



School Board Work Session
Monday, September 13; 5:00 PM
ECC Room 350

I. Determination of Quorum and Call to Order

II. Discussion

A. Superintendent Goals

Description: Goals developed to align with return to school and strategic plans.

Presenter(s): Dr. Stacie Stanley, Superintendent

B. Board Goals

Description: The board goals should be seen as a guiding document from which board meeting topics and/or agendas will be prioritized.

Presenter(s): Governance Committee

C. Proposed Metric Monitoring Guidance for COVID-19 Universal Masking Protocols

Description: Return to School Plan included the development of a set of metrics to monitor universal mask use.

Presenter(s): Dr. Stacie Stanley, Superintendent; Dr. Randy Smasal, Assistant Superintendent

D. Resolution for staff vaccination and testing

Description: Resolution requiring staff to be vaccinated or submit to regular testing.

Presenter(s): Dr. Stacie Stanley, Superintendent

E. Policy 206 update

Description: Updated policy language to balance hearing from public and maintaining orderly meetings.

Presenter(s): Erica Allenburg, School Board Chair

III. Board Chair Updates

IV. Superintendent Updates



Board Meeting Date: 9/13/2021

TITLE: Superintendent 2021-2022 Goals

TYPE: Discussion

PRESENTER(S): Dr. Stacie Stanley

BACKGROUND: All goals have been developed to align with return to school plan and strategic plan

RECOMMENDATION: Approve the proposed superintendent goals for 2021-2022

PRIMARY ISSUE(S) TO CONSIDER: Goals are related to key district areas of focus

ATTACHMENTS:

Proposed Superintendent 2021-2022 Goals



Proposed 2021-2022 Superintendent Goals are directly related to the return to in person learning and key aspects of the strategic plan.

Letter.Number = Connection to Strategic Plan

P = Priority

Month/Year = Target Date

Return to School Plan – Edina Public Schools will return to in person learning 5 days per week. The Superintendent will lead the implementation of the return to school plan including:

- Collaboratively develop a comprehensive return to school plan that will support the return to in-person learning with limited learning disruptions. **P, July - August 2021**
- Develop and monitor key set of metrics to determine degree of mitigation factors including a gauge to determine when the use of masks will be dialed back. **P, D.4, September 2021**
- Establish, publish, and maintain a dashboard to report aggregate district level COVID positive cases and quarantine data. **P, D.4, September 2021**
- Continued partnership with City of Bloomington and public health and other stakeholders on the incident command team. **P, E.4, Ongoing 2021-2022**
- Ensure student performance data is collected, reviewed, and used in each school to identify learning impact, if any, from the learning model shifts during the 2020-2021 school year. **P, A.3 Ongoing 2021-2022**
- Provide an overview of current levels of student performance to the board of directors. **P, A.1, October 2021**
- Ensure student health & well-being data is collected, reviewed, and used in each school to identify student mental health needs and establish targeted support plans as needed. **P, C.1-C.4, On-going 2021 - 2022**
- Monitor teaching and learning efforts in the Edina Virtual Academy to ensure rigorous instruction and learning outcomes are in place and implemented throughout the school year. **P, C.4, On-going 2021 - 2022**
- Frequent, accurate and effective communication with families and community to maintain trust. **P, E.2 & E.3, On-going 2021 - 2022**

Magnet Schools (Strategic Plan A.1)

- Explore, develop, and establish a launch plan for additional Early Learning Center -12 programming that promotes authentic and engaging learning experiences to meet the needs of future ready learners and provide attractive educational options. **P, November 2021**
 - Provide direction and consultation on the magnet programming design process; ensure that student and parent voice is engaged in the process, and that the plan includes an analysis and revision of the Profiles of a Learner. **November, 2021**
 - Ensure quarterly detailed updates are provided to the board of directors. **On-going 2021 - 2022**
 - Evaluate and monitor fiscal implications to ascertain programming is implemented within proposed timelines. **On-going 2021 - 2022**



- Leverage partnership with city agencies and the business community to support Early Learning Center -12 program development. *On-going 2021 - 2022*

Comprehensive Literacy Plan (Strategic Plan A.3, A.4)

- Provide direction and consultation to ensure the quality implementation of the board approved literacy plan, including the key component of critical thinking. *P, On-going throughout 2021 - 2022*
 - Work with the district administration team to establish a Gantt chart for implementation efforts to project proceeds according to timelines. *October 2021 - 2022*
 - Establish a district instructional leadership team, that will provide monthly updates to the superintendent to *September 2021*:
 - Monitor student performance data, *D.4, On-going throughout 2021 - 2022*
 - Monitor implementation of training, and application in the classroom setting. *D.4, On-going throughout 2021 - 2022*
- Provide direction in the development of assessment dashboard that will allow administrators, teachers, and other service providers to easily access student performance data that informs instructional practice to meet the learning needs for students performing at all percentile levels. *E.6 July - December, 2021*
- *Development and approval of the Early Learning Center & 6-12 plan. A.3 & A.4 January, 2022*
- Provide direction for key human resource acquisitions. *E.5 July - August, 2021*

Equity review and analysis (Strategic Plan Priority B)

- Create learning environments and curricula that enable staff and students to learn from and reflect on their own and others' experiences; explore multiple perspectives; practice civil discourse; encourage empathy; create interpersonal connections and embrace diverse identities *B.2*
 - Direct and oversee an organizational scan to build baseline understanding of district needs. *P, September, 2021 - October, 2021*
 - Establish a plan for the implementation of systems-wide framework. *P, October, 2021 - November, 2021*
 - Organize professional development for administration and teacher leadership to develop a train-the-trainer model and support long-term sustainability. *August, 2021 - January 2022*
 - Organize training for the school board of directors to ensure common language and coherence throughout the school district. *February, 2022*
- Support and retain quality, culturally competent staff with increasingly diverse backgrounds, experiences, and perspectives *P, B.4*
 - Form partnerships with post-secondary institutions to create a pipeline for a diverse workforce. *March, 2022*
 - Oversee the development of recruitment, hiring, and retention plan. *December, 2021*
 - Establish baseline metrics and develop 3-year goals. *February, 2021*



Leadership Development (Strategy D)

- Reestablish goal setting, feedback, and evaluation system for cabinet level leadership. *P, D.2, August, 2021*
- Establish a department continuous improvement process to include goals, actions steps, key indicators of progress and evaluation metrics. *P, D.4, August, 2021*
- Build understanding & use of effective change management models for all district leaders. *D.2, November, 2021*
- Establish student superintendent leadership teams. *P, D.3, November, 2021*

Superintendent 2021-2022 Transition & Onboarding

- Develop a four-year Gantt Chart that outlines the implementation of Strategic Plan. *P, October, 2021*
- Foster trusting, collaborative, and constructive relationships with the Edina Public Schools Board of Directors. *P, E.4, On-going 2021 -2022*
- Foster trusting, collaborative, and constructive relationships with Edina Public Schools internal & external stakeholders. *P, E.4, On-going 2021 -2022*
- Maintain a high level of trust with the Edina Public Community and stakeholders during a time of transition through quality communication and visibility. *P, E.1, On-going 2021 -2022*
- Assess organizational coherence and effectiveness across key departments to support implementation of strategic plan and collaboratively defined outcomes. *D.4, May, 2022*
- Build deep understanding and initial intra - district commitment to district vision, core values and core beliefs. *P, E.1, Fall 2021*
- Strategically utilize community partnerships to champion excellence and value of education in EPS. *E.1, Ongoing 2021 - 2022*
- Convene a Core Planning Community Feedback team consisting of students, parents, licensed & classified staff, administrators, and school board directors to monitor yearly progress in implementation of the strategic plan. *D.4 & E.1 March 2022*
- Provide communication and information to school board candidates. *D.1, October 2021*
- Complete MSBA phases 1-3 with new school board members, along with key first quarter key decisions that will be made. *D.1, Spring 2022*
- Explore data request process to ensure efficiencies for the public, *E.3, February, 2022*



Board Meeting Date: 9/13/2021

TITLE: 2021-2022 Board Goals

TYPE: Discussion

PRESENTER(S): Governance Committee

BACKGROUND: A draft of these board goals was presented and discussed at the board retreat on August 28th. Board member and Superintendent feedback was solicited and integrated into this version of the board goals. These goals have also been reviewed for alignment with Superintendent Stanley's proposed goals for the year.

The board goals should be seen as a guiding document from which board meeting topics agendas will be prioritized.

An overview of a timeline of board meetings to achieve approved board goals will be presented at our September 28th board special meeting.

RECOMMENDATION: Approve the proposed board goals.

PRIMARY ISSUE(S) TO CONSIDER:

1. Approval of proposed board goals.
2. Alignment with Superintendent goals.

ATTACHMENTS:

1. 2021-2022 Board Goals

2021-2022 Board Goals

Return to School Plan*

1. Oversee mitigation measures to facilitate having students and staff in-person 5 days a week with as few disruptions as possible, ensuring the Superintendent has the needed resources and structures to manage the day to day responsibilities of covid mitigation.
2. Understand current levels of student performance this fall at board level in order to work with the Superintendent to create necessary programs and interventions to support student academic needs.
3. Ensure student health and well-being is being assessed; provide strategic direction, resources, and oversight in order to support these needs.

Strategic Plan*

1. Ensure timely receipt of updates on implementation of approved literacy plan.*
2. Provide strategic direction and oversight to development of additional prek-12 programming that promotes authentic and engaging learning experiences to meet the needs of future ready learners and provide attractive educational options for families.*
 - a. Refine Edina School District profile of a graduate and EHS graduation requirements.
3. Monitor development and implementation of social and emotional learning and support for students and teachers.
4. Oversight of assessment of district needs for systems wide equity framework*
 - a. Training for school board members.
 - b. Benchmarking against other districts.
5. Decide on process and metrics for strategic plan monitoring.
6. Discussion on any post-covid (2020-2021 school year) changes (additions/deletions) to strategic plan.
7. Review and discuss 1-year and 5-year GANTT schedule for strategic plan.

Along with the superintendent, develop and finalize metrics of success for the district.

1. Include measurement tools and baseline measures.

Advocacy

1. Ensure the board and community are engaged in advocating for policies and laws that positively affect public school systems.
2. Ensure the board and community is advocating for effective Covid-19 management measures that positively impact our ability to manage the Covid-19 epidemic at EPS at the city and state level.

Assess and participate in board development to ensure the board is providing the district the strategic oversight and direction it needs.

1. Revisit and refine the Superintendent evaluation process.
2. Revisit board communications and engagement requirements.
3. Continue review of governance model with onboarding of new school members
4. Equity training

*Asterisk indicates it mirrors a corresponding Superintendent goal.



Board Meeting Date: 9/13/2021

TITLE: Proposed Metric Monitoring Guidance for COVID-19 Masking Mitigation Protocols

TYPE: Discussion

PRESENTER(S): Dr. Stacie Stanley and Dr. Randy Smasal

BACKGROUND: Return to School Plan included the development of a set of metrics to monitor universal mask use.

RECOMMENDATION: Accept use of monitoring protocols

PRIMARY ISSUE(S) TO CONSIDER: COVID-19 Mitigation Protocol Monitoring

ATTACHMENTS:

Proposed Metric Monitoring Guidance for COVID-19 Masking Mitigation



Proposed Metric Monitoring Guidance for COVID-19 Masking Mitigation Protocols

The proposed plan for monitoring the Edina Public Schools COVID-19 Masking Mitigation Protocols was established based on information reviewed from the Centers for Disease Control and Prevention (see document linked below).

[CDC Overview Implementation of Mitigation Strategies](#)

Level of Community Transmission:

Reasoning - The community transmission designation is used to rate the level of community transmission represented as X/100,000. When community transmission rates are considered at substantial or high levels, the CDC recommends universal masking while indoors regardless of vaccination status. Both city and county level data will be monitored.

	Total	Percent	% Change
High		%	%
Substantial		%	%
Moderate		%	%
Low		%	%

Vaccination Rates:

Reasoning - Vaccinations have been found to significantly reduce the spread of the COVID-19 virus, and prevent severe illness or hospitalization.

Quarantine Rates:

Reasoning - Quarantine rates are directly related to exposure to or being identified as a close contact of a person infected with COVID-19. High quarantine rates are often correlated with high community transmission rates.

	Universal Masking	Masking Strongly Recommended
Level of Community Transmission	High or Substantial Community Transmission	Low community transmission
If the community transmission level is designated as moderate, then:		
Vaccination Rates	≤ 84.9%	≥ 85% vaccination rate within age range AND moderate community transmission
Quarantine Rates	≥ 5% students quarantined in a school or building.	≤ 4.9% students quarantined in a school or building, AND ≥ 85% vaccination rate within age range AND moderate community transmission



Board Meeting Date: 9/13/2021

TITLE: Resolution: Edina Public Schools Resolution requiring all staff to be vaccinated against COVID-19 or to submit to regularly scheduled COVID-19 Testing

TYPE: Discussion

PRESENTER(S): Dr. Stacie Stanley

BACKGROUND: COVID-19 vaccinations have been available for adults since the beginning of 2021. Continuity with student instructional service is of great importance. Evidence suggests that people who are fully vaccinated against COVID-19 are less likely to become infected and develop symptoms and are at substantially reduced risk from severe illness and death from COVID-19 compared with unvaccinated people.

RECOMMENDATION: Accept resolution requiring all staff to be vaccinated or submit to regularly scheduled COVID-19 Testing.

PRIMARY ISSUE(S) TO CONSIDER: Requirements and timeline of resolution.

ATTACHMENTS:

Draft Resolution



RESOLUTION REQUIRING ALL EPS STAFF EITHER TO BE VACCINATED AGAINST COVID-19 OR TO SUBMIT TO REGULARLY SCHEDULED COVID-19 TESTING

WHEREAS, the Centers for Disease Control and Prevention (CDC) and the Minnesota Department of Health (MDH) have determined that the COVID-19 pandemic is currently ongoing and may remain ongoing for an unknown time; and

WHEREAS, according to the CDC, “COVID-19 vaccination among all eligible students as well as teachers, staff and household members is the most critical strategy to help schools safely resume full operations”; and

WHEREAS, according to the CDC, “[v]accination is the leading public health prevention strategy to end the COVID-19 pandemic. People who are fully vaccinated against COVID-19 are at low risk of symptomatic or severe infection. A growing body of evidence suggests that people who are fully vaccinated against COVID-19 are less likely to become infected and develop symptoms and are at substantially reduced risk from severe illness and death from COVID-19 compared with unvaccinated people”; and

WHEREAS, according to the State of Minnesota, “staff who access the workplace or provide public service outside of their homes on behalf of an agency without vaccination pose a particular risk of COVID-19 exposure to themselves, their colleagues, and to members of the public. Additionally, ongoing community transmission of the more transmissible Delta variant of COVID-19 in Minnesota especially among unvaccinated individuals, presents a continuous risk of infection”; and

WHEREAS, the federal government, the State of Minnesota, and Hennepin County have all made the decision to require their employees to either be vaccinated against COVID-19 or submit to COVID-19 testing on a frequent, regularly scheduled basis; and

WHEREAS, pursuant to Minn. Stat. § 123B.02, subd. 1, the Board of Education of Independent School District No. 273 has “general charge of the business of the district, the school houses, and the interests of the school thereof”; and

WHEREAS, the Board of Education concludes that requiring all staff either to be vaccinated against COVID-19 or to submit to regular COVID-19 testing is in the best interests of the School District, its students, its staff, and the communities it serves.

NOW, THEREFORE, BE IT RESOLVED, by the School Board of Independent School District No. 273 as follows:

1. Requires either:

- a. All current staff to be fully vaccinated against COVID-19 and to provide proof of full vaccination to Human Resources on or Before **November 1, 2021**. All current staff shall also be required to provide proof of receipt of a booster vaccination shot on or before **June 15, 2022**.

Or

- b. All staff who remain unvaccinated and/or have not provided proof of vaccination as detailed above to submit to mandatory COVID-19 testing at least **one time per week**. Satisfactory verification of compliance with the COVID-19 testing requirement will be designated by Human Resources. Designations will include no less than allowable testing options, testing resources, how to submit COVID-19 test results and what to do if results are negative or positive.
2. Any staff member who does not comply with the requirements of either Paragraph 1a or Paragraph 1b will be subject to disciplinary action consistent with any applicable collective bargaining agreement.
 3. Any staff member who presents or submits a false, misleading, or inaccurate proof of COVID -19 vaccination will be subject to disciplinary action consistent with any applicable collective bargaining agreement.
 4. Definitions:
 - a. "Fully vaccinated" means either two (2) weeks after the second dose in a 2-dose COVID-19 vaccination (e.g. Pfizer or Moderna) or two (2) weeks after a single-dose COVID-19 vaccination (e.g., Johnson & Johnson). Staff who do not meet these requirements are not fully vaccinated. This definition shall include any vaccine that has been approved, fully, conditionally, or on an emergency basis, by the Food and Drug Administration or the World Health Organization.
 - b. "Staff" means all full or part time Edina Public Schools employees.
 - c. The requirements of Paragraphs 1a or 1b shall also apply to all contracted nutrition services and transportation vendors and their employees, agents and contractors.



5. All Edina Public Schools staff hired after the date of this resolution shall either provide proof of full vaccination within forty-five (45) days of hire pursuant to Paragraph 1a or submit to weekly testing pursuant to Paragraph 1b. All newly hired staff that do not provide proof of vaccination upon hire or remain unvaccinated must immediately submit to weekly testing until proof of vaccination is received by Human Resources.

6. This Resolution shall be effective immediately and shall remain in effect until rescinded, superseded, or amended. Staff may be subject to additional attestation, vaccination, or testing requirements under federal, state, or local law. The Board of Education will review this resolution as necessary in light of changes to case rates, guidance from the CDC, guidance from the Minnesota Department of Health and/or the Minnesota Department of Education, and any other applicable authorities and, minimally, prior to the start of each academic semester.

Adopted this _____ day of _____, 2021.

Roll Call Vote

School Board Chair

School Board Clerk



DEFINING EXCELLENCE

Board Meeting Date: 9/13/2021

TITLE: Policy 206

TYPE: Discussion

PRESENTER(S): Erica Allenburg, School Board Chair

BACKGROUND:

As School Board meetings in the metro and around the country become increasingly contentious and at times, unruly, Chair Allenburg reached out to district council Trevor Helmers for a recommendation of the best way for our Board to implement an improved process for our community comments and feedback section of our public Board meetings. It was asked that he consider how we balance our sincere interest in listening to all community feedback on Board matters with input from multiple perspectives and our ability to maintain an orderly and efficient meeting structure, so that we, as a Board, can continue the important work of meeting the needs of our students and district.

Attached is recommended verbiage and suggested improvements from Trevor Helmers. The black ink is existing verbiage from Policy 206 that has not been changed. The new verbiage is in blue ink.

Please note, the Policy committee has reviewed these recommendations to Policy 206 briefly before posting for the full Board review.

RECOMMENDATION: Discuss the merits of the additions to Policy 206.

PRIMARY ISSUE(S) TO CONSIDER:

1. Merits of additions to policy 206.
2. Do additions properly balance the ability of the community to give input with the board's ability to maintain an orderly meeting?
3. Will this policy inhibit individuals from speaking at board meetings or encourage a broader range of individuals to come before board meetings?

ATTACHMENTS:

1. Policy 206

Policy 206

Public Hearings and Public Participation in School Board Meetings, Data Privacy Considerations

I. Purpose

A. The school district recognizes the value of participation by the public in deliberations and decisions on district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.

B. This policy provides procedures to ensure open and orderly public input as well as to protect the due process and privacy rights of individuals under the law.

II. General Statement of Policy

A. The school district encourages community input on subjects related to the district at its meetings. The school board may adopt reasonable time, place and manner restrictions on public expression in order to facilitate communication by all interested parties.

B. The board must protect the legal rights to privacy and due process of employees and students.

III. The Public's Opportunity to Be Heard

The school board will strive to give all community members an opportunity to be heard and to have complaints considered and evaluated within the limits of the law and this policy and subject to reasonable time, place and manner restrictions.

IV. Public Hearings

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

V. Rights to Privacy

A. School district employees, volunteers and independent contractors have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following: 206-2

1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
3. right to consideration by the board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
4. right to a private hearing for head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.

B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:

1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act);
3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

VI. Procedures

~~A. Agenda Items~~

- ~~1. Community members who wish to have a subject discussed at a public school board meeting are encouraged to notify the superintendent's office in advance of the board meeting. The community member should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.~~
- ~~2. Community members who wish to address the board on a particular subject should identify the subject and identify the agenda item(s) to which their comments pertain.~~
- ~~3. The board chair will recognize one speaker at a time, and will rule out of order other speakers who are not specifically recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by other persons are out of order. Persons who interfere with or interrupt speakers, the board, or the proceedings may be directed to leave.~~

~~4. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time.~~

~~5. If a group or organization wishes to address the board on a topic, the board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.~~

~~6. Matters proposed for placement on the agenda that may include (1) data privacy concerns, (2) preliminary allegations, or (3) potentially libelous or slanderous materials will not be considered in public, but will be processed as determined by the board in accordance with governing law.~~

~~7. The board chair will promptly rule out of order any discussion by any person, including a board member, which would violate the provisions of this policy or state or federal law.~~

~~8. Personal attacks by anyone addressing the board are unacceptable. Persistence in such remarks terminates that person's privilege to address the board.~~

~~9. Depending upon the number of persons in attendance seeking to be heard, the 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.~~

A. Time and Place of Public Comments

The School Board welcomes input from community members, including letters, emails, and phone calls. For those who prefer to address the School Board directly, the School Board will set aside up to one hour for public comment at regular School Board meetings, but not at study sessions or special meetings. Time for public comment at regular School Board meetings is not a requirement of the law; it is something the School Board chooses to provide. Public comment time will start at 6:00pm the night of the regular School Board Meeting. If public comment time ends early, the board will recess until 7:00pm.

The purpose of a public comment period is to give community members an opportunity to provide input directly to the School Board about issues that fall within the School Board's authority. To fulfill this purpose, comments must be directed to the School Board. Public comment is not a time for citizens to speak to the community or to the audience. For this reason, public comment sessions will not be recorded or livestreamed.

B. Written Request to Speak.

Individuals who want to speak during a public comment session must submit a written request to speak before 4:00 p.m. on the day of the School Board meeting.

- The written request must state: (1) the individual's name, (2) the individual's home address, (3) whether the individual has a child attending school in the District, (4) whether the individual is employed by the District, and (5) the agenda item, if any, that the individual wishes to discuss during the public comment period.
 - In the event that more than twenty individuals submit a written request to speak during the public comment session, the School Board will give first priority to individuals who reside in the District, residents who do not live in Edina Schools but have a child attending school in the District, and/or individuals who are employed by the District. The School Board will give second priority to individuals who wish to address a specific item on the agenda for that meeting. After these priorities have been applied, any remaining openings to speak – up to a total of twenty individuals – will be determined by lot.
- C. **Speakers Must Be Recognized.** The School Board Chair will call speakers to the microphone and will recognize one speaker at a time. Only those individuals who have been recognized by the School Board Chair will be allowed to speak during the public comment period. The School Board Chair will rule out of order individuals who have not been recognized.
- D. **Time Limits.** The public comment period will be held open for up to one hour in total. This time limit is necessary in order to ensure that the School Board is able to conduct its business during the meeting in an orderly, efficient, and timely fashion. Each speaker is permitted to speak for up to three (3) minutes in total. One speaker may not give time to another speaker. Any person who does not get a chance to speak is encouraged to submit written comments to the School Board. Email addresses for School Board members are listed on the District's website.
- E. **Prohibited Conduct.** The following conduct is prohibited during a public school board meeting, including during the public comment period:
- Speakers may not discuss or disclose any private educational data on any current or former student. As a result, speakers may not identify any current or former student during public comment. The only exception is that a parent who is speaking may choose to discuss private educational data on his or her own child.
 - Speakers may not make allegations, charges, or complaints against any student or employee. If a person wishes to make an allegation or to file a charge or complaint against a student or employee, the person should make the allegation, charge, or complaint to the Superintendent in writing or in a private meeting, or to the individual designated in District policy to receive the allegation, charge, or complaint.

- Speakers may not make comments or gestures that are threatening, profane, lewd, vulgar, obscene, harassing, or abusive.
- Speakers may not make personal attacks against others, including, but not limited to, any student, parent, community member, employee, or School Board member.
- Speakers may not make comments that are defamatory or that would violate federal or state law, including laws protecting the privacy rights of an individual.
- Speakers may not make comments related to pending contract negotiations or to pending litigation to which the District is a party, including grievance proceedings.
- Speakers may not campaign for or against a political candidate during any part of a public school board meeting.
- Speakers may not promote or advertise products that are for sale or purchase, unless the Board has invited the speaker to present on the product as an agenda item.
- Members of the public may not engage in conduct that disrupts any part of a School Board meeting, or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion. The following are examples of conduct that is disruptive or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion:
 - Making comments that incite violence;
 - Making comments that instill fear or cause a material and substantial disruption to school operations;
 - Interrupting a speaker who has been recognized;
 - Making comments from the audience when the person making comments has not been recognized by the School Board Chair;
 - Interrupting the School Board Chair or any other School Board member or school official who is speaking;
 - Holding up a sign or displaying a banner, regardless of the content of the sign or banner;
 - Cheering, booing, vocalizing approval, or vocalizing disapproval for a speaker during the speaker's presentation;

- Clapping during a speaker's presentation, unless a School Board member or school official is presenting an award to a person or is describing an honor or award that a person received;
- Addressing the audience rather than the School Board;
- Bringing a weapon into the meeting room or onto school property, except as allowed under Minnesota law;
- Violating room capacity requirements; and
- Violating any law or District policy.

F. **Violations.** If a speaker violates any of the established procedures or engages in any prohibited conduct, the Board Chair will rule the speaker out of order.

- If the speaker is presenting to the School Board, the Board Chair may require the speaker to immediately end his or her presentation.
- If the speaker persists in violating any procedure or rule, the speaker will be directed to leave the premises and not to return, a no trespass order may be issued, and a referral may be made to law enforcement.
- If repeated disruptions occur during the public comment period, the School Board Chair may call a recess and order that the room be cleared until the meeting resumes.
- If repeated disruptions occur, any School Board member may make a motion to immediately end the public comment period. If the motion passes, citizens may use alternative avenues of communication to share their views with the School Board, including written communications.
- If repeated disruptions occur during multiple meetings, the School Board may vote to suspend public comment at meetings and to require that all public comments be in writing.

G. **Disorderly Conduct.** The District will refer potential incidents of disorderly conduct to law enforcement. Minnesota Statutes section 609.72 states:

Whoever does any of the following in a public or private place . . . knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct, which is a misdemeanor:

* * * * *

(3) engages in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.

H. **Superintendent Response After Public Comment.** When appropriate the speaker may be contacted regarding concerns that were stated during the comment period.

G. **Use of School Property.** All property of the District, including District parking lots and other grounds, are considered to be school property. Individuals or groups may not use school property to hold rallies or protests or for any other purpose that has not been authorized by the District. Any use of school property must comply with District Policy 902 and all administrative procedures related to that policy.

H. **Complaints**

1. Complaints about an employee should first be directed to the employee or to the employee's immediate supervisor. (See Policy 104, Complaints – Students, Employees, Parents, Other Persons)
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from paragraph 1 of this section should be directed to the superintendent's office.
4. Complaints that are unresolved at the superintendent's level may be brought before the board by notifying the board in writing.

VII. Penalties for Violation of Data Privacy

A. A person who willfully violates data privacy laws is guilty of a misdemeanor.

B. In the case of an employee, willful violation of data privacy laws constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. Ch. 363A (Minnesota Human Rights Act) Minn. Stat. § 13D.05 (Open Meeting Law) Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing) Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond) Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing) Minn.

Stat. § 122A.44 (Contracting with Teachers) Minn. Stat. § 123A.15 (Education District Establishment) Minn. Stat. § 123A.30 (Agreements for Secondary Education) Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services) Minn. Stat. § 123B.51 (School Closings) Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) Minn. Op. Atty. Gen. No. 852 (July 14, 2006) Cross References: Policy 104 (Complaints – Students, Employees, Parents, Other Persons Policy 205 (Open Meetings and Closed Meetings) Policy 406 (Public and Private Personnel Data) Policy 515 (Protection and Privacy of Student Records) Policy INDEPENDENT SCHOOL DISTRICT 273 adopted: 05/21/07 Edina, Minnesota amended: 11/13/12 revised: 11/19/18