

Regular Meeting
Monday, September 11, 2023 6:30 PM

Teaching & Learning Center, Becker High
School
12000 Hancock Street
Becker, MN 55308

Agenda

1. PROCEDURAL ITEMS
 - 1.A. Call to Order
 - 1.B. Pledge of Allegiance
 - 1.C. Agenda
 - 1.D. Recognition of Visitors and Public Forum
 - 1.E. Presentation by Band/Choir Staff on Overnight Trip
2. REPORTS
 - 2.A. Student Report
 - 2.B. Superintendent's Report
 - 2.C. Committee Reports
3. SUMMARY OF CLOSED SESSION FROM AUGUST 7, 2023 REGULAR SCHOOL BOARD MEETING
4. CONSENT AGENDA
 - 4.A. Minutes
 - 4.B. Financial Report
 - 4.C. Disbursements
 - 4.D. Personnel
 - 4.E. Band/Choir Overnight Trip
 - 4.F. Truth-in-Taxation Hearing: December 4, 2023, 6:30 PM
5. GIFTS
6. GENERAL FUND TRANSFER
7. POLICY REVIEWS
8. FIRST READING
9. RESOLUTIONS: MSBA DELEGATE ASSEMBLY
10. PRELIMINARY LEVY 2023 PAYABLE 2024
11. ADJOURN

2024 Becker High School Choir and Band Trip Proposal

The Becker High School 11-12 grade Choir and Band, under the direction of Gretchen Bordson and Justin Frerich, are seeking permission to travel to New York City from March 22nd-March 25th, 2024. This timeline utilizes our spring break to alleviate any missed school days. The estimated cost of the trip is \$1450 per student, which includes air travel, hotel, all trip activities and many meals throughout the trip.

Trip Purposes:

The purpose of the trip is multidimensional in nature and include but are not limited to:

- Performances at St. John the Divine Church and the Intrepid Sea Air and Space Museum - Choir and Band will be preparing for these performances throughout our school year
- A tour of Radio City Music Hall - Home of the Rockettes and many famous musical events
- Attend a Broadway Workshop and see a Broadway Show - learn music and dance from cast member of the Broadway show they will attend
- DJ Dinner/Dance Harbor Cruise - see the Statue of Liberty while riding aboard a cruise ship
- Experience Central Park, Times Square, Little Italy, Greenwich Village - learn the diverse culture Manhattan has to offer
- Tour the 911 Memorial Site and Museum - Learn about that historic, tragic event that changed our nation forever.
- The responsibilities of traveling help prepare students in small steps for life outside of high school.
- Continued building of a strong, vital choir and band program at Becker High School.
- Traveling helps recruit and retain members and increases commitment in the choir and band programs.

Destination:

The students will be traveling by air. The following is the proposed itinerary. Everything is included in the price as well as several meals, which are marked on the itinerary.

Becker High School Band & Choir

New York City Tour

March 22 – 25, 2024

Day 1 Friday, March 22nd (today's schedule based on air itinerary)

TBD Load luggage and instruments at high school and depart for the Minneapolis

Airport (transportation not included in estimated tour package price)

5:00 am Check in for your flight to NYC

7:15 am Southwest Flight WN2338 departs for Kansas City, MO

8:50 am Arrive in Kansas City, MO - (purchase lunch at airport to bring on plane)
10:15 am Southwest Flight WN 2210 departs for NYC LaGuardia
1:55 pm Arrive in NYC – pull luggage, load coaches and depart for Rockefeller Center
3:45 pm Line up for 4 pm Radio City Music Hall Tour (75 minute tour)
Following tour walk to Times Square.
6:00 pm Dinner at Hard Rock Cafe Times Square Included
7:30 pm Depart for hotel
Approx. 8:15 pm Check in to your hotel
LaQuinta Inn & Suites, 265 Route 3 East, Clifton, NJ 07014, 973-778-6500

Day 2 Saturday, March 23 rd

6:30-8:30 am Hot breakfast at hotel Included
9:30 am Depart for St John's the Divine Choir Performance (30 minute performance, piano available)
10:00 am Becker High School Choir Performance
10:45 am Depart for Intrepid Sea, Air & Space Museum
Upon arrival, lunch on your own
12:10 pm Meet to pull instruments and set up for performance.
12:30 pm Becker High School Band Performance
Following performance, take instruments to coach and then self-guided tour of the Museum.
2:00 pm Depart for 911 Memorial Site.
2:45 pm Line up for 3 pm entrance to 911 Memorial Museum entrance included
5:30 pm Depart for Greenwich Village or Little Italy for dinner on your own.
Depart for hotel following dinner.

Day 3 Sunday, March 24th

7:30-8:30 am Hot breakfast at hotel Included
8:45 am Depart for 10 am Broadway Workshop - (60 min. workshop)
11:15 am Depart to Times square for free time and lunch on your own.
1:30 pm Meet for Broadway Show
2:00 pm Broadway Show – TBD
5:45 pm Depart for 6:30 pm DJ Dinner/Harbor Cruise – see the NYC skyline and Statue of Liberty up close at night! Buffet dinner included
Depart for hotel.

Day 4 Monday, March 25th (today's schedule based on air itinerary)

6:30-7:30 am Breakfast at hotel Included
Load luggage and check out.
8:30 am Depart for Walk on the Highline and see the Little Island Visitor Info | The High Line and Home - Little Island

11:00 am Depart to Time Warner Whole Foods for lunch on your own.
12:45 pm Depart for walk through Central Park seeing Poets Walk, Trump Skating
Rink, Sheeps Meadow, Central Park Band shell & Strawberry Fields
3:00 pm Depart for LaGuardia Airport.
Arrive and check in. Dinner at airport on your own.
6:25 pm Southwest Flight WN1246 departs for St. Louis, MO
8:20 pm Arrive in St. Louis.
10:05 pm Southwest Flight WN2800 departs for Minneapolis
11:35 pm Arrive at Minneapolis Airport
Pull luggage, load buses and depart to Becker High School (transportation
not included in estimated tour package price)
Welcome Home!

Estimated Package Price: \$1,460 - \$1,480 per paying passenger

Based on 70 passengers: 60 paying students, 8 chaperones paying 50%, 2 directors paying \$0

Based on students in quad occupancy rooms and chaperones in double occupancy rooms

****Based on 2023 vendor rates and estimated 2024 Vendor rates**

****Based on 2024 Contracted NYC Motorcoach Rate**

**Final price can be secured when air seats are contracted, 2024 vendor rates are made
available in the fall of 2023 and when the final rooming list/passenger count is submitted.**

Inclusions:

Roundtrip Air Ticket

Motorcoach Transportation in NYC

Driver Gratuity (2 drivers)

3 nights in NYC/New Jersey Area hotel

Performances, Meals and Activities as noted in Itinerary

\$100 ticket price included for Broadway Show

Leisure Time Tours Tour Manager

Non-Inclusions:

Roundtrip Airport transportation

Airline Luggage/Instrument Check-in Fees and Overage Fees

Airlines Note:

Southwest Airlines provides 2 free check in bags/instrument

Hotel Information

Students will be staying in rooms grouped into 4's. The chaperone ratio will be 10:1 so the number of chaperones will be determined by the amount of participating students.

Probable Number of Students:

The trip is optional so the number of students has yet to be determined. An estimate based upon how many students have shown interest is around 70 band and choir students.

Transportation:

Air travel - using Southwest Airlines

Travel Company and Cost:

The cost of the trip will be around \$1450 per student, which may be slightly lower or higher depending on the number of students attending. Chaperones will pay half of the student cost. The travel company handling the arrangements is Leisure Time Tours from St. Cloud, MN. The company has been handling the Becker Music department tours for over 25 years.

Fundraising:

Music department students have been fundraising since 6th grade and the money they raise stays in their individual accounts until they graduate. Any money accumulated throughout these years can be applied to the cost of the trip. This year there will be a few fundraisers for our music students to help offset their trip cost: Candybar sale, Wreath Sale

General Rules and Regulations

Any student not complying with the guidelines set below should expect disciplinary action. Discipline may range from a simple reprimand, room or bus confinement, to being sent home by airplane or bus at the expense of parents/guardians.

- 1. All Minnesota State High School League and Becker High School Handbook Rules and Expectations apply on this trip. The police department, as well as Becker High School, will handle any student involvement in alcohol, drugs, or tobacco. Any involvement in these substances will result in the student being sent home with a chaperone. Parents will pay for the cost of the plane/bus ride for the student and chaperone.**
2. Act in a manner that will leave every person in which we have contact with a good impression. We are representing our school, community, and state on this trip.
3. All students will attend every function and tour on the itinerary.
4. You should be with at least two other students at all times. DO NOT go anywhere by yourself.
5. Always be a few minutes early. If you are late, the whole group is late. This may jeopardize our scheduled events.
6. Be courteous to the chaperones and drivers

Motor Coach Conduct

1. Food and drink may be consumed while traveling, as long as the coach is kept clean and neat.
2. Our motor coach drivers are experts in the field. Please treat the drivers with courtesy and respect, keeping in mind their responsibilities. While he or she is driving, keep the noise level low.

Hotel Rules and Regulations

1. No one will leave one's room after curfew. After curfew you will only open the door for chaperones and hotel officials.
2. Obey all rules set by the hotel.
3. Be respectful of other guests. You will be held responsible if the manager calls Mrs. Bordson's or Mr. Frerich's room because of a disturbance.
4. Do not take towels or souvenirs from your room. You will be charged for these items and any other damage to your hotel room.
5. Keep your door locked at all times.
6. At no time is anyone outside of the Becker Choir or Band allowed to enter your hotel room. Do not give out your hotel name and room number to anyone.
7. Students are not allowed to stay in a chaperone's room or a room other than the assigned hotel room.

Permission, Medical Information and Waiver Form

All Minnesota State High School league and Becker High School Handbook rules and expectations apply on this trip. Any student not complying with the guidelines set for them should expect a disciplinary action. Any involvement in alcohol, drugs, or tobacco will be handled by the Police Department as well as Becker High School. Any involvement in these substances will result in the student being sent home with a chaperone. Parents will pay for the cost of the plane/bus ride for the student and chaperone. By this Waiver, I assume any risk, and take full responsibility for my child and waive any claims of personal injury, death, or damage to personal property associated with Becker HS Choir and Band tour 2022. I understand and confirm that by signing this waiver and release I have given up considerable future legal rights. I have signed this agreement freely, voluntarily, under no duress.

***I understand, and will comply, with the statement above. I give my permission for my child to travel with the Becker High School Choir and Band to Memphis/Nashville.**

Parent signature _____

Student signature _____

MEDICAL INFORMATION

Insurance Company _____ policy number _____

MEDICAL ALERTS

Student Name: _____

Parent(s) Name: _____

Please inform us of any of your child's special needs (ex. diabetic, epilepsy etc.) and also allergies, medication or prescriptions.

In case of emergency, please give us a phone number(s) in which we can reach you:

Thank you so much for the information! This information will be kept confidential and will be with Mrs. Bordson and Mr. Frerich at all times in case of emergency.

COMMITTEE MEETINGS 2023

January

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

2 Organizational Board Meeting 6:30pm
23 ECFE 6:00 pm
23 Activities 7:00 am

July

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

10 Board Meeting 6:30 pm

February

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

1 Finance 7:00 am
1 Facilities 4:30 pm
6 Board Meeting 6:30 pm
22 Policy 5:30 pm
23 Community Ed 3:30 pm
27 Activities 7:00 am

August

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

1 Policy 5:00 pm CANCELED
2 Finance 7:00 am
2 Facilities 4:30 pm
7 Board Meeting 6:30 pm
16 Policy 5:30 pm CANCELED
21 Community Education 3:30 pm
30 Finance 7:00 am
30 Facilities 4:30 pm

March

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

1 Finance 7:00 am
1 Facilities 4:30 pm
6 Board Meeting 6:30 pm
15 Policy 5:30 pm
20 Community Ed 3:30 pm
20 ECFE 6:00 pm
21 TRAK 5:30 pm Canceled
27 Activities 7:00 am
29 Finance 7:00 am
29 Facilities 4:30 pm

September

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

6 Policy 5:30 pm CANCELED
11 Curriculum 5:30 pm
11 Board Meeting 6:30 pm
18 ECFE 6:00 pm
27 Finance 7:00 am
27 Facilities 4:30 pm

April

S	M	T	W	T	F	S
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

3 Board Meeting 6:30 pm
12 Meet & Confer 4:00 pm
12 Policy 5:00 pm
24 Activities 7:00 am
26 Finance 7:00 am
26 Facilities 4:30 pm

October

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

2 Board Meeting 6:30 pm
18 Policy 5:30 pm
23 Community Education 3:30 pm

May

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

1 Curriculum 5:00 pm
1 Board Meeting 6:30 pm
9 TRAK 5:30 pm
10 Policy 5:30 pm
15 Activities 7:00 am
22 Community Ed 3:30 pm
31 Finance 7:00 am
31 Facilities 4:30 pm

November

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

1 Finance 7:00 am
1 Facilities 4:30 pm
6 Board Meeting 6:30 pm
13 ECFE 6:00 pm
22 Policy 5:30 pm
29 Finance 7:00 am
29 Facilities 4:30 pm

June

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

5 Curriculum 5:30 pm
5 Board Meeting 6:30 pm
13 Policy 5:30 pm
28 Finance 7:00 am
28 Facilities 4:30 pm

December

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

4 Curriculum 5:30 pm
4 Board Meeting 6:30 pm
Policy 5:30 pm
18 Community Education 3:30 pm

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31							
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Activities: HS Conference Room (contact Dave Niemi @ dniemi@isd726.org)
Community Education: District Office Great Room (contact Michelle Peacock at mpeacock@isd726.org)
Curriculum Advisory: TLC (contact Carla Nolan at cnolan@isd726.org)
ECFE: PS Room 107n /Parent Ed Room (contact Sue Hiltner at shiltner@isd726.org)
Facilities: District Office Conference Room (contact Jeremy Schmidt @ jschmidt@isd726.org)
Finance: District Office Conference Room (contact Kevin Januszewski at kjanuszewski@isd726.org)
Policy: TLC (contact Pete Weismann @ pweismann@isd726.org)
TRAK: TLC (contact Brian Baloun @ bbaloun@isd726.org)
Wellness: Virtual (contact Felicia Kittok at fkittok@isd726.org)

Chair Jurek called the regular meeting of the School Board of District #726 to order on the 7th day of August, 2023 at 6:30 p.m. in the Teaching & Learning Center.

Roll Call.

Members present: Aaron Jurek, Connie Robinson, Corey Stanger, Pete Weismann

Members absent: Troy Berning, Ryan Hubbard

Others present: Jeremy Schmidt, Superintendent
Kevin Januszewski, Director of Business Services

CITIZEN COMMENTS: None

SUPERINTENDENT REPORT

COMMITTEE REPORTS: Policy, Negotiations, Facilities

Motion by Corey Stanger, seconded by Pete Weismann to *Approve the Consent Agenda* as presented:

CONSENT AGENDA

MINUTES FROM THE JULY 10, 2023 REGULAR SCHOOL BOARD MEETING

MINUTES FROM THE JULY 11, 2023 SPECIAL SCHOOL BOARD MEETING

FINANCIAL REPORT

EXPENDITURES

Fund	2023-24	July 2023	2023-24	Remaining	%
	Budget		Year-to-Date	Budget	Spent
General	39,144,118	798,421	798,421	38,345,697	2.04%
Food Service	2,471,330	10,876	10,876	2,460,454	0.44%
Community Service	1,750,471	47,695	47,695	1,702,776	2.72%
Debt Service	3,820,887	318,944	318,944	3,501,943	8.35%
	\$ 47,186,806	\$ 1,175,936	\$ 1,175,936	\$ 46,010,870	2.49%

DISBURSEMENTS – in the amount of \$5,610,070.71

PERSONNEL

Name	Status	Job Title	Location	Hrs Per Day/FTE	Group	Replacing	Effective	Wage
Berthiaume, Karlee	Resignation	Administrative Assistant	PS	8 Hours Per Day	Multi-Unit	n/a	8/21/23	n/a
Bring, David	Change in Assignment	Asst. Mechanic (was AM/PM Driver)	Bus Garage	8 Hours Per Day	Transportation	J. McDonough	7/18/23	\$22.63 Per Hour
Bring, David	Resignation	AM/PM Bus Driver	Bus Garage	3.5 Hours Per Day	Transportation	n/a	7/17/23	n/a
Crowley, Jon	Resignation	Boys Soccer Coach	MS	Seasonal	BEA - Schedule C	n/a	8/3/23	n/a
Crowley, Nick	New	English/Drama Teacher	HS	1 FTE	BEA	G. Lynch	8/28/23	BA Lane / Step 1: \$42,723 Annually
Crowley, Nick	Resignation	Paraprofessional	HS	7 Hours Per Day	Multi-Unit	n/a	8/2/23	n/a
Diemert, Madison	Change in Assignment	Special Education Teacher (was Paraprofessional)	MS	1 FTE	BEA	A. Schultz	8/28/23	BA Lane / Step 1: \$42,723 Annually
Goenner, Breann	Change in Assignment	Special Education (EBD) Teacher (was Paraprofessional)	PS	1 FTE	BEA	A. Casselius	8/28/23	BA Lane / Step 1: \$42,723 Annually
Gunderson, Brittany	New	Special Education (DCD) Teacher	HS	1 FTE	BEA	J. Lynch	8/28/23	BA Lane / Step 1: \$42,723 Annually
Koubsky, Diane	Resignation	Human Resources Coordinator	District Office	8 Hours Per Day	District Office	n/a	8/2/23	n/a
Lynch, Greg	Resignation	Director - One-Act Play	HS	Seasonal	BEA - Schedule C	n/a	7/13/23	n/a
Lynch, Greg	Resignation	Director - Spring Play	HS	Seasonal	BEA - Schedule C	n/a	7/13/23	n/a
Lynch, Greg	Resignation	Tech Director - HS Musical	HS	Seasonal	BEA - Schedule C	n/a	7/13/23	n/a
Lynch, Greg	Resignation	Asst. Director - HS Musical, Lights & Sound	HS	Seasonal	BEA - Schedule C	n/a	7/13/23	n/a

Lynch, Greg	Resignation	House Technician / PAC Coordinator	HS	Seasonal	BEA - Schedule C	n/a	7/13/23	n/a
Lynch, Greg	Resignation	Director - MS Musical	MS	Seasonal	BEA - Schedule C	n/a	07/13/23	n/a
Lynch, Greg	Resignation	English Teacher	HS	1 FTE	BEA	n/a	07/15/23	n/a
Otto, Joshua	Extracurricular Assignment	DECA Advisor (split with K. Simon)	HS	Seasonal	BEA - Schedule C	n/a	9/5/23	\$1,667 per Season
Riley, Weston	New	Grade 8 Global Studies	MS	1 FTE	BEA	R. Anderson	8/28/23	BA Lane / Step 2: \$44,141 Annually
Sherwood, Michele	New	AM/PM Bus Driver	Bus Garage	3.5 Hours Per Day	Transportation	J. McDonough	8/8/23	\$45.35 Per Route
Simon, Kristina	Extracurricular Assignment	DECA Advisor (split with J. Otto)	HS	Seasonal	BEA - Schedule C	n/a	9/5/23	\$1,667 per Season
Spinler, Angela	Change in Assignment	Business Office Assistant	District Office	8 Hours Per Day (was 4 hours per day)	District Office	n/a	7/1/23	Use Current
Stevens, Alyssa	Change in Assignment	DAPE (Was MS Phy-Ed and DAPE)	District-Wide	1 FTE	BEA	n/a	8/28/23	Use Current
Vealczek, Jess	Resignation	Public Relations, Communications & Marketing Specialist	District Office	Varied	Individual	n/a	8/3/23	n/a

DESIGNATION OF IDENTIFIED OFFICIAL WITH AUTHORITY (IOWA), as presented

COACH'S HANDBOOK, as presented

23-24 FUNDRAISERS, as presented

Motion carried unanimously.

Motion by Connie Robinson, seconded by Corey Stanger, to **Accept the Following Gifts:**

DONOR	PROGRAM	GIFT DESCRIPTION	AMOUNT
Becker Football Boosters	Football	Uniforms	\$4,792

PTSA	Becker Primary	Readathon	\$3,000
Sherburne State Bank	DECA		\$1,000
Yolanda Denson-Byers	GSA		\$25.00

Motion carried unanimously.

Motion by Corey Stanger, seconded by Connie Robinson, to *Approve the Following Policy Recommendations, per 2023 Minnesota Legislative Changes.*

- 515 Protection and Privacy of Pupil Records
- 613 Graduation Requirements
- 616 School District System Accountability
- 618 Assessment of Standard Achievement
- 620 Credit for Learning
- 621 Read Act
- 624 On-Line Learning Options
- 708 Transportation of Nonpublic Students
- 709 Transportation Safety Policy
- 806 Crisis Management

Motion carried unanimously.

Motion by Connie Robinson, seconded by Pete Weismann, to *Approve the Health Insurance Rates for 2023-2024*, as presented. Motion carried unanimously.

The School Board *Entered into a Closed Session* to Discuss the Superintendent Evaluation at 6:49 p.m.

The meeting was *adjourned* at 7:34 p.m.

Aaron Jurek, Chair

Pete Weismann, Clerk

Recorder: Angela Oswald

BECKER PUBLIC SCHOOLS
MONTHLY FINANCIAL REPORT
August 2023

EXPENDITURES

Fund	2023-24 Budget	August 2023	2023-24 Year-to-Date	Remaining Budget	% Spent
General	39,144,118	1,407,664	2,206,085	36,938,033	5.64%
Food Service	2,471,330	367,696	378,572	2,092,758	15.32%
Community Service	1,750,471	132,552	180,247	1,570,224	10.30%
Debt Service	3,820,887	-	318,944	3,501,943	8.35%
	\$ 47,186,806	\$ 1,907,912	\$ 3,083,848	\$ 44,102,958	6.54%

Name	Status	Job Title	Location	Hrs Per Day/FTE	Group	Replacing	Effective	Wage
Aaseby, Sarah	Extracurricular Assignment	Volleyball Coach, 7th Grade	MS	Seasonal	BEA - Schedule C	n/a	9/6/23	\$2,285 Per Season
Aeshliman, Melissa	Change in Assignment	School Readiness Teacher (was SW/ECSE Para)	EC	3.75 Hours Per Day	BEA	A. Hartkopf	8/28/23	\$26.70 Per Hour
Aeshliman, Melissa	Resignation	Special Education Paraprofessional	PS/EC	3.5 Hours Per Day	Multi Unit	n/a	08/11/23	n/a
Bass, Sarah	New	Special Education Paraprofessional	IS	6.75 Hours Per Day	Multi Unit	n/a	9/5/23	Step 5: \$20.30 Per Hour
Blad, Ben	Reassignment to New Building	Custodian	IS (was Middle School)	8 Hours Per day	Multi Unit	G. Gaebel	8/31/23	Use Current Wage
Chapman, Trisha	New	Special Education Paraprofessional	MS	7 Hours Per Day	Multi Unit	M. Diemert	9/5/23	Step 1: \$17.34 Per Hour
Cotton, Amy	New	ECFE Child Educator	EC	2-2.5 Hours Per Week	BEA	N. Stenberg	9/26/23	Step 20: \$36 Per Hour
Deppa, Lacey	New	Special Education Paraprofessional	PS	6.75 Hours Per Day	Multi Unit	B. Goenner	9/5/23	Step 1: \$17.34 Per Hour
Diemert, Madison	Resignation	Special Education Paraprofessional	MS	7 Hours Per Day	Multi Unit	n/a	6/6/23	n/a
Doss, Josh	Extracurricular Assignment	JV Boys Basketball Coach	HS	Seasonal	BEA - Schedule C	C. Nuest	11/20/23	\$3,782 Per Season
Doss, Josh	Extracurricular Assignment	Football Coach, 7th Grade	MS	Seasonal	BEA - Schedule C	D. Gohman	8/28/23	\$2,285 Per Season
Frerich, Justin	Extracurricular Assignment	Musical Asst. Director, AV Sound & Lights	HS	Seasonal	BEA - Schedule C	G. Lynch	8/28/23	\$3,334 Per Season
Frerich, Justin	Extracurricular Assignment	PAC Coordinator	HS	Seasonal	BEA - Schedule C	G. Lynch	8/21/23	\$5,039 Per Season
Gaebel, Gary	Resignation	Day Lead Custodian	IS	8 Hours Per Day	Multi Unit	n/a	9/1/23	n/a
Goenner, Breann	Resignation	Special Education Paraprofessional	PS	6.75 Hours Per Day	Multi Unit	n/a	8/21/23	n/a
Grems, Ceryl	New	Food Service Worker	IS	2.5 Hours Per day	Non Union	K. Czarnetzki	9/7/23	\$15.25 Per Hour
Hansen, Jennifer	Increase in Hours	Custodian	IS	6 Hours Per Day (was 4 Hours Per Day)	Multi Unit	n/a	9/18/23	Use Current Wage

Name	Status	Job Title	Location	Hrs Per Day/FTE	Group	Replacing	Effective	Wage
Hartkopf, Alysha	Resignation	Early Childhood Teacher & Paraprofessional	EC	Varied	BEA	n/a	8/4/23	n/a
Hayes, Michelle	New	Human Resources Coordinator	District Office	8 Hours Per Day	District Office	D. Koubsky	9/18/23	Step 8: \$33.07 Per Hour
Hed, Curtis	Extracurricular Assignment	Musical Asst. Director, Set Builder	HS	Seasonal	BEA - Schedule C	G. Lynch	8/28/23	\$3,334 Per Season
Henderson, ReNita	Extracurricular Assignment	Volleyball Coach, 7th Grade	MS	Seasonal	BEA - Schedule C	C. Martell	9/5/23	\$2,285 Per Season
Lawrance, Abigail	Change in Assignment	Special Education Paraprofessional	PS (was EC)	6.75 Hours Per Day	Multi Unit	B. Goenner	9/5/23	Use Current Wage
Martell, Corey	Extracurricular Assignment	Volleyball Coach, 8th Grade	MS	Seasonal	BEA - Schedule C	n/a	9/6/23	\$2,285 Per Season
Martin, Kristin	Additional Assignment	Breakfast Cashier	HS	1 Hour Per Day	Multi Unit	n/a	9/5/23	Use Current Wage
Marx, Kyanna	Extracurricular Assignment	Volleyball Coach, 8th Grade	MS	Seasonal	BEA - Schedule C	n/a	09/06/23	\$2,285 Per Season
Meyer, Kayela	Resignation	Food Service Worker	PS	2.75 Hours Per Day	Non Union	n/a	8/8/23	n/a
Muellner, Brad	Extracurricular Assignment	Football Coach, 7th Grade	MS	Seasonal	BEA - Schedule C	M. Kuschel	8/28/23	\$2,285 Per Season
Nitsch, Heidi	New	Administrative Assistant	PS	8 Hours Per day	Multi Unit	K. Berthiaume	09/05/23	Step 5: \$21.08 Per Hour
Olson, Jennifer	New	Special Education Paraprofessional	HS	7 Hours Per Day	Multi Unit	N. Crowley	9/5/23	Step 1: \$17.34 Per Hour
Olson, Paul	Extracurricular Assignment	Boys Soccer Coach	MS	Seasonal	BEA - Schedule C	J. Crowley	8/28/23	\$2,285 Per Season
Pritzl, Dawn	Resignation	Special Education Paraprofessional	HS	7 Hours Per Day	Multi Unit	n/a	08/27/23	n/a
Rosenow, Jessica	Resignation	AlaCarte Cashier	HS	2.25 Hours Per Day	Non Union	n/a	8/14/23	n/a
Rothstein, Abbey	Resignation	JV Girls Soccer Coach	HS	Seasonal	BEA - Schedule C	n/a	8/8/23	n/a
Saterbak, Nancy	New	Food Service Worker	MS	2.5 Hours Per Day	Non Union	S. Mohler	9/5/23	\$15.25 Per Hour

Name	Status	Job Title	Location	Hrs Per Day/FTE	Group	Replacing	Effective	Wage
Shutrop, Tiffany	New	Camp Opportunity Lead	Camp Opportunity	8 Hours Per Day, M-TH	Community Education	n/a	9/11/23	\$16.35 Per Hour
Thiel, Elizabeth	New	Custodian	IS	4 Hours Per Day	Multi Unit	n/a	9/18/23	Step 5: \$20.46 Per Hour
Wenz, Rachel	New	Special Education Paraprofessional	IS	6.75 Hours Per Day	Multi Unit	n/a	9/18/23	Step 6: \$21.04 Per Hour
Weyer, Diane	Change in Assignment	AlaCarte Cashier (was Food Service Worker)	MS	3.25 Hours Per Day	Multi Unit	J. Fast	08/08/23	\$16.75 Per Hour
Weyer, Diane	Resignation	Food Service Worker	MS	2.5 Hours Per Day	Non Union	n/a	8/8/23	n/a
Wilke, Deb	Change in Assignment	Due Process Assistant (was Special Education Paraprofessional)	District Office	8 Hours Per Day	Multi Unit	n/a	8/28/23	Step 4: \$20.34 Per Hour
Wilke, Deb	Resignation	Special Education Paraprofessional	IS	6.75 Hours Per Day	Multi Unit	n/a	8/18/23	n/a

DONOR	PROGRAM	GIFT DESCRIPTION	AMOUNT
US Marines	B3 Leadership Team	This will help to cover costs incurred from books and breakfast provided at the monthly meetings.	\$500.00
Y. Denson-Byers	GSA		\$25.00
Majestic Creations	Girls Soccer	Fundraising	\$65.03
Central MN Builders Assoc	HS Industrial Ed Dept	To purchase new tools	\$2,024.00



Newsletter

August 2, 2023

Model Policy Updates

The wide range of new Minnesota laws and the ongoing clarifications that state agencies, including the Minnesota Department of Education, will continue to provide, MSBA is committed to providing ongoing updates to model policies.

Unless otherwise noted, the updates provide clarification and correction. These would not require board action unless a local board prefers to take action. If action is necessary, a single board meeting would be sufficient.

MSBA will post time-dated updates as they occur: please visit the MSBA website under **Services----Policy Services----Policy Services Newsletter**.

Updates as of August 2, 2023:

- 1. Policy 406 – Public and Private Personnel Data—MSBA added provisions regarding labor organizations’ access to personnel data (Article V. F).**
- 2. Policy 427 – Workload Limits for Certain Special Education Teachers—MSBA removed the word ‘number’ from the introductory note to align with newly-enacted Minnesota law. In conjunction with this change, MSBA added other examples of inherent managerial authority stated in Minnesota law.**
- 3. Policy 620 – Credit for Learning –A judge ruled against the newly-enacted law barring postsecondary institutions from requiring a faith statement for PSEO students. MSBA has removed this new language from the policy (Article III).**

Instructions to access the Policy Manual online

1. Please visit www.mnmsba.org.
2. Go to the Resources tab and select Policies
3. Log into the Members area (access is limited to Policy Services subscribers)
4. Click on a desired policy
5. A clean version (e.g., Policy 418) and a redlined version (e.g., Policy 418 Redline) can be

These materials are for informational use only and are not to be construed as legal advice. If legal advice is needed, the school district’s legal counsel should be contacted. While current at the time it was created, this document may be later superseded by legislative or other action.

found at the bottom of the policy page, below the Legal References and Cross References.

NOTE: If you experience trouble viewing the **redlined** version, please go to the Review tab on Microsoft Word and ensure that “All Markup” is clicked in the Tracking section. If the “Simple Markup” box is checked, one cannot see the redlined changes.

Redlines: To clean up the policy library, we removed redlines that are more than ten years old to reduce possible confusion. The removed redlines are available upon request.

The current and recent Policy Services Newsletters can be found on the MSBA website under Services—>Policy Services,

If you have questions about Policy Services, how to navigate the online Policy Reference Manual, or the content of the model policies, please contact Terry Morrow at (507) 934-8126 or (800) 324-4459 or by email at tmorrow@mnmsba.org

Jaymyson Sillman (jsillman@mnmsba.org) can assist if technological issues arise related to accessing the model policies or the revisions.



Adopted: May 17, 2006

Revised: October 4, 2021

406 PUBLIC AND PRIVATE PERSONNEL DATA

I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its employees, volunteers, independent contractors, and applicants (“personnel”).

II. GENERAL STATEMENT OF POLICY

- A. All data on individuals collected, created, received, maintained, or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.
- B. All other data on individuals is private or confidential.

III. DEFINITIONS

- A. “Public” means that the data is available to anyone who requests it.
- B. “Private” means the data is not public and is accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.
- C. “Confidential” means the data are not public and are not accessible to the subject.
- D. “Parking space leasing data” means the following government data on an applicant for, or lessee of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- E. “Personnel data” means government data on individuals maintained because they are or were employees, applicants for employment, volunteers or independent contractors for the school district. Personnel data include data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations.
- F. “Finalist” means an individual who is selected to be interviewed by the school board for a position.

- G. “Protected health information” means individually identifiable health information as defined in 45 C.F.R. § 160.103, that is transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium by a health care provider, in connection with a transaction covered by 45 C.F.R. Parts 160, 162 and 164. “Protected health information” excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, employment records held by a school district in its role as employer; and records regarding a person who has been deceased for more than fifty (50) years..
- H. “Public officials” means business managers; human resource directors; athletic directors whose duties include at least fifty (50) percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals and in a charter school, individuals employed in comparable positions.

IV. PUBLIC PERSONNEL DATA

- A. The following information on current and former employees, volunteers and independent contractors of the school district, is public:
1. name;
 2. employee identification number, which may not be the employee’s Social Security number;
 3. actual gross salary;
 4. salary range;
 5. terms and conditions of employment relationship;
 6. contract fees;
 7. actual gross pension;
 8. the value and nature of employer-paid fringe benefits;
 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
 10. job title;
 11. bargaining unit;
 12. job description;
 13. education and training background;

14. previous work experience;
 15. date of first and last employment;
 16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
 17. the final disposition of any disciplinary action, as defined in Minnesota. Statutes, section 13.43, subdivision. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
 18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
 19. work location;
 20. work telephone number;
 21. badge number;
 22. work-related continuing education;
 23. honors and awards received; and
 24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on current and former applicants for employment by the school district is public:
1. veteran status;
 2. relevant test scores;
 3. rank on eligible list;
 4. job history;
 5. education and training; and
 6. work availability.

- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the school board to be finalists for public employment.
- D. Applicants for appointment to a public body.
 - 1. Data about applicants for appointment to a public body collected by the school district as a result of the applicant's application for employment are private data on individuals except that the following are public:
 - a. name;
 - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
 - c. education and training;
 - d. employment history;
 - e. volunteer work;
 - f. awards and honors;
 - g. prior government service;
 - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minnesota Statutes, section 15.0597; and
 - i. veteran status.
 - 2. Once an individual is appointed to a public body, the following additional items of data are public:
 - a. residential address;
 - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
 - c. first and last dates of service on the public body;
 - d. the existence and status of any complaints or charges against an appointee; and
 - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.

3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in Minnesota Statutes, section 13.43, subdivision 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minnesota Statutes, section 13.43, subdivision 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. Data relating to a complaint or charge against a public official is public only if:
1. the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or
 2. potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement

Data that is classified as private under another law is not made public by this provision.

V. PRIVATE PERSONNEL DATA

- A. All other personnel data not listed in Section IV are private data will not be otherwise released unless authorized by law.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data with regard to data on individuals are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data may be disseminated to labor organizations to the extent the responsible authority determines is the dissemination is necessary for the labor organization to conduct elections, notify employees of fair share fee assessments and implement the provisions of Minnesota Statutes chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is ordered or authorized by the Commissioner of the BMS.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.

- H. The school district may, if its responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
 2. a prepetition screening team conducting an investigation of the employee under Minnesota Statutes, section 253B.07, subdivision 1; or
 3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of a crime or alleged crime committed by an employee.
- J. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.
- K. When allegations of sexual or other types of harassment are made against an employee, the employee does not have access to data that would identify the complainant or other witnesses if the responsible authority determines that the employee's access to that data would:
1. threaten the personal safety of the complainant or a witness; or
 2. subject the complainant or witness to harassment.
- If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.
- L. The school district must report to the Minnesota Professional Educator Licensing and Standards Board ("PELSB") or the Board of School Administrators ("BOSA"), whichever has jurisdiction over the teacher's or administrator's license, as required by Minnesota Statutes, section 122A.20, subdivision. 2, and shall, upon written request from the licensing board having jurisdiction over license, provide the licensing board with information about the teacher or administrator from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minnesota Statutes, section 122A.20, subdivision 2.
- M. Private personnel data shall be disclosed to the Department of Employment and Economic Development for the purpose of administration of the unemployment insurance program under Minnesota Statutes, Ch. 268.

- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school is made to the Commissioner of the Minnesota Department of Education (“MDE”) under Minnesota Statutes Chapter 260E, data that are relevant and collected by the school facility about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of providing information to a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines.
- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if
1. an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
 2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee’s alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes Chapter 13.

Data that are released under this paragraph must not include data on the student.

- P. Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.
- Q. Protected health information, as defined in 45 C.F.R. Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required by law.
- R. Personal home contact information for employees may be used by the school district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another

government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.

- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b), or when the Commissioner of the MDE makes a final determination of child maltreatment involving a teacher under Minnesota Statutes, section 260E.21, subdivision 4 or 260E.35, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minnesota Statutes, section 13.41, subdivision. 5, and must provide PELSB and the licensing division at MDE with the necessary and relevant information to enable PELSB and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minnesota Statutes, section 123B.03, a school board or other school hiring authority must contact PELSB and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by Minnesota Statutes Chapter 13, or any other state or federal law, the data are private.

VII. CHANGE IN CLASSIFICATIONS

The school district shall change the classification of data in its possession if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

VIII. RESPONSIBLE AUTHORITY

The school district has designated [*name and title, telephone*] as the authority responsible for personnel data.

The responsible authority, or a school district employee if so designated, shall serve as the school district's data practices compliance official and, as such, shall be the employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

IX. EMPLOYEE AUTHORIZATION/RELEASE FORM

An employee authorization form is included as an addendum to this policy.

- Legal References:***
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 - Minn. Stat. § 13.02 (Definitions)
 - Minn. Stat. § 13.03 (Access to Government Data)
 - Minn. Stat. § 13.05 (Duties of Responsible Authority)
 - Minn. Stat. § 13.37 (General Nonpublic Data)
 - Minn. Stat. § 13.39 (Civil Investigation Data)
 - Minn. Stat. § 13.41 (Licensing Data – Public Data)
 - Minn. Stat. § 13.43 (Personnel Data)
 - Minn. Stat. § 13.601, subd. 3 (Applicants for Employment)
 - Minn. Stat. § 15.0597 (Appointment to Multimember Agencies)
 - Minn. Stat. § 122A.20, subd. 2 (Mandatory Reporting)
 - Minn. Stat. § 122A.40, subds. 13 and 16 (Employment; Contracts; Termination)
 - Minn. Stat. § 123B.03 (Background Check)
 - Minn. Stat. § 123B.143, subd. 2 (Disclose Past Buyouts)
 - Minn. Stat. Ch. 179 (Minnesota Labor Relations Act)
 - Minn. Stat. Ch. 179A (Minnesota Public Labor Relations Act)
 - Minn. Stat. § 253B.07 (Judicial Commitment: Preliminary Procedures)
 - Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
 - Minn. Stat. Ch. 268 (Unemployment Insurance)
 - Minn. R. Pt. 1205 (Data Practices)
 - P.L. 104-191 (HIPAA)
 - 45 C.F.R. Parts 160, 162 and 164 (HIPAA Regulations)
- Cross References:***
- Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
 - Policy 515 (Protection and Privacy of Pupil Records)
 - Policy 722 (Public Data Requests)
 - MSBA Law Bulletin “I” (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 406

Orig. 1995

Revised: _____

Rev. 2023

406 PUBLIC AND PRIVATE PERSONNEL DATA

[Note: The provisions of this policy accurately reflect the Minnesota Government Data Practices Act and are not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its employees, volunteers, independent contractors, and applicants ("personnel").

II. GENERAL STATEMENT OF POLICY

- A. All data on individuals collected, created, received, maintained, or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.
- B. All other data on individuals is private or confidential.

III. DEFINITIONS

- A. "Public" means that the data is available to anyone who requests it.
- B. "Private" means the data is not public and is accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.
- C. "Confidential" means the data are not public and are not accessible to the subject.
- D. "Parking space leasing data" means the following government data on an applicant for, or lessee of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- E. "Personnel data" means government data on individuals maintained because they are or were employees, applicants for employment, volunteers or independent contractors for the school district. Personnel data include data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations.
- F. "Finalist" means an individual who is selected to be interviewed by the school board for a position.
- G. "Protected health information" means individually identifiable health information as defined in 45 Code of Federal Regulations, section 160.103, that is transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any

other form or medium by a health care provider, in connection with a transaction covered by 45 Code of Federal Regulations, Parts 160, 162 and 164. "Protected health information" excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, employment records held by a school district in its role as employer; and records regarding a person who has been deceased for more than fifty (50) years.

- H. "Public officials" means business managers; human resource directors; athletic directors whose duties include at least fifty (50) percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals and in a charter school, individuals employed in comparable positions.

IV. PUBLIC PERSONNEL DATA

- A. The following information on current and former employees, volunteers and independent contractors of the school district, is public:
 - 1. name;
 - 2. employee identification number, which may not be the employee's Social Security number;
 - 3. actual gross salary;
 - 4. salary range;
 - 5. terms and conditions of employment relationship;
 - 6. contract fees;
 - 7. actual gross pension;
 - 8. the value and nature of employer-paid fringe benefits;
 - 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
 - 10. job title;
 - 11. bargaining unit;
 - 12. job description;
 - 13. education and training background;
 - 14. previous work experience;
 - 15. date of first and last employment;
 - 16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
 - 17. the final disposition of any disciplinary action, as defined in Minnesota Statutes, section 13.43, subdivision. 2(b), together with the specific reasons for the action

and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;

18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
 19. work location;
 20. work telephone number;
 21. badge number;
 22. work-related continuing education;
 23. honors and awards received; and
 24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on current and former applicants for employment by the school district is public:
1. veteran status;
 2. relevant test scores;
 3. rank on eligible list;
 4. job history;
 5. education and training; and
 6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the school board to be finalists for public employment.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body collected by the school district as a result of the applicant's application for employment are private data on individuals except that the following are public:
 - a. name;
 - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;

- c. education and training;
- d. employment history;
- e. volunteer work;
- f. awards and honors;
- g. prior government service;
- h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minnesota Statutes, section 15.0597; and
- i. veteran status.

2. Once an individual is appointed to a public body, the following additional items of data are public:

- a. residential address;
- b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
- c. first and last dates of service on the public body;
- d. the existence and status of any complaints or charges against an appointee; and
- e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.

3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

E. Regardless of whether there has been a final disposition as defined in Minnesota Statutes, section 13.43, subdivision 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minnesota Statutes, section 13.43, subdivision 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. Data relating to a complaint or charge against a public official is public only if:

- 1. the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or
- 2. potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement

Data that is classified as private under another law is not made public by this provision.

V. PRIVATE PERSONNEL DATA

A. All other personnel data not listed in Section IV are private data will not be otherwise released unless authorized by law.

- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data with regard to data on individuals are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data ~~may must~~ be disseminated to labor organizations to the extent ~~the responsible authority determines is the dissemination is~~ necessary ~~for the labor organization~~ to conduct elections, investigate and process grievances, notify employees of fair share fee assessments and implement the provisions of Minnesota Statutes chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is ordered or authorized by the Commissioner of the BMS. Employee Social Security numbers are not necessary to implement the provisions of Chapter 179 and 179A.

The home addresses, nonemployer issued phone numbers and email addresses, dates of birth, and emails or other communications between exclusive representatives and their members, prospective members, and nonmembers are private data on individuals.

Dissemination of personnel data to a labor organization pursuant to Minnesota Statutes, section 13.43, subdivision 6, shall not subject the school district to liability under Minnesota Statutes, section 13.08.

Personnel data described under Minnesota Statutes, section 179A.07, subdivision 8, must be disseminated to an exclusive representative under the terms of that subdivision.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- H. The school district may, if its responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
 2. a prepetition screening team conducting an investigation of the employee under Minnesota Statutes, section 253B.07, subdivision 1; or
 3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of a crime or alleged crime committed by an employee.
- J. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.

- K. When allegations of sexual or other types of harassment are made against an employee, the employee does not have access to data that would identify the complainant or other witnesses if the responsible authority determines that the employee's access to that data would:
1. threaten the personal safety of the complainant or a witness; or
 2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- L. The school district must report to the Minnesota Professional Educator Licensing and Standards Board ("PELSB") or the Board of School Administrators ("BOSA"), whichever has jurisdiction over the teacher's or administrator's license, as required by Minnesota Statutes, section 122A.20, subdivision. 2, and shall, upon written request from the licensing board having jurisdiction over the license, provide the licensing board with information about the teacher or administrator from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minnesota Statutes, section 122A.20, subdivision 2.

[Note: The obligation to make a report set forth in this section applies equally to charter school boards and their executive directors and charter school authorizers.]

- M. Private personnel data shall be disclosed to the Department of Employment and Economic Development for the purpose of administration of the unemployment insurance program under Minnesota Statutes, chapter 268.

- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school is made to the Commissioner of the Minnesota Department of Education ("MDE") under Minnesota Statutes, chapter 260E, data that are relevant and collected by the school facility about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of providing information to a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines.

- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if
1. an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
 2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or

charter school and the data remain classified as provided in Minnesota Statutes, chapter 13.

Data that are released under this paragraph must not include data on the student.

- P. Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.
- Q. Protected health information, as defined in 45 Code of Federal Regulations, Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required by law.
- R. Personal home contact information for employees may be used by the school district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b), or when the Commissioner of the MDE makes a final determination of child maltreatment involving a teacher under Minnesota Statutes, section 260E.21, subdivision 4, or 260E.35, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minnesota Statutes, section 13.41, subdivision. 5, and must provide PELSB and the licensing division at MDE with the necessary and relevant information to enable PELSB and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minnesota Statutes, section 123B.03, a school board or other school hiring authority must contact PELSB and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by Minnesota Statutes chapter 13, or any other state or federal law, the data are private.

VII. CHANGE IN CLASSIFICATIONS

The school district shall change the classification of data in its possession if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

VIII. RESPONSIBLE AUTHORITY

The school district has designated [*name and title, telephone*] as the authority responsible for personnel data.

The responsible authority, or a school district employee if so designated, shall serve as the school district's data practices compliance official and, as such, shall be the employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

IX. EMPLOYEE AUTHORIZATION/RELEASE FORM

An employee authorization form is included as an addendum to this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.02 (Definitions)
Minn. Stat. § 13.03 (Access to Government Data)
Minn. Stat. § 13.05 (Duties of Responsible Authority)
Minn. Stat. § 13.37 (General Nonpublic Data)
Minn. Stat. § 13.39 (Civil Investigation)
Minn. Stat. § 13.41 (Licensing Data)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, subd. 3 (Elected and Appointed Officials)
Minn. Stat. § 15.0597 (Appointment to Multimember Agencies)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)
Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts; Termination)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.143, subd. 2 (Disclose Past Buyouts)
Minn. Stat. Ch. 179 (Minnesota Labor Relations Act)
Minn. Stat. Ch. 179A (Minnesota Public Labor Relations Act)
Minn. Stat. § 253B.07 (Judicial Commitment: Preliminary Procedures)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. Ch. 268 (Unemployment Insurance)
Minn. R. Pt. 1205 (Data Practices)
P.L. 104-191 (HIPAA)
45 C.F.R. Parts 160, 162, and 164 (HIPAA Regulations)

Cross References: MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: June 4, 2012

Revised: April 4, 2022

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.

B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.

C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.

D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.

E. Other actions that violate this policy include, but are not limited to, the following:

1. Dating students.
2. Having any interaction/activity of a sexual nature with a student.
3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.
4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.

F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.

H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with the School District Complaint Policy unless other specific complaint procedures are provided within any other policy of the school district.

B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. SCHOOL DISTRICT ACTION

Upon receipt of a report, 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. It also may include reporting to appropriate state or federal authorities, including the Board of Teaching or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend and indemnify the employee for damages in school-related litigation.

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 421 (Gifts to Employees)
MSBA/MASA Model Policy 507 (Corporal Punishment)

Adopted: _____

MSBA/MASA Model Policy 423

Orig. 1999

Revised: _____

Rev. 202209

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

- A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.
- B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.
- D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
 - 1. Dating students.
 - 2. Having any interaction/activity of a sexual nature with a student.
 - 3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.
 - 4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.
- F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

[Note: Such safeguards may include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or making sure that such meetings with a

student take place in rooms with windows and/or others nearby.]

- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

- A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the school district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. SCHOOL DISTRICT ACTION

Upon receipt of a report, 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. It also may include reporting to appropriate state or federal authorities, including the Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend and indemnify the employee for damages in school-related litigation.

Legal References: Minn. Stat. § 13.43, Subd. 16 (~~School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact~~Personnel Data)
Minn. Stat. § 122A.20, Subd. 2 (~~Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators~~Suspension or Revocation of Licenses)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (~~Employment; Contracts; Termination~~Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (~~Defining “intimate parts” and “position of authority” as well as detailing various sex offenses~~Definitions)
Minn. Stat. ~~Ch. 260E § 626.556~~ (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
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School Board Member, Employee, or Student)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)
MSBA/MASA Model Policy 507 (Corporal Punishment)

Adopted: July 6, 2015

Revised: June 6, 2022

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

I. PURPOSE

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

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

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

B. Direct Services

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

C. Indirect Services

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

D. Workload

“Workload” means a special education teacher’s total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

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

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

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

Legal References: Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions of “Direct Services,” “Indirect Services,” “Teacher,” and “Workload”)
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

Cross References: Policy 608 (Instructional Services – Special Education)

Adopted: _____

MSBA/MASA Model Policy 427

Orig. 2015

Revised: _____

Rev. 2023

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

[Note: School districts are required by Minnesota Rules 3525.2340, subpart 4.B., to have a policy for determining the workload limits of special education staff who provide services to students who receive direct special education services 60 percent or less of the instructional day.]

[Note: Minnesota Statutes, section 179A.07, subdivision 1, of the Public Employment Labor Relations Act (PELRA) provides that a public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction and number of personnel. MSBA's position is that this policy is not a mandatory subject of bargaining. School districts, therefore, are cautioned to not relinquish their inherent managerial right to determine workload limits for special education teachers.]

I. PURPOSE

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

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

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

B. Direct Services

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

C. Indirect Services

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

D. Workload

"Workload" means a special education teacher's total number of minutes required for all

due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

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

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

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

Legal References: Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions)
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

Cross References: MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

Adopted: 4-16-81

Revised: 3-3-83

421.1 RETIREMENT GIFT POLICY

I. PURPOSE

The purpose of this policy is provide written documentation of employee retirement recognition by the school district.

II. GENERAL STATEMENT OF POLICY

When an employee retires, recognition of that employee will be as follows:

Years of Employment

1 -2

3-9

10 or more

Award

Certificate

Plaque

School Bell

Adopted: December 20, 2004

Revised: _____

450 DISTRICT SPONSORED WORKSHOPS, CONFERENCES, MEETINGS AND MEMBERSHIPS

I. PURPOSE

The purpose of this policy is to clarify the obligations, opportunities, and business necessities for the School District, its employees, and students regarding workshops, conferences, meetings and memberships sponsored by the School District.

II. GENERAL STATEMENT OF POLICY

- A. The School District is committed to the improvements of all staff. For professional staff, the School District will set aside time each year for professional in-service.
- B. The School District is committed to parent-teacher communication. The School District will set aside time within the professional contract for the purpose of parent-teacher conferences.
- C. It is the task of the staff and administration to use the time effectively in meeting the needs for in-service workshops and parent-teacher conferences.
- D. The School District is committed to partnering with local, civic, community and governmental organizations for the purpose of communicating and shared endeavors.

III. APPLICATIONS AND PROCEDURES:

- A. Staff and administration will work together in the planning of such in-service workshops and conferences.
- B. In arranging for such workshops, conferences and meetings, the School District recognizes the following:
 - 1. At times there is a need to schedule workshops, conferences, and meetings that last more than two hours, and/or extend over a normal mealtime.
 - 2. That in the above-described conditions, there is a business necessity of providing a meal or refreshments for the purpose of maintaining attention, productivity and efficiency of time.
- C. Given these conditions, the School District authorizes the administration to make such provisions on a limited basis for workshops, conferences and meetings.
- D. The District authorizes membership in the local Chamber of Commerce and other civic organizations whose mission is mutually beneficial to the district.
- E. This policy applies only to employees and/or other individuals required to attend such workshops, conferences and meetings or to hold memberships as authorized by the board of education.

Adopted: August 4, 2008

Revised: _____

460 TEMPORARY DUTY ASSIGNMENT FOR WORK RELATED INJURIES

I. PURPOSE

The purpose of this policy is to provide temporary duty assignments for employees who have been injured during the regular course of their employment. This policy covers all full and part-time employees, including those represented by a collective bargaining unit.

II. GENERAL STATEMENT OF POLICY

Employees who become temporarily unable to perform the essential duties of their job and who have a medical condition that will not allow them to return to their regular duties within a reasonable period of time, may be assigned temporary duties. The temporary duties must comply with the restrictions set forth by a medical physician. The District's Administration or their immediate supervisor will assign these duties based upon the physician's restrictions, work experience, knowledge, and skills.

III. DEFINITIONS

- A. No temporary duty assignment will be made without written approval from the treating physician. The treating physician will review the physical requirements of the temporary duty assignment to ensure that they comply with the restrictions that have been set forth. Modifications to the temporary duty assignment may be made by the district to ensure compliance with the physician's restrictions.
- B. If there are changes to the employee's physical condition and/or restrictions, these changes must be supported in writing, by the treating physician. These changes must be reported to all parties involved including the immediate supervisor. Changes to the employee's work assignment may be made following the process outlined in Section A.
- C. A district designee will determine work assignments and schedules for employees on temporary duty assignment based upon the needs of the district. The temporary duty assignment may or may not be full time.
- D. Temporary duty assignments are not permanent positions; therefore they shall not exceed 30 days. Extensions may be given at the discretion of the district with input from the physician. Extensions shall follow the criteria outlined in this policy.
- E. Temporary duty assignments for employees may be withdrawn during the course of the assignment when it is determined by the treating physician that even with reasonable accommodations the employee will be unable to perform the essential functions of the employee's former full-time position. Alternative options will be reviewed at this point.

IV. POLICY INTERPRETATION

This policy shall not be construed or interpreted to mean that any employee has a right to a temporary duty assignment nor that the District is compelled to assign an individual to a temporary duty assignment.



Proposed Resolution Submission Form

Full name Becker Public School District

Title/Position Other School Board Members

Phone number 763-261-4502

Email address jschmidt@isd726.org or you can contact any board member.

Full name of School District and District Number Click or tap here to enter text.

- This resolution is submitted by an individual school board member.
- This resolution is submitted pending the support of the School Board.
- This resolution is submitted with the support of the School Board.

BE IT RESOLVED, MSBA URGES THE LEGISLATURE TO (please clearly and concisely state the action you would like the Legislature to take):

Eliminate sales tax on construction projects for schools.

Exemption; refund.

- a. **Materials and supplies used in and equipment incorporated into construction and renovation projects for MN Public Schools, are exempt from sales and use tax imposed under Minnesota Statutes, Chapter 297A. The exemption under this subdivision only applies if materials, supplies, and equipment are purchased after December 31, 2021 and later.**
- b. **The tax must be imposed and collected as if the rate under Minnesota Statutes, section 297A.62, subdivision 1, applied, and then refunded in the same manner provided for projects under Minnesota Statutes, section 297A.75, subdivision 1, clause (17).**
 - a. **Appropriation. The amount required to pay the refunds under subdivision 1 is appropriated from the general fund to the commissioner of revenue.**

DESCRIBE THE PROBLEM:

Schools are a public governmental entity. Due to this, they are paid using tax dollars, therefore there are no sales taxes paid by these agencies, with this one exception. It doesn't make sense that public school districts would pay a tax by using tax dollars.

EXPLAIN WHY THIS IS A PROBLEM:

Why would a public entity be forced to pay a tax using tax dollars.

PROVIDE SUPPORTING DOCUMENTATION:

Schools have been individually approved for this in the past. It should be universal:

https://www.revisor.mn.gov/bills/text.php?number=SF500&version=latest&session=ls93&session_year=2023&session_number=0

For MSBA Staff Use Only:

Date Received: Click or tap to enter a date.

File Name: Click or tap here to enter text.

Recommendation: Choose an item.

Present Policies: Click or tap here to enter text.



Proposed Resolution Submission Form

Full name Becker Public School District

Title/Position Other School Board Members

Phone number 763-261-4502

Email address jschmidt@isd726.org or you can contact any board member.

Full name of School District and District Number Click or tap here to enter text.

- This resolution is submitted by an individual school board member.
- This resolution is submitted pending the support of the School Board.
- This resolution is submitted with the support of the School Board.

BE IT RESOLVED, MSBA URGES THE LEGISLATURE TO (please clearly and concisely state the action you would like the Legislature to take):

Allow for broader use of food service funds (Fund 2) to incorporate all purchases to improve function of the cafeteria, food prep, storage and food service areas.

DESCRIBE THE PROBLEM:

Currently there are a number of federal restrictions that prohibit certain spending using the food service fund (Fund 2). With the addition of fully funded food service programming for all students due to additional state funding, we would like to be able to broaden the use of the food service fund to allow spending on any food service related purchases. Current restrictions do not allow spending on certain new components such as walk-in coolers, walk-in freezers, tables, remodels and more.

EXPLAIN WHY THIS IS A PROBLEM:

Food service funding is now fully funded. In order to provide a better experience and offer proper choices for students, it would be beneficial if any related food service costs were able to be purchased using money generated from universal meals for all.

PROVIDE SUPPORTING DOCUMENTATION:

Here are the current uses for food service expenditures:

<file:///Users/jschmidt/Downloads/Equipment%20Purchase%20MDE034718.pdf>

We would like this broadened to be any related food service purchase. This would be similar to other restricted funding streams.

For MSBA Staff Use Only:

Date Received: Click or tap to enter a date.

File Name: Click or tap here to enter text.

Recommendation: Choose an item.

Present Policies: Click or tap here to enter text.

**BECKER PUBLIC SCHOOLS
GENERAL FUND
GROSS LEVY COMPARISON**

	ACTUAL 2022 PAY 2023	PROPOSED 2023 PAY 2024	DOLLAR DIFFERENCE
1 Operating Referendum Levies	\$ 3,182,350	\$ 3,255,642	\$ 73,292
2 Operating Capital Levy	297,193	355,636	58,443
3 Equity and Local Optional Levies	2,393,366	2,471,786	78,420
4 Reemployment Levy	(50,000)	20,000	70,000
5 Safe Schools Levy	107,296	105,576	(1,720)
6 Career & Technical Levy	39,733	37,761	(1,972)
7 Integration Levy	86,423	(893)	(87,316)
8 Long Term Facilities Maintenance	877,969	906,617	28,648
9 Building Lease Levy	288,132	240,585	(47,547)
10 Capital Projects Referendum Levy	541,928	608,881	66,953
11 Annual OPEB Levy	179,969	188,483	8,514
12 General Fund Adjustments	(8,174)	266	8,440
TOTAL PROPOSED LEVY	\$ 7,936,185	\$ 8,190,340	\$ 254,155

**BECKER PUBLIC SCHOOLS
COMMUNITY EDUCATION
GROSS LEVY COMPARISON**

	ACTUAL 2022 PAY 2023	PROPOSED 2023 PAY 2024	DOLLAR DIFFERENCE
Basic Community Ed. Levy	\$ 97,551	\$ 108,867	\$ 11,316
Early Childhood Levy	75,691	69,152	(6,539)
Adults with Disabilities Levy	4,500	2,182	(2,318)
School Age Care Levy	39,889	49,194	9,305
Home Visit Levy	2,076	2,482	406
Abatements	9	5	(4)
TOTAL PROPOSED LEVY	\$ 219,716	\$ 231,882	\$ 12,166

**BECKER PUBLIC SCHOOLS
DEBT SERVICE
GROSS LEVY COMPARISON**

	ACTUAL 2022 PAY 2023	PROPOSED 2023 PAY 2024	DOLLAR DIFFERENCE
Required Debt Service Levy	\$ 3,956,263	\$ 3,956,760	\$ 497
Abatement Adjustments	145	164	19
Reduction For Debt Excess	<u>(135,413)</u>	<u>(153,840)</u>	<u>(18,427)</u>
TOTAL PROPOSED LEVY	\$ 3,820,995	\$ 3,803,084	\$ (17,911)

BECKER PUBLIC SCHOOLS
ALL FUNDS
GROSS LEVY COMPARISON

	ACTUAL 2022 PAY 2023	PROPOSED 2023 PAY 2024	DOLLAR DIFFERENCE	% Change
General Fund	\$ 7,936,185	\$ 8,190,340	\$ 254,155	3.20%
Community Education Fund	219,716	231,882	12,166	5.54%
Debt Service Fund	<u>3,820,995</u>	<u>3,803,084</u>	<u>(17,911)</u>	-0.47%
TOTAL PROPOSED LEVY	\$ 11,976,896	\$ 12,225,306	\$ 248,410	2.07%