

## **002. THE SCHOOL BOARD**

### **002.1 Legal Status and Authority of the School Board**

#### **I. PURPOSE**

The purpose of this policy is to define the authority, duties, and structure of the school board in carrying out its mission.

#### **II. GENERAL STATEMENT OF POLICY**

- A. The School Board is the governing and policy-making body of the School District. Its legal authority is determined by the state of Minnesota constitution, the statutes of the state legislature, regulations of the Minnesota Department of Education, and that authority conferred by School District elections. As such, the school board has the responsibility for the care, management, and control over public schools in the school district. It exercises leadership primarily through the formulation and adoption of policies.
- B. The School Board is responsible for the application of all federal, state, and local laws in the operation of the School District schools. These schools will be operated for the educational benefit of all residents of the School District.
- C. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

#### **III. DEFINITION**

“School board” means the governing body of the school district.

#### **IV. ORGANIZATION AND MEMBERSHIP**

- A. The School Board of the School District shall consist of seven members. The term of office shall be four years.
- B. Elections take place in the odd-numbered years.

- C. The student council may designate a student advisory representative to the School Board for any or all regular meetings. The student shall be a member of the student council. The representative will be encouraged to participate in all discussions, but will not have voting rights.
- D. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- E. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.
- F. Should a member of the School Board leave the Board for any reason prior to the expiration of his/her term, the Board shall follow the statutory requirements on filling the vacancy.

**V. POWERS AND DUTIES**

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.
- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board shall hire, supervise and evaluate the superintendent of schools.

Revised:      October 13, 2015

**002. THE SCHOOL BOARD**

**002.2 Organizational Structure of the School Board**

**002.21 Officers of the School Board**

**I. PURPOSE**

The purpose of this policy is to delineate the responsibilities of the officers of the School Board.

**II. GENERAL STATEMENT OF POLICY**

- A. The School Board shall organize by selecting a chairperson, vice chairperson, a clerk, and a treasurer.
- B. The School Board shall appoint a superintendent who shall be an ex-officio, nonvoting member of the School Board.

**III. ORGANIZATION**

- A. The School Board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chairperson, vice chairperson, treasurer, and clerk.
  - 1. These officers shall hold office for one year and until their successors are elected and qualify.
  - 2. The persons who perform the duties of clerk and treasurer need not be members of the School Board.
  - 3. The School Board, by resolution, may combine duties of the officers of clerk and treasurer in a single person in the office of business affairs.

**IV. OFFICER'S RESPONSIBILITIES**

A. Chair

- 1. The chair, when present, shall:
  - a. Preside at all meetings of the School Board,
  - b. Co-sign all orders upon the treasurer for claims allowed by the School Board,

- c. Represent the school district in all actions, and
  - d. Perform all duties a chair usually performs.
2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the School Board, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.

B. Treasurer

1. The treasurer shall:
  - a. Make all reports which may be called for by the School Board; and
  - b. Perform all duties a treasurer usually performs.

C. Clerk

1. The clerk shall:
  - a. Draw and sign all orders upon the treasurer for the payment of money for bills allowed by the School Board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
  - b. Perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
  - c. Perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.
  - d. Perform all other duties as required by law or statute.

D. Vice-Chair

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the School Board.

Reviewed: December 1999  
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**002. THE SCHOOL BOARD**

**002.2 Organizational Structure of the School Board**

**002.22 Committees of the School Board**

**I. PURPOSE**

The purpose of this policy is to provide for the structure and the operation of committees of the School Board.

**II. GENERAL STATEMENT OF POLICY**

- A. It is the policy of the School Board to designate committees when it is determined that a committee process facilitates the mission of the School Board.
- B. The School Board determines that certain permanent standing committees, as described in this policy, do facilitate the operation of the School Board and the School District.
- C. A School Board committee will be formed by resolution, which shall outline the duties and purpose of the committee.
- D. A committee is advisory in nature and has only such authority as specified by the School Board.
- E. The School Board will receive reports or recommendations from a committee for consideration. The School Board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.
- F. The School Board reserves the right to limit, create, or abolish any committee, as it deems appropriate.
- G. A committee of the School Board shall not appoint a subcommittee without the approval of the Board.

**III. APPOINTMENT OF COMMITTEES**

- A. The School Board hereby appoints the following standing committees:
  - 1. Instructional Program Committee                      2-3 members
  - 2. Co-curricular Program Committee                      2-3 members
  - 3. Communication Committee                      2-3 members
  - 4. Negotiations Committee                      3 members
  - 5. Finance Committee                      2-3 members
  - 6. Personnel Committee                      2-3 members
  - 7. Policy Review Committee                      2-3 members
  - 8. Calendar Committee                      2-3 members

- 9. Shared Programs/Services Committee      2-3 members
- 10. Gifts and Donations Committee      2-3 members

- B. For each standing committee, the School Board will establish by resolution the number of members, the term, and the charge or mission of each committee.
- C. The School Board Chair shall appoint the members of each standing committee and designate the chair thereof.

**IV. PROCEDURES FOR SCHOOL BOARD COMMITTEES**

- A. All meetings of committees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.
- B. A committee shall act only within the guidelines and mission established for that committee by the School Board.
- C. Actions of a committee shall be by majority vote and be consistent with the governing rules of the School Board.
- D. The committee shall designate a secretary who will record the minutes of the actions of the School Board committee.
- E. The power of a committee of the School Board is advisory only and is limited to making recommendations to the Board.
- F. A committee of the School Board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the Board.
- G. It is not the intention of the School Board to have committees make recommendations that do not need School Board approval.
- H. Each committee will consist of two to three members appointed by the School Board Chair at the January organizational meeting to serve a term of one year in length.\*

\* Exception is Negotiations Committee. See Negotiations Committee description.

## **V. SCOPE OF SCHOOL BOARD COMMITTEES**

The following information outlines the general responsibilities of each Board committee. Additional duties may be assigned by the Board Chair.

### **A. Instructional Program Committee:**

1. Review proposals affecting Board-adopted K-12 curriculum and staff-development programs that need the approval of the School Board prior to change or implementation.
2. Address policy rule and governance issues impacting and affecting the instructional program of the District. This includes NCA AdvancEd recommendations, department or grade level recommendations, and staff-development opportunities.

### **B. Co-Curricular Program Committee:**

1. Review proposals affecting the co-curricular activity program offered to K-12 that need School Board approval prior to change or implementation. This includes athletics, student publications, music, academic competitions, field trips, fund-raising practices, and student government.
2. Review and address all policies, procedures and handbooks related to the co-curricular program of the District.

### **C. Communication Committee:**

1. Develop communications strategies for the dissemination of information from the School Board to staff, parents and community members in the school district.
2. Develop plans to present a positive image of the school district.
3. Serve as a clearinghouse for the School Board for communication proposals requiring Board approval prior to implementation.
4. Receive proposals from School District staff, community groups and other government agencies on communication-related concerns.
5. Address data privacy issues and all policies relating to the distribution of information regarding School District programs and staff.

**D. Negotiations Committee:**

1. To work with the Superintendent on the negotiations of all public employee bargaining units and all individual or group contracts that are not organized bargaining units under the supervision of the School Board.
2. This committee will consist of three members appointed by the School Board chair to serve two-year terms. They will be appointed in January of the odd-numbered years and serve through December of the next even-numbered year or through the completion of the current negotiation period.

**E. Finance Committee:**

1. Meet with the Superintendent of Schools and Business Manager to review and provide direction in establishing and monitoring the School District budget.
2. Discuss and Review:
  - a. Necessary budget adjustments;
  - b. The establishment of the annual levy;
  - c. The audit report; and
  - d. Other financial topics as they arise.

**a. Personnel Committee:**

1. Review proposals from the Superintendent and Administrative Team related to the staffing of the School District.
2. Discuss and review:
  - a. Contract interpretation issues;
  - b. Operating procedures which impact personnel;
  - c. Job descriptions of personnel of the School District;
  - d. Hiring and evaluation process; and
  - e. Other personnel topics as they arise.

**F. Policy Review Committee:**

1. Work with the Superintendent of Schools in reviewing all School Board policies at least once every four years.
2. The Superintendent shall develop a system for this review, addressing approximately one-fourth of the policies annually.

3. Work with the Superintendent of Schools in advising the School Board on the need for additional policies and revisions due to legislative changes.

**G. Calendar Committee:**

1. Work with the Superintendent of Schools in developing the school district calendar for the upcoming school year and the tentative calendar for the school year two years in the future.
2. Review possible revisions to the school calendar on an as-needed basis.

**H. Shared Programs/Services Committee:**

1. Review and discuss existing shared services with area school districts.
2. Review administrative proposals for sharing programs and services with area school districts.

**I. Gifts and Donations Committee**

1. Review proposals and provide recommendations to the School Board regarding gifts and donations to the school district exceeding \$5,000.
2. Discuss and review gift opportunities within and outside the school district.

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## **002. THE SCHOOL BOARD**

### **002.2 Organizational Structure of the School Board**

#### **002.23 Adoption of Policies**

##### **I. PURPOSE**

The purpose of this policy is to emphasize the importance of the policy-making role of the school board and provide the means for it to continue to be an ongoing effort.

##### **II. GENERAL STATEMENT OF POLICY**

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient, and consistent manner.

##### **III. POLICY ADOPTION PROCESS**

The procedure for adopting policies is as follows:

1. The Superintendent, or someone designated by the Superintendent, will draft the proposed policy.
2. The draft will be presented at a regular meeting of the School Board for the first reading at least 14 days prior to adoption.
3. During the 14 day waiting period, the draft will be made available to any interested party.
4. At the second reading, the School Board will consider reactions to the draft policy. The policy may be reworded and adopted at this or any subsequent regular meeting.
5. In such cases where grammatical, style or other minor edits are made to a policy that do not change its meaning, the policy shall not be subject to the procedures outlined in this policy. Rather, the Policy Committee may recommend the School Board approve such edits at a future meeting.

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**002. THE SCHOOL BOARD**

**002.2 Organizational Structure of the School Board**

**002.24 Formulating Administrative Regulations**

**I. PURPOSE**

The purpose of this policy is to provide direction to the responsible parties for developing the administrative rules and regulations of the school district.

**II. GENERAL STATEMENT OF POLICY**

Administrative regulations are the detailed arrangements governing the operation of the School District. They are to be formulated by the Superintendent or the Superintendent's designee. Administrative regulations must be consistent with the policies adopted by the School Board.

The School Board will formulate regulations only when required to do so by state law or when the Superintendent recommends Board formulation in light of strong community attitudes.

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July 2011

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## **002. THE SCHOOL BOARD**

### **002.3 Meetings**

#### **002.31 Regular Meetings—Open and Closed Meetings**

##### **I. PURPOSE**

The purpose of this policy is to provide guidelines to assure the rights of the public to be present at the School Board meetings, while also protecting the individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

##### **II. GENERAL STATEMENT OF POLICY**

- A. Except as otherwise expressly provided by statute, all meetings of the School Board, including executive sessions, shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

##### **III. DEFINITION**

- A. "Meeting" means a gathering of at least a quorum or more members of the School Board, or quorum of a committee or subcommittee of members of the School Board, at which members discuss, decide, or receive information as a group on issues relating to the official business of the School Board. The term does not include a chance or social gathering or the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.
- B. "Quorum" consists of a majority of the members of the School Board, or a majority of the members of a committee of the School Board.

##### **IV. PROCEDURES**

- A. The location, time, and place of regular meetings of the School Board will be determined at the annual organizational meeting in January.
- B. Notice of Meetings
  - 1. Regular Meetings

A schedule of the regular meetings of the School Board shall be kept on file at its primary offices. If the School Board decides to hold a regular meeting at a time or place different from the time or place

stated in its schedule, it shall give the same notice of the meeting as for a special meeting.

2. Special Meetings

For a special meeting, the School Board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district or on the door of the School Board's usual meeting room if there is no principal bulletin board. The School Board's actions at the special meeting are limited to those topics included in the notice.

The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the School Board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.

A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the School Board is required to send notice to that person only concerning those particular subjects.

The School Board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than 60 days before the expiration date of request for notice, the School Board shall send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

An emergency meeting is a special meeting called because of circumstances that, in the judgment of the School Board, require immediate consideration. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.

The School Board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.

Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the School Board.

Notice shall be provided to each news medium, which has filed a written request for notice as soon as reasonably practicable after notice has been given to the members of the School Board. Notice shall include the subject of the meeting. Posted or published notice of an emergency meeting shall not be required. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

4. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

6. Actual Notice

If a person receives actual notice of a meeting of the School Board at least 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

7. Health Pandemic or Declared Emergency

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

C. Votes - the votes of the members of the School Board shall be recorded in a journal kept for that purpose, and the journal shall be available to the public during all normal business hours at the administrative offices of the school district.

D. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communication, relating to the agenda items prepared or distributed by the School Board or its employees and distributed to or available to all members of the School Board shall be available in the meeting room for inspection by the public while the school board considers their subject matter.

2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

E. Data

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

F. Procedures for Closing a Meeting

The School Board shall provide notice of a closed meeting just as for an open meeting. A school board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

G. Reasons for Closed Meetings

1. Labor Negotiations Strategy

- i. The School Board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.
- ii. The time and place of the closed meeting shall be announced at the public meeting. A written roll of School Board members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings shall be ~~tape~~ electronically recorded, and the ~~tape~~ recording shall be preserved for two years after the contract discussed at the meeting is signed. The recording shall be made available to the public after all labor contracts are signed by the School Board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services  
All negotiations, mediation sessions, and hearings between the School Board and its employees or their respective representatives are public meetings except when otherwise provided by the Commissioner of the Bureau of Mediation Services. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.
3. Preliminary Consideration of Charges  
The School Board shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.
4. Performance Evaluations  
The School Board may close a meeting to evaluate the performance of an individual who is subject to its authority. The Board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the Board shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.
5. Attorney-Client Meeting  
A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or threatened, or when the school board needs advice above the level of general legal advice, i.e., regarding specific acts and their legal consequences. A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations

under state and federal law. The law does not require that such a meeting be recorded.

6. Dismissal Hearing

- i. A hearing on the dismissal of a licensed teacher shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- ii. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing.
- iii. To the extent a teacher or student dismissal hearing is held before the School Board and is closed, the closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- i. If the School Board has declined to renew the coaching contract of a licensed or nonlicensed head varsity coach, it must notify the coach within 14 days of that decision.
- ii. If the coach requests the reasons for the nonrenewal, the School Board must give the coach the reasons in writing within 10 days of receiving the request.
- iii. On the request of the coach, the School Board must provide the coach with a reasonable opportunity to respond to the reasons at a school board meeting.
- iv. The meeting may be open or closed at the election of the coach unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2, to discuss educational or certain other nonpublic data.
- v. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data—Any portion of a meeting must be closed if the following types of data are discussed:

- i. a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- ii. active investigative data collected or created by a law enforcement agency;
- iii. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- iv. an individual's personal medical records.
- v. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

9. Purchase and Sale of Property

- i. The School Board may close a meeting:
  - 1. to determine the asking price for real or personal property to be sold by the school district;
  - 2. to review confidential or nonpublic appraisal data; and
  - 3. to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- ii. Before closing the meeting, the School Board must identify on the record the particular real or personal property that is the subject of the closed meeting.
- iii. The closed meeting must be ~~tape~~ electronically recorded at the expense of the school district. The ~~tape~~ recording must be preserved for eight years after the date of the meeting and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the School Board has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the ~~tape~~-recording. A list of members of the School Board and all other persons present at

the closed meeting must be made available to the public after the closed meeting.

- iv. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the school board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

#### 10. Security Matters

- i. The School Board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- ii. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- iii. Before closing a meeting, the School Board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- iv. The closed meeting must be electronically recorded at the expense of the school district and the recording must be preserved for at least four years.

11. Other Meetings - Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

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## **002. THE SCHOOL BOARD**

### **002.3 Meetings**

#### **002.32 School Board Meeting Minutes**

##### **I. PURPOSE**

The purpose of this policy is to establish procedures relating to the maintenance of records of the School Board and the publication of its official proceedings.

##### **II. GENERAL STATEMENT OF POLICY**

It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

##### **III. MAINTENANCE OF MINUTES AND RECORDS**

- A. The School Board shall assign responsibility for keeping and maintaining the permanent records of the School Board to school district personnel at the annual organizational meeting.
- B. The school district shall keep the records of the minutes of School Board meetings and other required records of the School Board.
- C. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law shall be recorded in a journal kept for that purpose.
- D. Public records maintained by the school district shall be available for inspection by members of the public during the regular business hours of the school district.
- E. Minutes of meetings shall be available for inspection at the administrative offices of the school district after they have been prepared.
- F. Minutes of a School Board meeting shall be approved or modified by the school board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.
- G. Recordings of Closed Meetings
  - i. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the

school district. Recordings of closed meetings shall be made separately from the recordings of an open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.

ii. Recordings of closed meetings shall be preserved by the school district for the following time periods:

1. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.
2. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
3. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting.
4. All other closed meetings shall be preserved by the school district for at least three (3) years after the date of the meeting.
5. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the school district's Records Retention Schedule.

iii. Recordings of closed meetings shall be classified by the school district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:

1. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by the school district for the current budget period.
2. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school district has abandoned the purchase or sale.
3. Recordings of any other closed meetings shall be classified and/or released as required by court order.

- iv. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the school district, with the exception of recordings that have been classified as public data as set forth in Section G.iii above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.
- v. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
  - 1. The date of the closed meeting;
  - 2. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and
  - 3. The classification of the data.
- vi. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section G.iii above.

#### **IV. PUBLICATION OF OFFICIAL PROCEEDINGS**

- A. The School Board shall cause its official proceedings to be published on the school districts' website within thirty (30) days of the meeting at which the proceedings occurred; however, if the School Board conducts regular meetings not more than once every thirty (30) days, the Board need not publish the minutes until ten (10) days after they have been approved by the School Board. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the School Board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the School Board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the Board, the proceedings to be published may reflect that fact.

- B. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the School Board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the school district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the school district or by means of standard or electronic mail.

Adopted: June 2010

Reviewed: July 2011

Revised: December 2015

## **002. THE SCHOOL BOARD**

### **02.3 Meetings**

#### **002.33 Organizational Meeting of the School Board**

##### **I. PURPOSE**

The purpose of this policy is to specify the time of and to outline the items that are regularly included in the School Board's annual organizational meeting.

##### **II. GENERAL STATEMENT OF POLICY**

The School Board shall meet as soon as possible on or after the first Monday in January to organize its work.

##### **III. ORGANIZATIONAL MEETING ITEMS**

The following agenda items shall be included for the Board's consideration:

A. Selection of a chairperson, clerk, vice-chairperson, and treasurer who shall hold their offices for one year and until their successors are selected and qualify. The Superintendent shall act as chairperson during the selection of a chairperson,

B. Designation of depositories,

C. Designation of an official newspaper,

D. Designation of an auditor for the school district audit,

E. Authorization to make wire transfers on behalf of the school district,

F. Authorization to approve non-resident student agreements on behalf of the school district.

G. Setting of School Board salaries,

H. Setting the dates and times of regular School Board meetings and study sessions,

I. Consider School Board committee appointments.

Reviewed: December 1999  
April 2004  
July 2011

Revised: December 2015

## **002. THE SCHOOL BOARD**

### **002.3 Meetings**

#### **002.34 School Board Meeting Agenda**

##### **I. PURPOSE**

The purpose of this policy is to provide procedures for the preparation of the School Board meeting agenda.

##### **II. GENERAL STATEMENT OF POLICY**

School Board meetings shall be conducted in a manner to ensure the School Board can accomplish its business as efficiently and expeditiously as possible while allowing reasoned debate and discussion of each matter to be acted upon.

##### **IV. PROCEDURES**

- A. It shall be the responsibility of the School Board chair and superintendent to develop, prepare, and arrange the order of items for the tentative meeting agenda for each School Board meeting.
  - 1. All School Board members may provide input for a meeting agenda.
- B. Placement of items on agenda:
  - 1. Persons wishing to place an item on the agenda must make a request to the School Board chair or superintendent in a timely manner.
  - 2. The person making the request is encouraged to state: the person's name, address, purpose of the item, action desired, and pertinent background information.
  - 3. The chair and superintendent shall determine whether to place the matter on the tentative agenda.
- C. The tentative agenda and supporting documents shall be sent to the School Board members a minimum of four (4) days prior to the scheduled School Board meeting.
- D. Items may only be added to the agenda by a motion adopted at the meeting.
  - 1. If an added item is acted upon, the minutes of the School Board meeting shall include a description of the matter.

## E. Materials

1. At least one copy of any material related to agenda items shall be available in the meeting room for inspection by the public, which the School Board considers their subject. Materials include:
  - i. Any printed material;
  - ii. Electronic communications prepared or distributed by or at the direction of the Board or its employees;
  - iii. Information distributed at the meeting to all members of the governing body;
  - iv. Information distributed before the meeting to all members of the governing body; and
  - v. Information available in the meeting room to all members of the governing body.
2. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

First Reading: November 18, 2010

Adopted: December 9, 2010

Reviewed: July 2011  
December 2015

## **002. THE SCHOOL BOARD**

### **02.3 Meetings**

#### **002.35 Public Hearings**

##### **I. PURPOSE**

The purpose of this policy is to establish procedures for the School Board to efficiently receive public input prior to a public hearing.

##### **II. GENERAL STATEMENT OF POLICY**

The procedures set forth in this policy are established by the School Board to ensure proper and efficient reception of public input on matters to be addressed at a public hearing.

##### **III. PROCEDURES**

###### **A. Public Hearings**

1. Public hearings are required by law to be held concerning certain issues, including but not limited to:
  - a. school closings (Minn. Stat. § 123B.51),
  - b. education district establishment (Minn. Stat. § 123A.15), and
  - c. agreements for secondary education (Minn. Stat. § 123A.30).
2. Additionally, other public hearings may be held by the School Board on school district matters at the discretion of the School Board.

###### **B. Notice of Public Hearings**

1. Public notice of a public hearing required by law shall be given as provided by the enabling legislation.
2. Public notice of other hearings shall be given in the manner required for:
  - a. a regular meeting if held in conjunction with a regular meeting,
  - b. a special meeting if held in conjunction with a special meeting, or
  - c. as otherwise determined by the School Board.

C. Public Participation

1. The School Board retains the right to require that those in attendance at a public hearing indicate their desire to address the School Board and complete and file with the clerk of the School Board an appropriate request card prior to the commencement of the hearing, and
2. Any request to address the School Board after the commencement of the hearing will be granted only at the discretion of the School Board.
  - a. Format of Request: A written request of an individual or a group to address the School Board shall contain:
    - i. The name and address of the person or group seeking to address the School Board,
    - ii. The name of the group represented, and
    - iii. a brief statement of the subject to be covered or the issue to be addressed.
  - b. Time Limitation: The School Board retains the discretion to limit the time for each presentation as needs dictate.
  - c. Groups:
    - i. The School Board requires that any group of persons who desire to address the School Board designate one representative or spokesperson.
    - ii. No other person in the group shall be recognized to address the School Board, except as otherwise determined by the School Board.
  - d. Privilege to Speak:
    - i. A School Board member should direct any remarks or questions through the chair.
    - ii. Only those speakers recognized by the chair will be allowed to speak.

- iii. Comments by others are out of order.
- iv. Individuals who interfere with or interrupt speakers, the School Board, or the proceedings may be directed to leave.
- e. Personal Attacks:
  - i. Personal attacks by anyone addressing the School Board are unacceptable.
  - ii. Persistence in such remarks by an individual shall terminate that person's privilege to address the School Board.
- f. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the School Board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

First Reading: November 18, 2011

Adopted: December 9, 2010

Reviewed: July 2011  
December 2015

## **002. THE SCHOOL BOARD**

### **002.4 Communications with School Stakeholders**

#### **I. PURPOSE**

The purpose of this policy is to demonstrate the School Board's commitment to open and transparent communication with all school stakeholders.

#### **II. GENERAL STATEMENT OF POLICY**

The School Board shall maintain open communication with members of the School District and community by providing opportunities to speak at open meetings, and by providing free access to public information at the School District Office.

The School Board shall provide the public, staff, and students of the School District with opportunities to present their views concerning aspects of School District operation such as instructional programs, budgets, facility needs, personnel matters, and other items of similar importance.

Reviewed: December 1999  
April 2004  
July 2011

Revised: December 2015

**002. THE SCHOOL BOARD**  
**002.5 School Board Travel**

**I. PURPOSE**

The purpose of this policy is to promote School Board member development and to identify reimbursement and attendance guidelines.

**II. GENERAL STATEMENT OF POLICY**

The School Board encourages all members to attend state and local meetings that they consider valuable to their office. It shall be the policy of the School Board to reimburse members for registration for all such meetings.

**III. PROCEDURES**

A. Mileage, meals, and rooms for attendance at Minnesota School Boards Association (MSBA) meetings will be fully reimbursed. Expenses for mileage, meals, and rooms for other meetings may be reimbursed at the discretion of the full School Board.

B. Attendance of individual members of the School Board at the National School Board's convention shall be at the discretion of the full School Board.

C. When requested or required by the School Board, member expenses for mileage, meals and rooms will be fully reimbursed.

Reviewed: December 1999  
July 2004  
July 2011

Revised: December 2015

**002. THE SCHOOL BOARD**

**002.6 Code of Ethics**

**02.61 School Board Responsibilities**

**I. PURPOSE OF THE POLICY**

The purpose of the policy is to assist the individual school board member in understanding his or her role as part of a school board and in recognizing the contribution that each member must make to develop an effective and responsible school board.

**II. GENERAL STATEMENT OF POLICY**

Each school board member shall follow the code of ethics stated in this policy.

**A. AS A MEMBER OF THE SCHOOL BOARD I WILL:**

1. Listen;
2. Recognize the integrity of my predecessors and associates;
3. Appreciate the merit of their work;
4. Be motivated only by a desire to serve the students of my School District;
5. Attempt to inform myself of the proper duties and functions of a School Board member;
6. Recognize that it is my responsibility, together with other School Board members, to see that the schools are properly run, not to run them myself;
7. Work through the administrative employees of the School Board—not over or around them; and
8. Recognize that School District business may be legally transacted only in an open meeting of the School Board.

**B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER I WILL:**

1. Perform under general educational policies unless necessity requires otherwise;

2. Function in meeting the legal responsibility that is mine as part of a policy-forming body—not as an administrative officer; and
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.

**C. TO MAINTAIN DESIRABLE RELATIONS WITH OTHER MEMBERS OF THE SCHOOL BOARD I WILL:**

1. Respect the right of others to have and express opinions;
2. Recognize that authority rests with the School Board in legal session—not with the individual members of the School Board except as authorized by law;
3. Make no disparaging remarks, in or out of School Board meetings, about other members of the School Board or their opinions;
4. Recognize that to promise in advance of a meeting how I will vote on any proposition is to close my mind and agree not to think through other points of view which may be presented to the meeting;
5. Make decisions in School Board meetings only after all sides of debatable questions have been presented;
6. Delegate details of School Board action to administrative employees; and
7. Recognize that appointed special committees serve only in an advisory capacity to the School Board.

**D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY I WILL:**

1. Attempt to appraise both the present and future educational needs of the School District;
2. Attempt to obtain adequate financial support of the school program;
3. Interpret the needs and attitudes of the community and do my best to translate them into the educational program of the School District; and
4. Insist that business transactions of the School District be on an ethical, open, and above-board basis

**F. IN WORKING WITH THE SUPERINTENDENT AND THE STAFF I WILL:**

1. Hold the Superintendent responsible for the administration of the School District;
2. Give the Superintendent authority commensurate with the responsibility;
3. Assure that the School District will be administered by the best professional personnel available;
4. Participate in School Board action after considering the recommendation of the Superintendent and only after the Superintendent has furnished adequate information supporting his/her recommendations;
5. Expect the Superintendent to keep the School Board adequately informed at all times through both oral and written reports;
6. Spend adequate time in School Board meetings on educational policies;
7. Give the Superintendent counsel and advice;
8. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole School Board; and
9. Present any personal criticisms of employees to the Superintendent.

Reviewed: December 1999  
April 2004  
July 2011

Revised: December 2015

## **002. THE SCHOOL BOARD**

### **002.6 Code of Ethics**

#### **02.62 School Board Ethics/Conflict of Interest**

##### **I. PURPOSE**

The purpose of the policy is to provide guidelines to the School Board when addressing conflict of interest situations.

##### **II. GENERAL STATEMENT OF POLICY**

Except as authorized by statute, a public officer who is authorized to take part in making any sale, lease, or contract in his official capacity, shall not voluntarily have a personal financial interest in that sale, lease or contract, and shall not personally benefit financially therefrom. Every public officer who violates this provision is guilty of a gross misdemeanor.

##### **III. CONFLICT OF INTEREST**

- A. School Board members will not engage in any activity that conflicts or raises a reasonable question of conflict with their responsibilities in the school system. More specifically, members of the School Board will not:
1. Use institutional privileges for private gain;
  2. Solicit or receive compensation, other than that allowed by law, for performance of his/her duties. This precludes, among other things, acceptance of any gratuities, gifts, or favors that might impair or appear to impair professional judgment; and any personal dealings with any individual or entity with whom he/she, on behalf of the School Board, has any direct or indirect contact for purposes of obtaining from such individual or entity, noncompetitive contracts, services, or materials;
  3. Knowingly authorize or employ the authority or influence of his/her office to secure authorization of any public contract in which he/she, a member of his/her family, or any of his/her business associates has an interest;
  4. Offer any favor, service, or things of value to obtain special advantage;
  5. Permit commercial exploitation of his/her professional position;
  6. Engage in selling any merchandise or services for personal profit to students or parents/guardians in the attendance area served by the School District in which they work, i.e., instructional supplies, equipment, reference books, educational tours;

7. Furnish a list of students or parents/guardians to anyone selling such materials or services; and
8. Use time granted for leave, planning, and workshops for purposes, which are not intended.

#### **IV. STANDARDS FOR DETERMINING CONFLICTS OF INTEREST**

- A. For the purpose of this policy, a conflict-of-interest situation is deemed to exist whenever any of the following situations occur:
  1. When a member of the School Board has an interest, by way of ownership or employment, in any firm or company doing business with the School District;
  2. When a member of the School Board has a relationship by way of consanguinity or marriage to an owner, officer, employee, and/or consultant of a corporation or firm doing business with the School District; and
  3. When a member of the School Board uses the position to foster interests that differ or are in conflict with those of the School District.

#### **V. PROCEDURES FOR DISCLOSING CONFLICTS OF INTEREST**

- A. Whenever any of the above-described situations occur, the party affected must immediately file a written disclosure setting forth the nature of the conflict. Whenever a member of the School Board has filed such a disclosure, he or she must obtain written approval from the Superintendent in order to function on any and all projects involving that business relationship.

#### **VI. SPOUSE/SCHOOL DISTRICT EMPLOYEE GROUP**

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

Reviewed: December 1999  
April 2004  
June 2010  
July 2011  
December 2015

**002. THE SCHOOL BOARD**  
**02.6 Public Complaints**

**I. PURPOSE**

The purpose of this policy is to provide procedures to assure open and orderly discussion when addressing public complaints.

**II. GENERAL STATEMENT OF POLICY**

School Board guidelines for addressing public complaints reflect the importance for complaints and grievances to be handled and resolved as close to their origin as possible.

**III. PROCEDURES**

Although no member of the community shall be denied the right to petition the School Board for redress of grievance, the complaints shall be referred back through the proper administrative channels for solution before investigation or action by the School Board. Exceptions are complaints that concern School Board actions or operations, or complaints against the Superintendent.

Public complaints involving instruction, discipline or learning materials shall be addressed in the following order:

1. Teacher
2. School Principal
3. Superintendent
4. School Board

Any complaint about School District personnel will be investigated by the administration before consideration and action by the School Board.

Reviewed:           December 1999  
                          November 2004  
                          July 2011

Revised:             December 2015

## **002. THE SCHOOL BOARD**

### **002.8 Gifts to Employees and School Board Members**

#### **I. PURPOSE**

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

#### **II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is "insignificant."
- B. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply to gifts given to the aforementioned employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school district.

#### **III. DEFINITIONS**

- A. "Gift" means money, real or personal property, a service, a loan, a forbearance forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.
- B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make.

#### **IV. PROCEDURES**

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

#### **V. VIOLATIONS**

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

Revised: December 2015