22, Subd. subdivision 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be kept with in the school health office district personnel. Exceptions to this requirement are as noted below in Part I.: and medications administered as noted in a written agreement between the school district and the parent or guardian or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual

health plan).

F. The school must be notified immediately by the parent or guardian or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.

G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

HG. The school nurse, or ~~designedesignated persone such as a health clerk, principal, or teacher~~, shall be responsible for the filing of the Medication Authorization form in the health records section of the student file. The school nurse, or designee, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

IH. ~~Medication may be administered only by the licensed school nurse or designee.~~ Procedures for administration of medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § Minnesota Statutes section 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy. ~~The licensed school nurse is responsible for educating unlicensed personnel in accordance with school district procedures.~~

J. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

KJ. Specific Exceptions:

1. Parents/guardians must make arrangements with the licensed school nurse for special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings. Such special health treatments do not constitute administration of medicine;
2. Emergency health procedures, including emergency administration of medicine, are not subject to this policy;

3. Drugs or mMedicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or mMedicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or mMedicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
 - a. the school district has received a written authorization from the student's medical provider and parent or guardian permitting the student to self-administer the medication;
 - b. the inhaler is properly labeled for that student; and
 - c. the parent or guardian has not requested school personnel to administer the medication to the student.

The parent or guardian must submit written authorization for the student to self-administer the medication each school year.

The school nurse must assess the student's knowledge and skills to safely possess and use an asthma inhaler and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities; or
 - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian and medical doctor permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the

privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy

The school district will not administer medications, including herbal medicines that are not approved by the Food and Drug Administration agency.

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent or guardian, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
 - a. possess epinephrine auto-injectors; or
 - b. if the parent or guardian and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

LK. "Parent" for students 18 years old or older is the student.

ML. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine. A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

NM. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion the school district.

2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes ~~section~~§ 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.

3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes ~~§-section~~ 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

Legal References: Minn. Stat. § 13.32 (~~Student Health Educational~~ Data)
 Minn. Stat. § 121A.21 (Hiring of Health Personnel) ~~516-6~~
 Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
 Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-
 Injectors; Model Policy)
 Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools;
 Stock Supply of Epinephrine Auto-Injectors)
 Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers
 by Asthmatic Students)
 Minn. Stat. § 121A.222 (Possession and Use of Nonprescription
 Pain Relievers by Secondary Students)
 ~~Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine~~
 ~~AutoInjectors; Model Policy)~~
 Minn. Stat. § 151.212 (Label of Prescription Drug Containers
 ~~Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools;~~
 ~~Stock Supply of Epinephrine Auto-Injectors)~~
 Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
 Minn. Stat. § 151.212 (Label of Prescription Drug Containers)

Minn. Stat. § 152.01 (Definitions)

~~Minn. Stat. § 151.212 (Label of Prescription Drug Containers)~~

Minn. Stat. § 152.22 (~~Medical Cannabis~~; Definitions)

Minn. Stat. § 152.23 (~~Medical Cannabis~~; Limitations)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education
~~Improvement Act of 2004~~)

29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)

Cross References: Burnsville-Eagan-Savage School District Policy 418 (Drug-Free
Workplace/Drug-Free School)



**Agenda V.
October 13, 2022**

To: Board of Education

From: Dr. Theresa Battle, Superintendent, and Wendy Drugge, Burnsville Education Association President

Date: October 6, 2022

Re: Adjourn to a Workshop about the Memorandum of Understanding for Recruiting and Retaining Staff of Color

Memorandum of Understanding for Recruiting and Retaining Staff of Color

**Theresa Battle, Ed.D,
Superintendent, and Wendy
Drugge, Burnsville Education
Association President**

October 13, 2022

one91
Burnsville · Eagan · Savage

Agenda

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- » Review of Memorandum of Understanding (MOU)
- » Guiding Change
- » One91 Data
- » Evidence Based Practices for Recruiting and Retaining Staff of Color
- » One91 Current Strategies
- » MOU Committee Recommendations

Memorandum of Understanding (MOU)

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into between Independent School District 191 (hereinafter referred to as the School District) and The Burnsville Education Association (hereinafter referred to as the Union), representing the Teachers of the School District as follows:

1. The parties have entered into a collective bargaining agreement covering the period July 1, 2021 through June 30, 2023.
2. The Union and the School Board desire to identify and implement new strategies to recruit and retain staff of color.
3. Both parties understand that internal and external factors impact what can be done to reach this goal.
4. Both parties are committed to exploring options, which we have control over, through developing a joint committee of BEA members, identified by the Union president, and District representatives identified by the Superintendent.

This MEMORANDUM OF UNDERSTANDING shall be in full force and effect from the period of execution of this document through June 30, 2023.

Driving Question(s): *What strategies does One91 employ to attract, hire and retain Indigenous and staff of color?*

How might we strengthen our efforts and add to our strategies to have our staff reflect the demographics of the students and families we serve?

[LINK](#) to Guiding Change Document

FY 23 employee count by unit and percent BIPOC

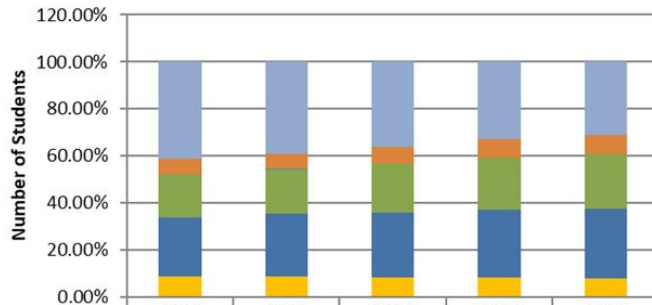
Total Employees by Fiscal Year					
Count of Employee Number	Col				
Row Labels	FY19	FY20	FY21	FY22	FY23
Abe/Ecfe	15	15	12	10	12
CE FT	58	24	17	22	20
CE FT 12		27	27	24	21
CE PT	31	16	17	19	17
Clerical	61	62	55	58	49
Confiden	4	5	7	6	6
Custodia	109	81	75	77	72
DWA	16	15	14	13	12
EA	249	235	207	219	188
Food Svc	96	92	74	67	60
Ops	4	3	3	3	3
Principa	23	23	21	21	18
Superint	1	1	1	1	1
Teacher	808	702	655	665	619
Tech	11	12	16	13	14
Unaffili	57	52	50	62	63
Grand Total	1543	1365	1251	1280	1175

Employees Self Identified as BIPOC					
Count of Employee Num	Col				
Row Labels	FY19	FY20	FY21	FY22	FY23
Abe/Ecfe	1	1	1	1	2
CE FT	10	3	3	4	4
CE FT 12		4	3	4	5
CE PT	5	3	3	5	7
Clerical	5	9	8	10	11
Custodia	19	18	18	22	22
DWA	1	2	2	3	3
EA	56	58	51	64	54
Food Svc	13	17	9	13	17
Principa	3	3	3	4	3
Superint		1	1	1	1
Teacher	39	36	35	27	26
Tech	1	1	3	2	2
Unaffili	17	16	16	21	22
Grand Total	170	172	156	181	179

Percentage of Employees Self-Identified as BIPOC					
	FY19	FY20	FY21	FY22	FY23
Abe/Ecfe	7%	7%	8%	10%	17%
CE FT	17%	13%	18%	18%	20%
CE FT 12	0%	15%	11%	17%	24%
CE PT	16%	19%	18%	26%	41%
Clerical	8%	15%	15%	17%	22%
Confiden	0%	0%	0%	0%	0%
Custodia	17%	22%	24%	29%	31%
DWA	6%	13%	14%	23%	25%
EA	22%	25%	25%	29%	29%
Food Svc	14%	18%	12%	19%	28%
Ops	0%	0%	0%	0%	0%
Principa	13%	13%	14%	19%	17%
Superint	0%	100%	100%	100%	100%
Teacher	5%	5%	5%	4%	4%
Tech	9%	8%	19%	15%	14%
Unaffili	30%	31%	32%	34%	35%
Grand Total	11%	13%	12%	14%	15%

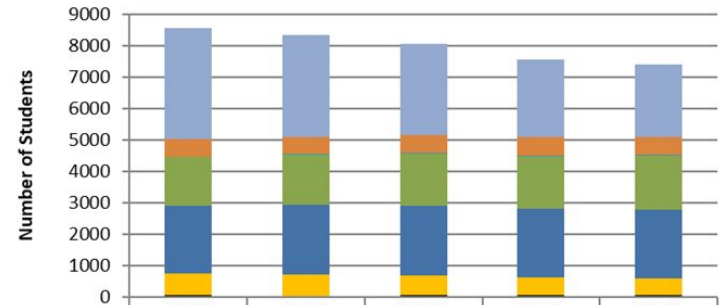
Student ethnicity data recorded fall 2021

Enrollment by Ethnicity 5 Year Trend



K-12 Enrollment	2018	2019	2020	2021	2022
White, not Hispanic Percent	41.1%	38.9%	35.9%	32.8%	31.2%
Two or More Percent	6.5%	6.6%	7.2%	7.8%	7.7%
Native Hawaiian/Pacific Islander Percent	0.2%	0.2%	0.3%	0.3%	0.2%
Hispanic Percent	18.3%	18.9%	20.6%	21.9%	23.1%
Black, not Hispanic Percent	25.1%	26.7%	27.7%	29.1%	29.5%
Asian/Pacific Islander Percent	8.2%	8.1%	7.7%	7.6%	7.6%
Am Indian/Alaskan Percent	0.5%	0.5%	0.6%	0.6%	0.6%

Enrollment by Ethnicity 5 Year Trend



K-12 Enrollment	2018	2019	2020	2021	2022
White, not Hispanic	3520	3249	2894	2482	2314
Two or More	559	548	582	589	573
Native Hawaiian/Pacific Islander	18	20	21	20	15
Hispanic	1570	1580	1658	1654	1716
Black, not Hispanic	2152	2228	2232	2202	2190
Asian/Pacific Islander	699	679	622	578	560
Am Indian/Alaskan	45	42	49	44	45

New hires by unit since June 1, 2022

New hires > June 1		New hires self identified BIPOC		Percent new hires BIPOC	
Row Labels	Count of Employee Number	Row Labels	Count of Employee Number	Row Labels	Percent of New Hires
CE FT	2	Clerical	3	Clerical	75%
Clerical	4	EA	9	EA	56%
EA	16	Food Svc	3	Food Svc	50%
Food Svc	6	Principa	1	Principa	50%
Principa	2	Teacher	5	Teacher	9%
Teacher	55	Unaffili	2	Unaffili	40%
Unaffili	5	Grand Total	23	Grand Total	26%
Grand Total	90				

Comprehensive Center Network (CCN)Region 10 Wisconsin and Minnesota Theory of Action for Diversifying Educator Workforce April 2021

CULTURALLY RESPONSIVE SCHOOL LEADERSHIP

- Vision of Culturally Responsive, Humanizing, and Affirming Schools
- Critical Self-Reflection on Leadership Behaviors
- Development of Culturally Responsive Teachers
- Promotion of a Culturally Responsive/Inclusive School Environment
- Engagement with Students , Parents, and Community Members

CULTURALLY RESPONSIVE WORK ENVIRONMENT

- Historical Contextualization and Discussion of Race
- Education Classroom Autonomy
- Administrative Support and Trust
- Educator Influence in Organizational Decision Making
- Collegial Trust
- Community Representation among Staff
- Community Value - Information Climate and Operations
- Affinity Groups and Mentorship Programs

Evidence Based Practices cont.

Recruitment Strategies

“Grow Your Own and residency programs are most successful in recruiting teachers of color, both in Minnesota and nationally. Also, “creating partnerships with the community, funding grants and scholarships and partnering with local teacher preparation programs” are additional strategies.

Coy Carter, Jr. CC Network Recruiting Teachers of Color: Evidence based practices, April 2021

Retention Strategies

Creating supports for staff of color, such as differentiated professional development, creating safe spaces to navigate the school and/or district culture and mentoring programs are a few strategies.

One91 Current Strategies

One91 Culturally Responsive Leadership

- Hiring diverse leaders
- Culturally Proficient School System(CPSS) professional development(PD)
- MN State Mankato Courageous Leadership Institute
- Superintendent, Assistant Superintendent, Executive Director of Administrative Services , Director of Communications and Principal evaluation and development processes

One91 Culturally Responsive Work Environment

- Culturally Proficient School Systems (CPSS) Professional Development
- Building Leadership Team and Staff CPSS professional development
- Amplify Affinity Group
- Mentorship Program
- One91 Core Values: Caring Community, Cultural Proficiency, Future Readiness, Inclusive Partnership, Student Agency
- Strategic direction: Actively leading by developing and sustaining a diverse and equitable school system

Recruitment Strategies

- Reframe hiring practices that acknowledge the added value of hiring staff that reflects the community we serve.
- 24% of new hires are self-identified BIPOC.
- Grow Your Own opportunities.
 - BHS Education Pathway program (\$441,708), Concurrent Education pathway (\$49,107), Expansion of Rigorous Course Offerings (\$170,360)
 - ABE program to support pathway to EA positions
- Tuition reimbursement language in different contracts:

-Tier IV employees who hold a BA are eligible for up to five thousand dollars (\$5,000) in tuition reimbursement per school year for coursework towards a teaching license in a MN state approved graduate program. (Unaffiliated)

-Tuition: The District will pay for courses taken by the employee if the course is job-related and prior approval in writing is obtained from the immediate supervisor and the Director of Human Resources. If payment for courses is denied, the District will notify the employee in writing. Tuition will not be paid for employees in positions as long-term substitutes. (Clerical)

Paid student teaching experience for current employees.

One91 Retention Strategies

- Affinity Group for 191 employees
- Teacher Mentorship & Retention of Effective Teachers Program through Intermediate District 917
- Mentorship grants for SPED staff of color
- Competitive wages and benefits

MOU to Recruit and Retain SOC

Culturally Responsive School Leadership

- Build community within our sites
- Additional training for our site leadership to promote and facilitate community for TOC, CPSS, anti-microaggressions
- Leadership team specific to CPSS
- Recommit and restart district CPSS leadership team making sure all sites are represented
- Look at equity vs. equality when making curriculum decisions, making sure the voices of staff of color are heard

Culturally Responsive School Work Environment

- Build community within our sites
- Additional training for our site leadership to promote and facilitate community for TOC, CPSS, anti-microaggressions
- Amplify affinity group: maybe site groups, Assign facilitation to a person(s), expand to community members
- CPSS Aligned rubrics
- Working agreements to include all voices at the table, such as “assume positive intent” and “impact matters more than intent”

Recruiting Strategies

- Targeted marketing that highlights 191 student demographics
- Informational presentation for our Educational Assistants
- Provide space on our 191 campus for teacher prep classes
- Promote the “social justice” lens of the “Grow Your Own” courses
- Summer internships for high school students & community members to learn about teaching and working in 191
- Include students during interviews for staff

Recruiting Strategies

- For candidates for practicum and student teaching reduce barriers (transportation), match with teachers of color, offer incentives
- Advertise tuition reimbursement and paid student teaching experience for current employees in employee contracts

Retention Strategies

- Build community within our sites
- Additional training for our site leadership to promote and facilitate community for TOC, CPSS, anti-microaggressions
- Recommit and restart district CPSS leadership team making sure all sites are represented
- Educating staff about over-reliance on staff of color for working with students of color

Next Steps

- One91 Board of Education Discussion
- BEA Executive Committee Discussion
- Vet with other groups

Thank You