



# Stillwater

AREA PUBLIC SCHOOLS

**Independent School District 834**  
**Oak Park Building, 6355 Osman Avenue North, Stillwater, MN 55082**  
**School Board Business Meeting Agenda - February 17, 2022**  
**Business Meeting – 6:30 p.m.**  
**Closed Session – Following Business Meeting**

- I. **Public Comment**  
Up to fifteen speakers will be allotted three minutes each to speak
- II. **Call to Order**
- III. **Roll Call**
- IV. **Pledge of Allegiance**
- V. **Approval of Agenda**
- VI. **Student Report**
- VII. **Superintendent Report**
- VIII. **Board Chair Report**
- IX. **Consent Agenda**
  - A. Minutes of February 3, 2022 Closed Session
  - B. Minutes of February 3, 2022 Business Meeting
  - C. Payment of Invoices – February 5, 2022 – February 18, 2022
  - D. Treasurer's Report - December 2021
  - E. Oak-Land Middle School Pool Tile and Athletic Locker Replacement
  - F. Human Resources Personnel Report
- X. **Action Items**
  - A. Telecommunications & Internet Access Cluster Authorization Resolution – Mr. John Perry
- XI. **Reports**
  - A. School Board Recognition Week – Superintendent Malinda Lansfeldt
  - B. NAPAC Report – Mr. Eric Anderson and Mr. James Tom
  - C. Review 2021-22 General Fund Budget – Dr. John Thein
  - D. Oak Park Learning Center – Mr. Mark Drommerhausen
  - E. Second Policy Reading 205 - Open and Closed Meetings - Dr. Jennifer Cherry
  - F. Second Policy Reading 214 - Out of State Travel By Board Members - Dr. Jennifer Cherry
  - G. Second Policy Reading 722 – Public Data Request – Dr. Jennifer Cherry
  - H. First Policy Reading 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse – Dr. Jennifer Cherry
  - I. First Policy Reading 415 - Mandated Reporting of Maltreatment of Vulnerable Adults – Dr. Jennifer Cherry
- XII. **Adjournment**
  - A. Adjourn

**Attachments:**

- Finance and Operation Meeting Notes
- Policy Committee Meeting Notes
- Director Notes – Katie Hockert



**Agenda Item I.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Public Comment  
Meeting Date: February 17, 2022

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*Background:*

The school board encourages community input. While comments and questions are welcome, law prohibits the board from discussing concerns about individual employees or students in a public meeting. The board will not deliberate, discuss, or engage in conversation with speakers. However, the board may ask administration to review the concern(s) presented.

Speakers must present their testimony in a respectful manner. Vulgarity, character attacks, malice or specific complaints identifying staff or students by name or implication will not be permitted.

We will stop the proceedings immediately if employee or student privacy issues are raised and direct the speaker to forward comments regarding individual employees or students to the superintendent.

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*Recommendation:*

This is for informational purposes only.



**Agenda Item II.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Call to Order  
Meeting Date: February 17, 2022

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*Background:*

The School Board Chair will call the meeting to order.

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*Recommendation:*

Board action is not required.



**Agenda Item III.  
Date Prepared: February 7, 2022  
ISD 834 Board Meeting**

Agenda Item: Roll Call  
Meeting Date: February 17, 2022

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**Background:**

The School Board Chair will ask the secretary to take the roll. A quorum must be established in order for the meeting to proceed.

**Board Members**

Alison Sherman, Chair

Katie Hockert, Vice Chair

Annie Porbeni, Clerk

Beverly Petrie, Treasurer

Pete Kelzenberg, Director

Tina Riehle, Director

Vivian Votava, Director

Malinda Lansfeldt, Interim Superintendent, Ex-Officio

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**Recommendation:**

Board action is not required.



**Agenda Item IV.  
Date Prepared: February 7, 2022  
ISD 834 Board Meeting**

Agenda Item: Pledge of Allegiance  
Meeting Date: February 17, 2022

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*Background:*

The Pledge of Allegiance will be recited prior to the approval of the meeting agenda.

I pledge Allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation under God, indivisible,  
with Liberty and Justice for all.

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*Recommendation:*

Board action is not required.



**Agenda Item V.  
Date Prepared: February 7, 2022  
ISD 834 Board Meeting**

Agenda Item: Approval of the Agenda  
Meeting Date: February 17, 2022

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*Background:*

Once quorum has been established the School Board Chair will request approval of the meeting agenda.

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*Recommendation:*

A motion and a second to approve the meeting agenda will be requested.

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**Motion by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_ **Vote:** \_\_\_\_\_



**Agenda Item VI.  
Date Prepared: February 7, 2022  
ISD 834 Board Meeting**

Agenda Item: Student Report  
Meeting Date: February 17, 2022  
Student Report

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*Background:*

The Student Board Members will provide updates on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed and the meeting date. Topics generally include announcement of academics, activities, arts and athletics. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities.

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*Recommendation:*

Board action is not required.



**Agenda Item VII.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Superintendent Report  
Meeting Date: February 17, 2022

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*Background:*

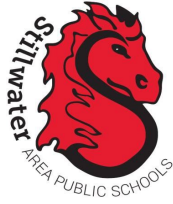
Each meeting the Superintendent will provide an update on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed, and the meeting date. Topics generally include announcement of attendance at district events, communications items, informational items and correspondence items worth noting. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities.

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*Recommendation:*

Board action is not required.





**Agenda Item VIII.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Board Chair Report  
Meeting Date: February 17, 2022

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*Background:*

Each meeting the Board Chair board will provide updates on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed, and the meeting date. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities

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*Recommendation:*

Board action is not required.



Agenda Item: Consent Agenda  
Meeting Date: February 17, 2022  
Contact Person: Varies by item

**Agenda Item IX. A.B.C.D.E.F.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

**Background:**

The consent agenda is a meeting practice which packages routine reports, Board meeting minutes, and other non-controversial items not requiring discussion or independent action as one agenda item. The Board will approve this 'package' of items together in one motion.

A. School Board Closed Meeting Minutes February 3, 2022

Contact Person: Dr. Annie Porbeni, Clerk or Joan Hurley, Secretary

A copy of the minutes is included for your review.

B. School Board Business Meeting Minutes February 3, 2022

Contact Person: Dr. Annie Porbeni, Clerk or Joan Hurley, Secretary

A copy of the minutes is included for your review.

C. Payment of Invoices – February 5, 2022 – February 18, 2022

Contact Person: Dr. John Thein, Director, Finance

A copy of the register has been distributed to board members.

D. Treasurer's Report – December 2021

Contact Person: Dr. John Thein, Director, Finance

A copy of the register has been distributed to board members.

E. Oak-Land Middle School Pool Tile and Athletic Locker Replacement

Contact Person: Mr. Mark Drommerhausen, Director, Operations

A copy of the expenditure form is included for your review.

F. Human Resources Personnel Report

Contact Person: Ms. Cindy Gustafson, Director, Human Resources

A summary of personnel transactions for the month is included for your review

**Recommendation:**

*BE IT RESOLVED by the School Board of Independent School District 834 – Stillwater Area Public Schools that Consent Agenda Items A through F be approved as written, and a copy of the agenda items is attached to the minutes.*

**Motion by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_ **Vote:** \_\_\_\_\_



Independent School District 834 – Stillwater Area Public Schools  
Oak Park Building, 6355 Osman Avenue North, Stillwater, MN 55082  
School Board Closed Meeting Minutes  
February 3, 2022 at 5:30 p.m.

I. **Call to Order:** The meeting was called to order at 5:32 p.m.

II. **Roll Call**

Board Members present: Alison Sherman, chair, Katie Hockert, vice chair, Beverly Petrie, treasurer, Annie Porbeni, clerk, Pete Kelzenberg, director, Tina Riehle, director

Others present: Malinda Lansfeldt, Cindy Gustafson, John Thein

III. **Adjourn to Closed Session**

The board adjourned to a closed session at 5:32 p.m. Pursuant to Minnesota Statute 13D.03(b). The governing body of a public employer 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, conducted pursuant to sections 179A.01 to 179A.25.

*Motion by: Member Sherman to adjourn to closed session; second by: Member Hockert; Vote: 6 ayes, 0 nays, Motion carried.*

Director Votava joined the meeting at 5:33 p.m.

IV. **Adjournment**

*Motion by: Member Riehle to adjourn to open meeting; second by: Member Petrie; Vote: 7 ayes, 0 nays, Motion carried unanimously.*

Meeting adjourned to the open meeting at 6:36 p.m.

*Respectfully submitted by Annie Porbeni, Clerk*



Independent School District No. 834 – Stillwater Area Public Schools  
Oak Park Building, 6355 Osman Avenue North, Stillwater, MN 55082  
School Board Business Meeting Minutes  
February 3, 2022 – 6:30 p.m.

- I. **Call to Order:** The meeting was called to order at 5:32 p.m.
- II. **Roll Call:** Present: Alison Sherman, chair; Katie Hockert, vice chair; Beverly Petrie, treasurer; Annie Porbeni, clerk; Pete Kelzenberg, director; Tina Riehle, director

**Adjourn to Closed Session**

The board adjourned to a closed session at 5:32 p.m. Pursuant to Minnesota Statute 13D.03(b). The governing body of a public employer 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, conducted pursuant to sections 179A.01 to 179A.25.

*Motion by: Member Sherman to adjourn to closed session; second by: Member Hockert; Vote: 6 ayes, 0 nays, Motion carried.*

Director Votava joined the meeting at 5:33 p.m.  
Closed session adjourned to open meeting at 6:36 p.m.

III. **Public Comment**

Chair Sherman shared that beginning on February 17, 2022, Public Comment online sign up will be open the week of a business meeting from 8:00 a.m. on Monday until 15 minutes prior to the beginning of the meeting on that Thursday. There will be a computer at the board meeting for those without technology with them.

- Mark Bishofsky, Stillwater, MN - Student Mental Health
- Bill English, Plymouth, MN - Transportation
- Jessica Johnson, Stillwater, MN - School Board and staff Responsibilities
- Sandi Hayner, Stillwater, MN - Masking Mandate

IV. **Pledge of Allegiance**

V. **Approval of Agenda**

*Motion to amend agenda to move report C - COVID 19 Mitigation Update to an action item by: Member Petrie, second by: Riehle; 4 ayes; 3 nays (Hockert, Porbeni, Votava); Motion carried.*

*Motion to approve the agenda by: Member Petrie; second by: Member Kelzenberg; Vote: 7 ayes, 0 nays; Motion carried unanimously*

VI. **Student Report**

Amelia provided a report on academics -

- Stillwater Area High School has updated its office hours to accommodate student needs.
- The deadline to apply for college scholarships is Friday, February 18, 2022.

- There is a new club at the school called the AngelaDavisSisterhood named after a political activist. This is an inclusive club for black women and non-binary at the high school and a safe place to be oneself.
- BLAST week is coming up and there are numerous events being put on that highlights different cultures and educates on different topics from LGBTQ rights to the origin of Native American Lacrosse.
- Thursday, February 3, 2022 is a health discovery day run by HOSA. They are visiting spine and sport chiropractic and will be able to watch and ask questions about the practice of being a chiropractor.

Ella provided a report on activities and extracurriculars -

- Ella shared a report on high school sporting events
- Twenty senior athletes participated in College Signing Day on February 2, 2022.

#### **VII. Superintendent Report**

- Superintendent Lansfeldt extended the district's deepest sympathy to the family and everyone impacted directly or indirectly by the passing of one of our high school students.
- We remind staff and students to reach out to others for help whenever needed and to visit our district's webpage on mental health support at [stillwaterschools.org/services/mental-health](http://stillwaterschools.org/services/mental-health).
- Governor Walz proclaimed the week of January 24–30, 2022 as Paraprofessional Recognition Week.
- Stillwater Area High School is changing its schedule to better support students.
- Members of the Native American Student Alliance (NASA) are learning the ancient skill of tanning hides by James Tom, a local Choctaw elder and co-chair of the Stillwater Native American Parent Advisory Committee.
- Students in Ms. Chaplinksi's seventh grade science class learned about viruses from a former Stillwater Middle School student who is now studying at Harvard Medical School.
- The DaVinci Fest art and upcycling pieces can be found on The Partnership Plan's Facebook page.
- Our Community Design Team will be meeting on February 8, 2022 to review the progress on the team's priorities for building site improvements.
- Please remind your child to dress warmly during these cold temperatures.
- The deadline to submit a nomination for Distinguished Alumni of Stillwater Area Public High School is February 28, 2022. [Submission Form](#).

#### **VIII. Board Chair Report**

- Students taking a government class at the high school have been emailing the school board with topics such as parking lot issues, mental health concerns, COVID safety and school violence.
- The School Board had a Robert's Rules parliamentary process training on January 25, 2022. Visit the School Board district webpage to view.
- There is a community survey on the district website that closes on February 10, 2022 as part of the Superintendent search.

#### **IX. Consent Agenda**

- Minutes of January 20, 2022 Closed Session
- Minutes of January 20, 2022 Business Meeting
- Minutes of January 25, 2022 Closed Session
- Payment of Invoices – January 22, 2022 - February 4, 2022
- Chromebook Purchase for ECF Program
- Stillwater Middle School Athletic Locker Replacement
- Drivers' Education Program
- Policy 203.5 - School Board Meeting Agenda
- Human Resources Personnel Report

*Motion to approve item A-I by: Member Hockert; second by: Member Porbeni; Vote: 7 ayes, 0 nays; Motion carried unanimously.*

#### **X. Reports**

- First Policy Reading 205 - Open and Closed Meetings - Dr. Jennifer Cherry

This policy will come to a future business for a second reading.

- B. First Policy Reading 214 - Out of State Travel By Board Members - Dr. Jennifer Cherry  
This policy will come to a future business for a second reading.

**XI. Action Item**

- A. COVID 19 Mitigation Update – Superintendent Malinda Lansfeldt  
Administration presented an update to the Board of Education on COVID-19 cases in schools and the community. Administration recommends rescinding the resolution if rates continue to go down through February 10, 2022 and to authorize administration to follow the guidance using the district's local school data to make decisions regarding masking at school sites as recommended by the school board.

*Motion to rescind all masking immediately for all students and staff by: Member Riehle. Motion failed due to no second.*

*Motion to revoke the existing resolution and allow administration to make the decision to lift the mask mandate for all students effective on February 14, 2022 provided that the case rates continue to decline by February 10, 2022 and any future decisions would have to come back to the board by: Member Petrie, second by: Kelzenberg.*

*Motion to amend the resolution and allow administration to make the decision to lift the mask mandate effective on February 14, 2022 provided that the case rates continue to decline and the downward trend has to be statistically relevant by: Member Votava; second by: Member Porbeni; Vote: 2 ayes; 5 nays (Hockert, Kelzenberg, Petrie, Riehle, Sherman); Motion failed.*

*Motion to call question by: Member Riehle, second by: Member Hockert; Vote: 7 ayes, 0 nays; Motion carried unanimously.*

*Motion to revoke the existing resolution and allow administration to make the decision to lift the mask mandate for all students effective on February 14, 2022 provided that the case rates continue to decline by February 10, 2022 and any future decisions would have to come back to the board by: Member Petrie; second by: Member Kelzenberg; Vote: 5 ayes, 2 nays (Hockert, Votava); Motion carried.*

**XII. Adjournment**

- A. The meeting adjourned at 7:55 p.m.

Respectfully submitted, Annie Porbeni, clerk



**Agenda Item: IX. E.**  
**Date Prepared: February 9, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Oak-Land Middle School Pool Tile and Athletic Locker Replacement  
 Meeting Date: February 17, 2022  
 Contact Person: Mark Drommerhausen, Director of Operations

The Oak-Land Middle School project will include replacing all of the grout/loose tile in the pool, pool deck tile, Physical Education lockers, pool filter backwash tank and upgrade the pool filter system. These projects are part of the FY22 and FY23 Long-Term Facilities Maintenance program. Construction costs were estimated to total \$873,507. Kraus-Anderson Construction Company worked with Stillwater Area Public Schools to solicit bids for the Oak-Land Middle School Pool Tile and Athletic Locker Replacement project. Bids were opened on February 8, 2022. To obtain the lowest construction cost for the project, Kraus-Anderson Construction Company broke the project down into 6 work scopes. Their role during the renovation will be coordinating each work scope. Stillwater Area Public Schools will enter into a separate contract with the lowest responsible bidder for each work scope.

The following is a description of the work scope and amount for each lowest responsible bidder:

Work Scope	Lowest Responsible Bidder and Amount
<b>Work Scope 06-A: Carpentry</b>	7 bids were received; The lowest responsible bidder is AVM Construction Company, Inc. of South St. Paul, MN for a bid total of \$96,000.00
<b>Work Scope 09-B : Tile</b>	4 bids were received; The lowest responsible bidder is WTG Terrazzo and Tile of Burnsville, MN for a bid total of \$312,300.00
<b>Work Scope 10-J: Athletic Lockers</b>	1 bid was received. The lowest responsible bidder is Olympus Lockers and Storage Products Inc. of Eden Prairie, MN for a bid total of \$274,206.00
<b>Work Scope 13-A: Pool &amp; Spa</b>	2 bids were received. The lowest responsible bidder is Aqua Logic Inc. of Waconia, MN for a bid total of \$52,000.00
<b>Work Scope 22-A: Plumbing</b>	2 bids were received. The lowest responsible bidder is Horwitz Inc. of New Hope, MN for a bid total of \$14,427.00
<b>Work Scope 26-A: Electrical</b>	4 bids were received. The lowest responsible bidder is Laketown Electric Corporation Waconia, MN for a bid total of \$5,600.00

The total amount for the 6 work scopes is \$754,533.00. Additional costs may be incurred during the project to resolve issues not identified in the construction documents. Kraus-Anderson Construction Company recommends entering into a contract with each lowest responsible bidder identified above. Administration requests approval to award the bids to the respective bidders.

Project Name: Oak-Land Middle School Pool Tile and Athletic Locker Replacement

Location(s): Oak-Land Middle School

Fund: Long-Term Facilities Maintenance

Item: Work Scopes: 06-A, Carpentry; 09-B, Tile; 10-J, Lockers; 13-A, Swimming Pool; 22-A, Plumbing; 26-A, Electrical

Amount: Total project cost \$754,533.00

*Recommendation:*

A motion and a second to approve the consent agenda will be requested.

**Motion by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

## EXPENDITURE APPROVAL FORM

### Fiscal Year 2021-2022

**Instructions:** This form is to be completed any time a lease, purchase, or contract for goods or services exceeds \$100,000.

**REQUESTED BY:** Mark Drommerhausen, Director of Operations

**DATE:** February 17, 2022

#### DESCRIPTION OF REQUEST

##### Oak-Land Middle School Pool Tile and Athletic Locker Replacement

The Oak-Land Middle School project will include replacing all of the grout/loose tile in the pool, pool deck tile, Physical Education lockers, pool filter backwash tank and upgrade the pool filter system. These projects are part of the FY22 and FY23 Long-Term Facilities Maintenance program. Construction costs were estimated to total \$873,507. Kraus-Anderson Construction Company worked with Stillwater Area Public Schools to solicit bids for the Oak-Land Middle School Pool Tile and Athletic Locker Replacement project. Bids were opened on February 8, 2022. To obtain the lowest construction cost for the project, Kraus-Anderson Construction Company broke the project down into 6 work scopes. Their role during the renovation will be coordinating each work scope during. Stillwater Area Public Schools will enter into a separate contract with the lowest responsible bidder for each work scope.

The following is a description of the work scope and amount for each lowest responsible bidder:

Work Scope	Lowest Responsible Bidder and Amount
<b>Work Scope 06-A: Carpentry</b>	7 bids were received; The lowest responsible bidder is AVM Construction Company, Inc. of South St. Paul, MN for a bid total of \$96,000.00
<b>Work Scope 09-B : Tile</b>	4 bids were received; The lowest responsible bidder is WTG Terrazzo and Tile of Burnsville, MN for a bid total of \$312,300.00
<b>Work Scope 10-J: Athletic Lockers</b>	1 bid was received. The lowest responsible bidder is Olympus Lockers and Storage Products Inc. of Eden Prairie, MN for a bid total of \$274,206.00
<b>Work Scope 13-A: Pool &amp; Spa</b>	2 bids were received. The lowest responsible bidder is Aqua Logic Inc. of Waconia, MN for a bid total of \$52,000.00
<b>Work Scope 22-A: Plumbing</b>	2 bids were received. The lowest responsible bidder is Horwitz Inc. of New Hope, MN for a bid total of \$14,427.00
<b>Work Scope 26-A: Electrical</b>	4 bids were received. The lowest responsible bidder is Laketown Electric Corporation Waconia, MN for a bid total of \$5,600.00

The total amount for the 6 work scopes is \$754,533.00. Additional costs may be incurred during the project to resolve issues not identified in the construction documents. Kraus-Anderson Construction Company recommends entering into a contract with each lowest responsible bidder identified above. Administration requests approval to award the bids to the respective bidders.

#### FINANCIAL IMPACT

**Budget(s) Impacted: \$754,533.00 Long-Term Facility Maintenance Budget.**  
**Additional costs may be incurred to remedy issues not identified in the construction bidding documents.**

**Is This a One-Time Expenditure?**

- Yes**, once implemented there will be no ongoing costs  
 **No**, it will need to be funded indefinitely  
 **No**, it will need to be funded for Fiscal Years 2020-?

**Is there an off-setting revenue source(s)?**

- Yes** List Source(s): Long-Term Facilities Maintenance  
 **No**

**PROGRESS MONITORING: Work to be completed summer of 2022**





February 8, 2022

Mr. Tony Willger  
Stillwater Area Public Schools, ISD#834  
1875 Greeley Street South  
Stillwater, MN 55082

**RE: Oak-Land Middle School – 2022 LTFM Improvements  
Contract Award Recommendation**

Dear Mr. Willger

This letter is concerning our recommendations for contract awards for the Oak-Land Middle School – 2022 LTFM Improvements project that was bid on February 8, 2022. Kraus-Anderson has verified bidders and we submit the following lowest responsible bidders and their bid amount.

<b>Work Scope</b>	<b>Contractor, City, State</b>	<b>Bid Amount</b>
WS 06-A Carpentry	AVM Construction South St. Paul, MN	Base Bid \$96,000.00
WS 09-B Tile	WTG Terrazzo & Tile Burnsville, MN	Base Bid \$312,300.00
WS 10-J Athletic Lockers	Olympus Lockers & Storage Products Eden Prairie, MN	Base Bid \$274,206.00
WS 13-A Pool & Spa	Aqua Logic Waconia, MN	Base Bid \$52,000.00
WS 22-A Plumbing	Horwitz New Hope, MN	Base Bid \$14,427.00
WS 26-A Electrical	Laketown Electric Waconia, MN	Base Bid \$5,600.00
	<b>Total Base Bid</b>	<b>\$754,533.00</b>

If you have any questions regarding this information, please do not hesitate to contact me at 651-447-3247

Very truly yours,

KRAUS-ANDERSON® CONSTRUCTION COMPANY

A handwritten signature in black ink, appearing to read "Mike Phillips".

Mike Phillips  
Project Manager



**KRAUS-ANDERSON®**  
Construction Company

*Oak-Land Middle School - 2022 LTFM Improvements*  
*Lake Elmo, MN*

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

**WORK SCOPE 06-A: Carpentry**

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	AVM Const.	Tekton Const.	Parkos	Maertens Brenny	Meisinger	TMG Const.
<b>BID SECURITY</b>	x	x	x	x	x	x
<b>ADDENDA REC'D.</b>	x	x	x	x	x	x
<b>BASE BID</b>	\$96,000.00	\$119,000.00	\$124,800.00	\$134,400.00	\$143,900.00	\$167,125.00
<b>COMBINED BASE BID</b>						



**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

**WORK SCOPE 06-A: Carpentry**

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	CM Const.					
<b>BID SECURITY</b>	x					
<b>ADDENDA REC'D.</b>	x					
<b>BASE BID</b>	\$188,000.00					
<b>COMBINED BASE BID</b>						



**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

WORK SCOPE 09-B: Tile

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	WTG	Grazzini	Superset Tile	Acoustics Associates		
<b>BID SECURITY</b>	x	x	x	x		
<b>ADDENDA REC'D.</b>	x	x	x	x		
<b>BASE BID</b>	\$312,300.00	\$418,995.00	\$516,000.00	\$857,677.00		
<b>COMBINED BASE BID</b>						



**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

WORK SCOPE 10-J: Lockers

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Olympus					
<b>BID SECURITY</b>	x					
<b>ADDENDA REC'D.</b>	x					
<b>BASE BID</b>	\$274,206.00					
<b>COMBINED BASE BID</b>						



**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

**WORK SCOPE 13-A: Pool and Spa**

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Aqua Logic	Global Specialty Contractors				
<b>BID SECURITY</b>	check	x				
<b>ADDENDA REC'D.</b>	none	x				
<b>BASE BID</b>	\$52,000.00	\$97,700.00				
<b>COMBINED BASE BID</b>						



**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

**WORK SCOPE 22-A: Plumbing**

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Horwitz	Northland Mech.				
<b>BID SECURITY</b>	x	x				
<b>ADDENDA REC'D.</b>	x	x				
<b>BASE BID</b>	\$14,427.00	\$23,100.00				
<b>COMBINED BASE BID</b>						





**KRAUS-ANDERSON®**  
Construction Company

**Oak-Land Middle School - 2022 LTFM Improvements**  
Lake Elmo, MN

**BID TABULATIONS**

February 8, 2022 @ 2:00PM

OWNER: Stillwater Area Public Schools

ARCHITECT: Wold Architects & Engineers

**WORK SCOPE 26-A: Electrical**

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Laketown	Gunnar Electric	AJ Moore	Phasor		
<b>BID SECURITY</b>	x	x	x	x		
<b>ADDENDA REC'D.</b>	x	x	x	x		
<b>BASE BID</b>	\$5,600.00	\$6,500.00	\$8,400.00	\$15,000.00		
<b>COMBINED BASE BID</b>						

(New Hires, Resignations, Retirements, Terminations, Leave Requests)

**RETIREMENT/RESIGNATION/RELEASE**

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Decker, Jeremy	Non-renewal	1.0 Special Education Teacher Oak-Land Middle School	SCEA	June 6, 2022
Kalseim, William	Resignation	Assistant Boys Swim Coach Stillwater Area High School	Co-Curricular	January 25, 2022
Keller, Richard	Retirement (27 years)	1.0 FTE Industrial Technology Teacher Stillwater Area High School	SCEA	June 6, 2022
Otto, Christine	Retirement (28 years)	1.0 FTE Principal Stillwater Middle School	Principal	September 19, 2022
Perkins, Wayne	Resignation	Girls & Boys Basketball Coach Oak-Land Middle School	Co-Curricular	December 21, 2021
Quick, Corey	Resignation	Head Debate Coach Stillwater Area High School	Co-Curricular	November 15, 2021
Swenson, Teresa	Retirement (32 years)	1.0 FTE ECSE Teacher Early Childhood Family Center	SCEA	July 29, 2022
Welch, MacKenzie	Non-renewal	1.0 FTE School Psychologist Rutherford Elementary	SCEA	June 6, 2022
Zimmer, Grace	Resignation	Assistant Synchronized Swim Coach Stillwater Area High School	Co-Curricular	January 29, 2022

**HIRES/REHIRES**

NAME	ASSIGNMENT	SALARY PLACEMENT/ HOURLY RATE	REASON	GROUP	EFFECTIVE DATE
Barnes, Emily	.5 FTE Intervention Teacher Andersen Elementary	\$60,472	ESSER	SCEA	January 31, 2022 - June 6, 2022
Reichow, Maria	1.0 FTE Student Engagement Specialist Stillwater Middle School	\$69,462	ESSER	SCEA	January 25, 2022 - June 6, 2022
Rivall, Stewart	Assistant Boys Swim Coach Stillwater Area High School	\$1,701	Replacement	Co-Curricular	February 2, 2022
Rohr, Heidi	1.0 FTE Intervention Teacher Lake Elmo Elementary	\$57,654	ESSER	SCEA	January 25, 2022 - June 6, 2022
Yorga, Shawn	Cafeteria 5.5 hrs/day Lake Elmo Elementary	\$15.68 / hour	Replacement	Cafeteria	January 31, 2022

**LEAVES OF ABSENCE**

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Bloodsaw, Latonya	Approve	Custodian, 8.0 hrs/day District Wide	Custodial	February 4, 2022 - March 20, 2022
Halley, Benjamin	Approve	1.0 FTE Elementary Education Teacher Lake Elmo Elementary	SCEA	February 28, 2022 - May 1, 2022
Sabin, Amanda	Approve	1.0 FTE Special Education Teacher Rutherford Elementary	SCEA	May 7, 2022 - June 6, 2022

**ASSIGNMENT CHANGES**

NAME	FROM	TO	REASON	GROUP	EFFECTIVE DATE
Anderson, Jessica	.5 FTE School Psychologist Brookview Elementary	.8 FTE School Psychologist Brookview & Lily Lake Elementary	2021-2022 Staffing	SCEA	January 3, 2022
Stack, Jami	1.0 FTE School Psychologist Lily Lake & Rutherford Elementary	1.0 FTE School Psychologist Lily Lake Elementary	2021-2022 Staffing	SCEA	January 3, 2022
Whitehill, Darby	1.0 FTE Math Teacher Stillwater Area High School	1.1 FTE Math Teacher Stillwater Area High School	2021-2022 Staffing	SCEA	January 25, 2022 - June 6, 2022
Wight, Sydney	Paraprofessional, 7.0 hrs/day Lake Elmo Elementary	1.0 FTE Special Education Teacher Andersen Elementary	2021-2022 Staffing	SCEA	February 14, 2022 - June 6, 2022

**ADDITIONAL ASSIGNMENTS**

NAME	Position	Reason	Group	EFFECTIVE DATE
Ardito, Nick	Stock Market Advisor Stillwater Middle School	Replacement	Co-Curricular	January 27, 2022
Taft, Granger	Assistant Speech Coach Stillwater Area High School	Replacement	Co-Curricular	January 13, 2022



**Agenda Item: X.A.**  
**Date Prepared: February 17, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Telecommunications & Internet Access Cluster Authorization Resolution  
Meeting Date: February 17, 2022  
Contact Person: John Perry, Director of Learning Technology

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*Background:* For fiscal year (FY) 2006 and later, the Minnesota telecommunications/internet access equity aid program provides school districts and charter schools with financial assistance to help with the costs of maintaining internet access, video connectivity and related telecommunications services as defined on the federal e-rate eligible services list as recurring Priority I services for Internet access, video connectivity, and other related information transfer services. This program does not include and is not intended to support any component of voice services.

This resolution authorizes Intermediate District #916 to file for the federal e-rate telecommunications discount program and/or the state telecommunications/internet access equity aid on behalf of ISD#834 as one of 916's member school districts.

Location(s): All

Project Name: Telecommunications & Internet Access Cluster Authorization Resolution

Fund: N/A

Amount: N/A

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*Recommendation:*  
Approve resolution.

**Motion by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_ **Vote:** \_\_\_\_\_



Member \_\_\_\_\_ introduced the following and moved its adoption:

**RESOLUTION AUTHORIZING INTERMEDIATE DISTRICT 916 TO APPLY FOR FEDERAL E-RATE DISCOUNTS AND TELECOMMUNICATIONS/INTERNET ACCESS EQUITY AID ON BEHALF OF DISTRICT**

**WHEREAS**, the federal government has adopted the E-rate program, which provides discounts to schools to assist them in obtaining affordable telecommunications and internet access.

**WHEREAS**, the State of Minnesota has adopted a Telecommunications/Internet Access Equity Aid program that provides financial assistance to schools to help with costs of maintaining internet access, video connectivity and related telecommunication services.

**WHEREAS**, access to the State Equity Aid program must be through a recognized telecommunications access cluster of which a district seeking aid is a member.

**WHEREAS**, the District is a member of Intermediate District 916, and Intermediate District 916 has been recognized as a telecommunications access cluster by the State of Minnesota.

**WHEREAS**, the District wishes to participate in the E-rate program and wishes to obtain the State Equity Aid by authorizing Intermediate District 916 to apply for both programs on the District's behalf.

**NOW, THEREFORE, BE IT RESOLVED** by the School Board of Independent School District 834, as follows:

1. Intermediate District 916, as a recognized telecommunication access cluster, is authorized to apply for federal e-rate discounts on behalf of the District.
2. Intermediate District 916, as a recognized telecommunication access cluster, is authorized to apply for State Telecommunications/Internet Access Equity Aid on behalf of the District
3. District Administration is authorized and direct to take all actions necessary to implement the terms of this Resolution.

The motion for the adoption of this Resolution was duly seconded by \_\_\_\_\_, and upon a vote being taken, \_\_\_\_\_ members voted in favor of the Resolution and \_\_\_\_\_ members voted against the Resolution.

Whereupon this Resolution was declared duly passed and adopted.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Annie Porbeni, School Boar Clerk



**Agenda Item XI.A.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

**Agenda Item:** School Board Recognition Week  
**Meeting Date:** February 17, 2022  
**Contact Person:** Interim Superintendent Lansfeldt

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**Background:**

The Minnesota School Board Association has declared the week of February 21 through 25, 2022 as School Board Recognition Week.

Interim Superintendent Lansfeldt will read a proclamation recognizing the work of the school board members.

Attachment – School Board Recognition Proclamation

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**Recommendation:**

This report is for information and Board action will not be requested.



## **SCHOOL BOARD RECOGNITION PROCLAMATION**

WHEREAS, Stillwater Area Public Schools recognizes the importance of public education in our community; and

WHEREAS, Stillwater Area Public Schools appreciates the vital role played by those individuals who, as local school board members, establish policies to ensure an efficient, effective school system; and

WHEREAS, school board members serve as a voice that enables our community to preserve local management and control of our public schools; and

WHEREAS, school board members are charged with representing our local education interests to state and federal governments and ensuring compliance with state and federal laws; and

WHEREAS, school board members selflessly devote their knowledge, time and talents as advocates for our schoolchildren;

WHEREAS, local school board members are strong advocates for public education and responsible for communicating the needs of the school district to the public and the public's expectations to the district;

NOW THEREFORE, BE IT RESOLVED, that Stillwater Area Public Schools recognizes and salutes the members of the Stillwater School Board by proclaiming February 21-25, 2022, as School Board Recognition Week.



**Agenda Item XI. B.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Agenda Item: Native American Parent Advisory Committee  
Meeting Date: February 17, 2022  
Contact Person: Mr. Eric Anderson, Equity Coordinator and Mr. James Tom, NAPAC Chairperson

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*Background:*

Mr. Anderson and Mr. Tom will present information on the Native American Parent Advisory Committee.

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*Recommendation:*

This is a report for information.

# Annual Compliance/Vote of Concurrence or Nonconcurrence

District, Charter, or Tribal School Name: Stillwater Area Public Schools

## The American Indian Parent Advisory Committee Vote

**The AIPAC Issued a Vote of Concurrence**

Date of Concurrent Vote: 01/18/22

Date the AIPAC presented to the school board: 02/17/22

**The AIPAC Issued a Vote of Nonconcurrence**

A vote of nonconcurrence requires the AIPAC to provide specific written recommendations for improvement to the school board. The school board is required to respond in writing to each recommendation within 60 days of the recommendations being put forth. The school board must provide this written response to both the AIPAC and to the Office of Indian Education.

Date of Nonconcurrent vote: \_\_\_\_\_

Date the AIPAC presented to the school board: \_\_\_\_\_

Date the written response from the school board is due: \_\_\_\_\_

**The District/School Does Not Have an AIPAC**

The district has not yet formed an AIPAC, but recognizes the need to do so in order to remain compliant with Minnesota Statutes, section 124D.78. By signing below, the district/school leadership commits to working with the Office of American Indian Education on committee formation.

## Required signatures

*\*Digital signatures are accepted*

\_\_\_\_\_  
School Board Chairperson Date

\_\_\_\_\_  
Superintendent or Charter/Tribal School Director Date

  
AIPAC Chairperson 2-7-2022  
Date



## The American Indian Parent Advisory Committee Resolution

**WHEREAS**, the school board or district has an AIPAC composed of parents/guardians of American Indian children who are eligible for Indian education programs, American Indian language and culture teachers and paraprofessionals, American Indian teachers, American Indian counselors, American Indian adults enrolled in educational programming, and American Indian representatives from community;

**WHEREAS**, the school board or district affords the AIPAC the necessary information and the opportunity to effectively express their views concerning all aspects of American Indian education and the educational needs of the American Indian children enrolled in the school(s) and program(s); and,

**WHEREAS**, the AIPAC is directly involved with and advises the school board and district staff on Indian Education program planning; and,

**WHEREAS**, the AIPAC develops and submits recommendations to the school board and district staff pertaining to the needs of American Indian students.

**THEREFORE BE IT RESOLVED**, that the AIPAC concurs that the school board and district are compliant with Minnesota Statutes, section 124D.78, and that the school board and district are meeting the needs of American Indian students.

**We, the American Indian Parent Advisory Committee, issue a Vote of Concurrence.** We attest that the school board and/or district are compliant with Minnesota Statutes and that the school board and/or district are meeting the needs of American Indian students; **or,**

**We, the American Indian Parent Advisory Committee, issue a Vote of Nonconcurrence.** We attest that the school board and/or district are not compliant with Minnesota Statutes and that the school board and/or district are not meeting the needs of American Indian students. We have provided written recommendations for improvements to the school board, and we acknowledge that the school board has 60 days from the receipt of these recommendations in which to respond, in writing, to each recommendation.

 James Tom  
AIPAC Chairperson Printed Name and Signature

2-07-22  
Date



**Agenda Item XI. C.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

**Report Agenda:** Review of 2021-22 General Fund Budget  
**Meeting Date:** February 17, 2022  
**Contact Person:** Dr. John Thein, Director of Finance

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***Summary:***

Enclosed in your packet are documents concerning the 2021-2022 General Fund Budget. The documents in the packet include:

- Proposed 2021-2022 Budget Revision Timeline
- General Fund 2021-2022 Budget Revision
- General Fund Object Expenditure Comparison
- General Fund Program Code Comparison
- Revenue Budget 2021-2022

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***Recommendation:***

This is a report for information.

Stillwater Public Schools  
Proposed 2021-2022 Budget Revision Timeline

<b>Date</b>	<b>Event</b>
January	Budget Revision Timeline reviewed with Superintendent of Schools
January	The Finance Department reviews and updates revenue projections.
January	The 2021-22 budget revision timeline reviewed with District Directors
January	The Finance Department forwards budget revision sheets to appropriate District Directors
January	District Directors with budget revision responsibilities complete budget updates and return forms to Lynne Ritzer Supervisor of Finance Services in the Business Office
February	The 2021-22 budget revision timeline shared with the Finance and Operations Committee
February	The Finance Department presents a report on the budget revision timeline and process to the School Board
February	Review the updated 2021-22 revenue projections with the District Directors
February	Budget expenditure revisions shared and reviewed with District Directors
February	Finance Department makes necessary adjustments to 2021-22 budget revisions
February	The 2021-2022 revised budget reviewed with the Finance and Operations Committee
March	The 2021-22 revised budget presented to the School Board for approval.

## **Stillwater Public Schools General Fund 2021 -22 Budget Revision**

### **Revenue**

- **Enrollment will be projected using the most current information from the census department**
- **Levy revenue will be based on the December 2020 School board approved levy with adjustments for enrollment updates**
- **Other revenue will be updated and based on the most current information**
- **State or Federal CARES or ESSER revenue will be reviewed and updated (matching expenditures)**
- **Updated appropriation for Special Education**
- **Update per-pupil formula allowance**

### **Expenditures**

- **All employee benefits will be updated**
- **CARES & ESSER Expenditures will match State & Federal guidelines**
- **No change in allocation for instructional supplies**
- **Revisions are based on the most current information**
- **Salary increases will not be included (still in negotiations)**
- **Spending in reserve categories will follow State Statute (i.e. Safe Schools, Staff Development, Integration)**
- **Staff adjustment will match enrollment changes by grade level**
- **Staff retirements will be updated**
- **Staffing at actual levels and based on current enrollment**

## General Fund Object Expenditure Comparison

<u>Jan. 1, 2021</u> <u>YTD Expenditures</u>	<u>% of Budget</u>	<u>Jan. 1, 2022</u> <u>YTD Expenditures</u>	<u>% of Budget</u>	<u>Object</u>
\$ 20,989,864	36.5%	\$ 21,971,933	37.3%	Salaries
\$ 10,112,752	39.3%	\$ 10,145,128	39.9%	Benefits
\$ 6,733,661	33.0%	\$ 7,415,270	36.7%	Services
\$ 3,727,955	125.9%	\$ 1,761,159	58.5%	Tech/Sup.
\$ 2,063,173	30.8%	\$ 2,519,132	32.6%	Cap.Out.
\$ 125,988	15.0%	\$ 86,700	11.0%	Loan
<u>\$ 65,637</u>	<u>31.8%</u>	<u>\$ 37,207</u>	<u>18.8%</u>	Dues
\$ 43,819,033	38.3%	\$ 43,936,533	37.4%	Totals

**Budget Estimate and Actual:**

\$114,439,874	105.1%	\$117,549,295
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**Things to Consider:**

- \* Contract Negotiations
- \* COVID Expenditures
- \* Enrollment Changes
- \* Inflation
- \* Staffing
- \* Transportation/Subs/Utilities

## General Fund Program Code Comparison

<u>Jan 1, 2021 YTD Expenditures</u>	<u>Difference</u>	<u>Jan 1, 2022 YTD Expenditures</u>	<u>% of Change</u>	<u>Program Area</u>
\$ 1,977,407	\$ -250,699	\$ 1,726,708	-12.7%	Admin.
\$ 4,492,544	\$ -2,015,801	\$ 2,476,743	-44.9%	Dist. Sup.
\$ 17,046,866	\$ 20,232	\$ 17,067,098	0.1%	Reg. Inst.
\$ 442,176	\$ 157,440	\$ 599,616	35.6%	Vocat. Inst.
\$ 6,943,362	\$ 707,447	\$ 7,650,809	10.2%	Spec. Ed.
\$ 2,400,530	\$ 80,912	\$ 2,481,442	3.4%	Inst. Sup.
\$ 3,620,511	\$ -449,825	\$ 3,170,686	-12.4%	Pupil Sup.
\$ 6,424,644	\$ 1,835,327	\$ 8,259,971	28.6%	Oper/Main.
<u>\$ 470,989</u>	<u>\$ 32,467</u>	<u>\$ 503,456</u>	<u>6.9%</u>	Insurance
\$ 43,819,033	\$ 117,500	\$ 43,936,533	0.3%	Totals
<u>Estimate Budget &amp; Actual:</u>				
\$114,439,874	\$120,306,023	\$117,549,295		

### Things to Consider:

- |                 |                              |
|-----------------|------------------------------|
| * Construction  | * Negotiations               |
| * COVID Funding | * Staffing, Utilities & Subs |
| * Enrollment    | * Technology Grant           |
| * Inflation     | * Transportation Contract    |

## Revenue Budget & Percentage Received YTD 2021 - 2022

### All Funds

<u>Revenue</u>	<u>Budget</u>	<u>Amount YTD</u>	<u>% YTD</u>
General Fund	\$116,358,184	\$ 36,512,815	31.4%
Food Service	\$ 4,492,367	\$ 2,087,286	55.2%
Community Ed.	\$ 7,116,232	\$ 3,626,395	48.2%
Construction	\$ 1,000	\$ 117,565	117.57%
Debt Service	\$ 9,284,306	\$ 5,193,931	55.9%
Custodial Fund	\$ 15,000	\$ 0.00	0.0%
Health Insur.	\$ 16,000,000	\$ 7,363,341	50.4%
Dental Insur.	\$ 1,200,000	\$ 487,122	44.1%
OPEB Trust	\$ 0.00	\$ -239,106	0.0%
Student Activity	\$ 100,000	\$ 0.00	0.0%
<b>Totals</b>	<b>\$154,718,616</b>	<b>\$ 54,922,977</b>	<b>36.3%</b>

	<u>YTD</u>	<u>Budget</u>
Total Revenue All Funds YTD	\$ 54,922,977	\$154,718,616
Total Expenditures All Funds YTD	\$ 58,826,380	\$157,085,526
Difference	\$ 3,903,403	\$ 2,366,910



**Agenda Item XI. D.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

**Report Item:** Oak Park Learning Center  
**Meeting Date:** February 17, 2022  
**Contact Person:** Mr. Mark Drommerhausen, Director of Operations

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***Summary:***

This report is an update on the ALC design on the proposed Oak Park Learning Center.

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***Recommendation:***

This is a report for information.





# Oak Park Learning Center: ALC Update

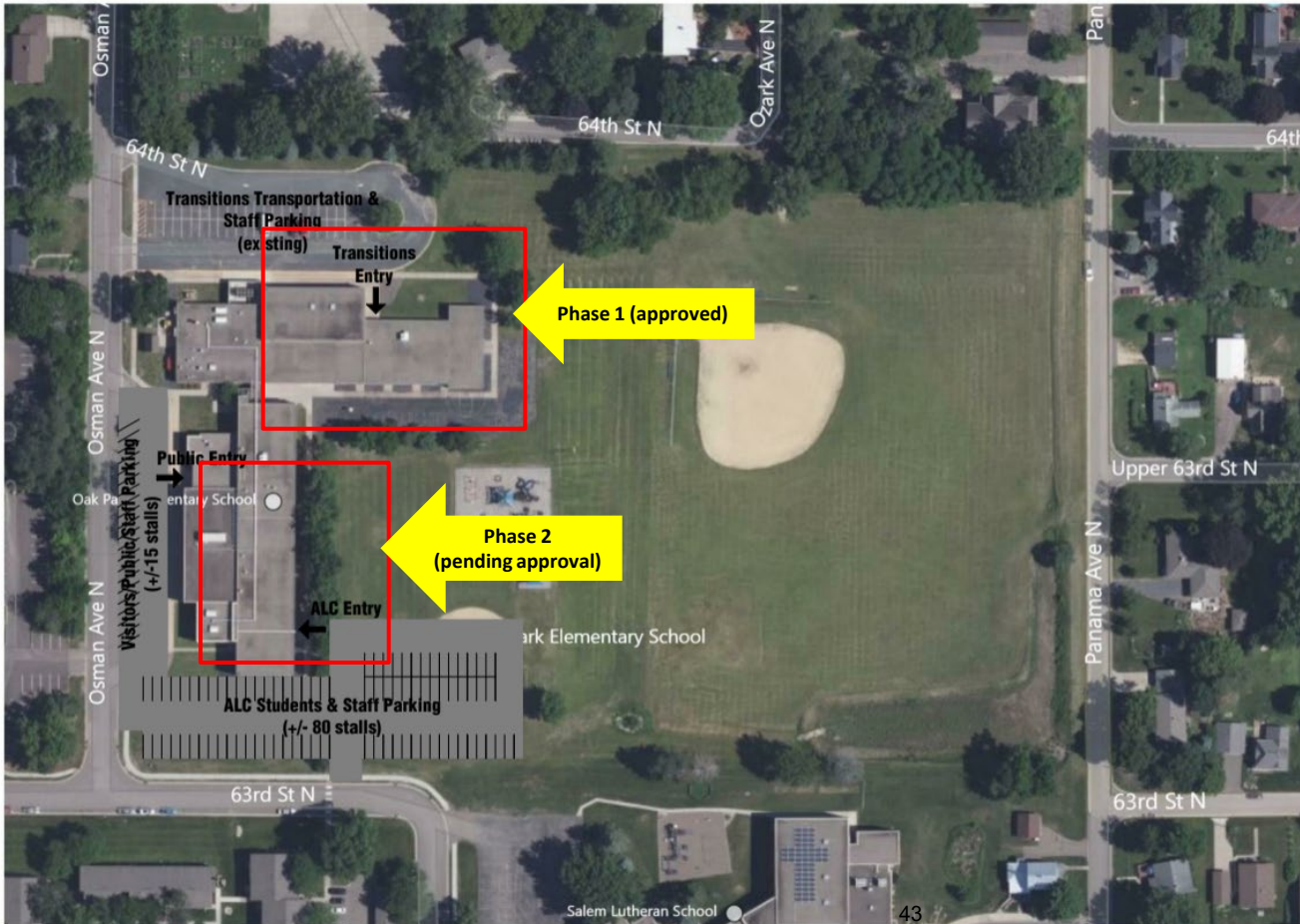
Presented to the school board  
**February 17, 2022**

# Our Vision for Oak Park Learning Center

Create a center for **learning, collaboration** and **community** within the Oak Park Building

- ☐ **Summer 2022:** Create home for Bridge Transitions 18-21
- ☐ **Design an inviting alternative environment for ALC students**
- ☐ **Develop a welcoming learning space for the community**
  - Professional Learning Center, daytime and evening Community Education classes, facility rental, gym space and more

# DRAFT



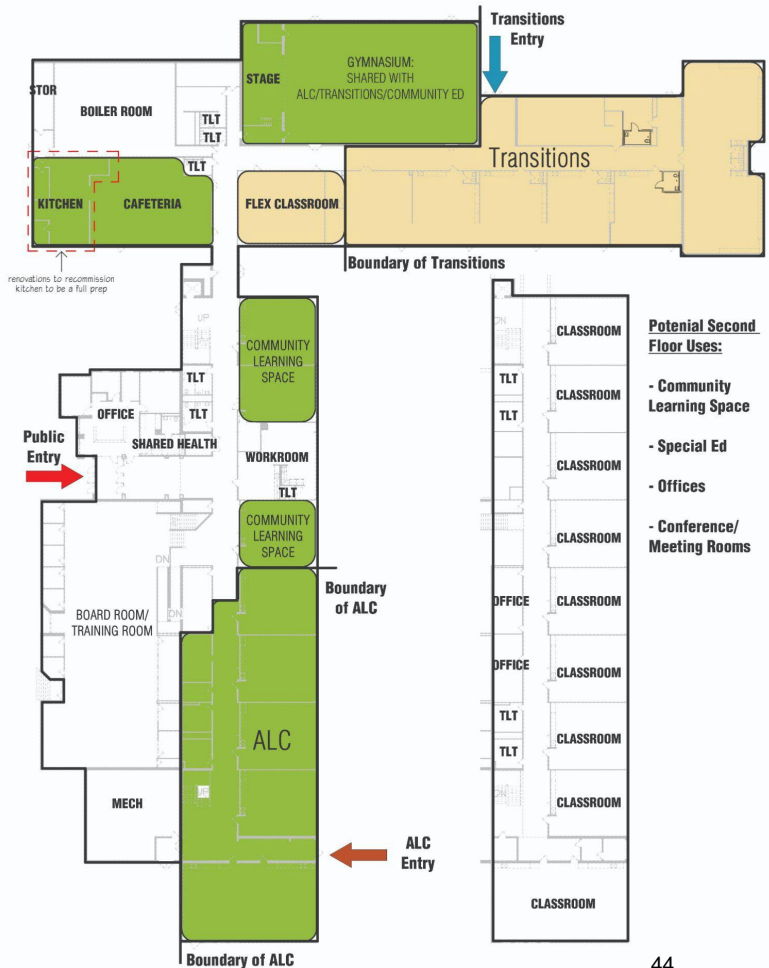
## Phase 1:

- Approved by school board 1/6/22
- Work to begin summer 2022

## Phase 2

- Pending board approval
- Work would begin summer 2023



**DRAFT**



1 MAIN LEVEL PHASING PLAN  
1/32" = 1'-0"

44  
2 SECOND LEVEL PHASING PLAN  
1/32" = 1'-0"

- Potential Second Floor Uses:**
- Community Learning Space
  - Special Ed
  - Offices
  - Conference/ Meeting Rooms

-  Phase 1 (Summer 2022) : Transitions
-  Phase 2 (Summer 2023): ALC/Shared Spaces

# Summary of Discussion with Stakeholders

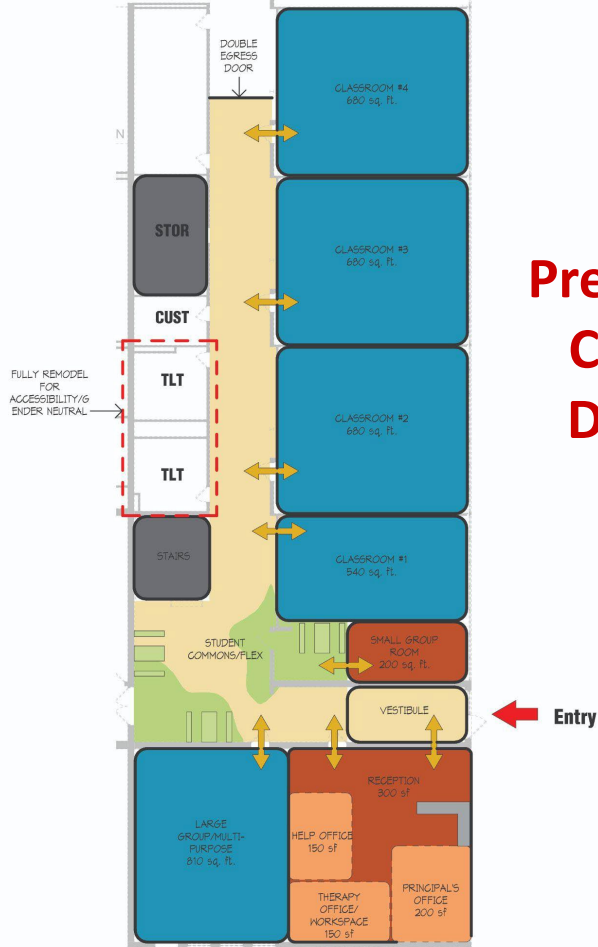
## Users want:

- Flexible spaces that could serve a variety of purposes
- Common area for gathering, large projects, and collaborative activities
- Spaces to accommodate hands-on learning
- Shared building resources to maximize opportunities
- Outdoor spaces
- Opportunities for physical activity

*“ALC students have unique needs and the design of the space should empower their opportunities to be successful.”*

**-User group member**

# Preliminary Concept Drawing



**Revised  
Concept**  
(based on user  
feedback)

# REVISED: Estimated Facility Improvement Costs

## Phase 1 - Summer 2022

Transitions	\$3.8 million
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## Phase 2 - 2022-2023/Summer 2023

ALC and shared spaces	<del>\$4.6 million</del> \$4.9 million
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<b>Total</b>	<del><b>\$8.4 million</b></del> <b>\$8.7 million</b>
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## Changes from original estimate:

- Removing walls to create more flexible learning spaces; more collaborative areas
- Additional 500 square feet for small group meeting area, collaborative space
- Moving entry for improved security and supervision

	Estimated Cost	Possible Funding Sources
<b>Phase 1 - Summer 2022</b>		
Transitions classrooms	<b>\$3.8 million</b>	<ul style="list-style-type: none"> <li>● <b>LTFM:</b> \$1.5 - \$1.8 million</li> <li>● <b>Capital Outlay:</b> \$1.75 - \$2.1 million</li> <li>● <b>Capital Outlay Fund Balance (including sale of property):</b> \$1 million</li> </ul>
<b>Phase 2 - 2022-2023/Summer 2023</b>		
ALC	<b>Revised estimate: \$3.5 million</b>	<ul style="list-style-type: none"> <li>● <b>LTFM:</b> \$1.5 - \$1.8 million</li> <li>● <b>Capital Outlay:</b> \$1.1 - \$1.3 million</li> <li>● <b>Capital Outlay Fund Balance (including sale of property):</b> \$1 .5 million</li> </ul>
Shared spaces	<b>\$1.4 million</b>	<ul style="list-style-type: none"> <li>● <b>LTFM:</b> \$900,000</li> <li>● <b>Capital Outlay:</b> \$500,000</li> <li>● <b>Capital Outlay Fund Balance (including sale of property):</b> \$500,000</li> </ul>





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# Questions

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**Agenda Item: XI.D.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Report for Information: Second Reading Policy 205 Open and Closed Meetings  
Meeting Date: February 17, 2022  
Contact Person: Dr. Jennifer Cherry, Assistant Superintendent

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***Background:***

The 2022 Policy Working Group will be presenting Open and Closed Meetings Policy 205 for a second reading.

The policy is included for your review

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***Recommendation:***

Input from Board directors and community is requested. This will come back for approval at the next business meeting.

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
<b>Open and Closed Meetings</b>	<b>205</b>	<b>Adopted: 07-12-2018</b>	<b>2-Year Review Cycle</b>

**I. PURPOSE**

The school board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the requirements of the Minnesota Open Meeting Law which require that meetings be closed to protect private data or permit closure to serve the public interest.

**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**

“Meeting” means a gathering of at least a quorum of school board members or a committee or subcommittee of school board members ~~with decision-making authority~~ 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, ~~rather than communication between a quorum of school board members~~. For purposes of the Open Meeting Law, social media does not include e-mail.

**IV. PROCEDURES**

- A. 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

- (a) 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, on the school district's website and any other forms of communication deemed appropriate by the school district. The school board's actions at the special meeting are limited to those topics included in the notice.
- (b) The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings.
- (c) The 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.
- (d) 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.
- (e) Requests for notice of special meetings shall expire at the end of the school 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

- a. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the school board, require immediate consideration.
- b. 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.
- c. 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.
- d. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the school board.
- e. 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 school board members.

- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. 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.

#### 8. [Meetings Conducted by Interactive Technology](#)

[A meeting may be conducted virtually by interactive technology or other similar electronic means in compliance with Minn. Stat. § 13D.02.](#)

### B. Votes

The votes of school board members 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.

### C. Written Materials

- 1. In any open meeting, a copy of any materials relating to agenda items which are distributed to members for the meeting shall be available in the meeting room for inspection by the public while the school board considers the agenda item.

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.

#### D. 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.

#### E. Closed Meetings

##### 1. Labor Negotiations Strategy

- a. The school board may, by a majority vote in a public meeting, ~~(a) decide to hold a closed meeting as required or permitted under the Minnesota Open Meeting Law, including but not limited to:~~ consider strategy for labor negotiations strategy, including negotiation strategies or development or discussion ~~or~~ and review of labor negotiation proposals.
- b. 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 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. These meetings may be closed only by the Commissioner of the Bureau of Mediation Services (BMS). The use of recording devices, stenographic records, or other recording methods is prohibited in mediation meetings closed by the BMS.

##### 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 board authority. If the school 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 board authority. The school board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the school 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. ~~communications~~ 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

- a. A hearing on the Dismissal of a licensed teachers shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- b. 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. ~~or students when such hearings are held before the school board.~~
- c. 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

- a. 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.
- b. 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.
- c. 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.

- d. 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. ~~Dismissal Hearing for licensed or non-licensed head varsity coaches when such hearings are held before the school board.~~
- e. 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:

- a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- b. active investigative data collected or created by a law enforcement agency;
- c. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- d. an individual's personal medical records.
- e. 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

- a. The school board may close a meeting:

~~For discussions related to the purchase or sale of real or personal property, including:~~

- 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.
- a. 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.



- b. The closed meeting must be tape recorded at the expense of the school district. The tape 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. A list of school board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.
- c. 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

- a. 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 and/or recommendations regarding public services, infrastructure, and facilities, where disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the school board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the school district and the recording must be preserved for at least four years.
- ~~e. To discuss certain private data such as data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minor or vulnerable adults; active investigative data collected or created by law enforcement agencies; educational data; or an individual's personal medical records.~~
- ~~f. Closed meetings (except for attorney-client privilege) must be electronically recorded at the expense of the school district and preserved for the particular length of time required under the Minnesota Open Meeting Law. Recordings of closed meetings are not available to the public, unless the district determines that all or part of the recording is classified as public data. Data subjects may have a right to all or part of the recording under the Minnesota Government Data Practices Act.~~

## 11. Other Meetings

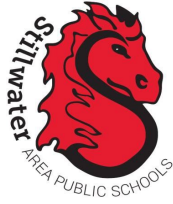
Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be

preserved for at least three years after the date of the meeting. The recording is not available to the public.

#### 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 school board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

***Legal References:*** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 13D (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. § 179A.14, Subd. 3 (Labor Negotiations)  
Minn. Rules Part 5510.2810 (Bureau of Mediation Services)



**Agenda Item: XI.E.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

Report for Information: Second Reading Policy 214 Out of State Travel By Board Members  
Meeting Date: February 17, 2022  
Contact Person: Dr. Jennifer Cherry, Assistant Superintendent

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***Background:***

The 2022 Policy Working Group will be presenting Out of State Travel By Board Members Policy 214 for a second reading.

The policy is included for your review

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***Recommendation:***

Input from Board directors and community is requested. This will come back for approval at the next business meeting.

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
<b>Out of State Travel By Board Members</b>	<b>214</b>	<b>Adopted: 08-09-2018</b>	<b>2-Year</b>

**I. PURPOSE**

The purpose of this policy is to control out-of-state travel by school board members as required by law.

**II. GENERAL STATEMENT OF POLICY**

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

**III. APPROPRIATE TRAVEL**

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to ~~regional, national meetings of the National School Boards Association, or other~~ out-of-state meetings for which the member intends to seek reimbursement from the school district should be preapproved by the school board. ~~chair. If the chair seeks reimbursement, it should be preapproved by the vice chair.~~

**IV. REIMBURSABLE EXPENSES**

Expenses to be reimbursed include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district-related expenses.

**V. REIMBURSEMENT**

A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and all other reasonable and necessary expenses must be attached to the reimbursement form.

B. Automobile travel shall be reimbursed at the mileage rate set by the Internal Revenue Service. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

C. Amounts to be reimbursed shall be within the school board's approved budget allocations.

## **VI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES**

The superintendent shall develop a schedule of reimbursement rates for school district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The superintendent shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

### ***Legal References:***

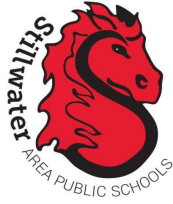
Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)

Minn. Stat. § 471.661 (Out-of-State Travel)

Minn. Stat. § 471.665 (Mileage Allowances)

Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)

Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)



**Agenda Item: XI.G.**  
**Date Prepared: February 10, 2022**  
**ISD 834 Board Meeting**

Report for Information: Second Reading Policy 722 Data Request  
Meeting Date: February 17, 2022  
Contact Person: Dr. Jennifer Cherry, Assistant Superintendent

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***Background:***

The 2022 Policy Working Group will be presenting revised Data Request Policy 722 for a second reading.

The revised policy is included for your review

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***Recommendation:***

Input from Board directors and community is requested. This will come back for a approval at the next business meeting.



## NON-INSTRUCTIONAL OPERATIONS

POLICY TITLE	POLICY NUMBER	ADOPTED/REVIEWED	REVIEW FREQUENCY
PUBLIC DATA REQUESTS	722	12-12-2019	3 Year

### I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

~~The purpose of this policy is to set forth the procedure regarding a public request to inspect or obtain public data and to comply with the Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes Chapter 13, and Minn Rules Ch 1205.0100-1205.2000.~~

### II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (MGDPA), and Minn. Rules Parts 1205.0100-1205.2000 in responding to requests for public data.

~~A. All data collected, created, received, maintained or disseminated by the School District, which is classified by state statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district in this policy.~~

~~B. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.~~

~~C. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.~~

### III. DEFINITIONS

#### A. Government Data

“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

#### B. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.

C. Public Data

“Public data” means all government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

D. Responsible Authority

“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

E. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

#### IV. REQUESTS FOR PUBLIC DATA

I. All requests for public data must be made in writing directed to the responsible authority. ~~Data Practices Designee(s)~~.

- A. A request for public data must include the following information:
  - a. Date the request is made;
  - b. A clear description of the data requested;
  - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - d. Method to contact the requestor (such as phone number, address, or email address).
2. A requestor is not required to explain the reason for the data request.
3. The identity of the requestor is public, if provided, but cannot be required by the government entity.



4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

B. The responsible authority will respond to a data request at reasonable times and places as follows:

1. The responsible authority will notify the requestor in writing as follows:

a. The requested data does not exist; or

b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or

(1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.

(2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.

2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.

3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.

4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.

5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

#### **IV. REQUEST FOR SUMMARY DATA**

A. A request for the preparation of summary data shall be made in writing directed to the responsible authority.

1. A request for the preparation of summary data must include the following information:
  - a. Date the request is made;
  - b. A clear description of the data requested; ~~and~~
  - c. ~~and~~ Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - d. Method to contact requestor (phone number, address, or email address).
- B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
  1. The estimated costs of preparing the summary data, if any; and ~~one of the following:~~
    - ~~a.~~ 2. The summary data requested; or
    - ~~b.~~ 3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
    - ~~c.~~ 4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

## VI. COSTS

### A. Public Data

1. The school district will charge for copies provided as follows:
  - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
  - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.
    - (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
    - (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.
2. All charges must be paid for in cash in advance of receiving the copies.

~~3. The requestor will not be charged for time spent separating public from non-public data.~~

B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.

~~The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.~~

2. The school district may assess costs associated with the preparation of summary data as follows:

a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;

b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

~~VI. DISTRICT PROCEDURES FOR INSPECTION OF PUBLIC DATA~~

~~A. The District's procedures for inspection of public data are as follows:~~

~~1. Data can be inspected at the District's Central Services building, Monday through Friday, during regular business hours.~~

~~2. Because the District is required by law to preserve public records and documents, a District employee will be in the room when data is inspected.~~

~~3. Inspection will be scheduled at a time that is mutually agreeable to the individual making the data request and the District employee.~~

~~4. Because the District is required by law to preserve public records and documents, the District will make any copies requested.~~

~~5. Individuals requesting data may not take District documents or data out of the District's office to make copies.~~

~~6. A requestor may choose to use their own scanner, portable copy machine, or camera to make copies of requested data, however, will be required to mark/flag those pages that were copied, scanned or photographed.~~

VII. DEFINITIONS - MOVED TO SECTION III.

A. Government Data

“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

B. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.

C. Public Data

“Public data” means all government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

D. Responsible Authority

“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law.

E. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

**Data Practices Contacts**

**Responsible Authority:**

Malinda Lansfeldt  
Central Services Building  
1875 Greeley Street South  
Phone: 651.351.8301  
Email: lansfeldtm@stillwaterschools.org

**Data Practices Compliance Official:**

Jennifer Cherry  
Central Services Building  
1875 Greeley Street South  
Phone: 651.351.8391  
Email: cherryj@stillwaterschools.org

**Data Practices Designee(s):**

Cynthia Gustafson

Central Services Building

1875 Greeley Street South

Phone: 651.351.8311

Email: [humanresources@stillwaterschools.org](mailto:humanresources@stillwaterschools.org)

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

INDEPENDENT SCHOOL DISTRICT NO. 834  
**PUBLIC DATA REQUEST FORM POLICY 722-7F**

1. Please complete the following form to submit a request for public data.
2. Confirmation of your request will be completed within 2 business days or as soon as practicable.
3. The requestor's contact information (phone number, address, or email address) is required. Clarification about the request may be needed before the district may provide a response.
4. Requestor of summary data will be informed within 10 business days of the receipt of a request of the following:
  - a. The estimated costs of preparing the summary data, if any; and
  - b. The summary data requested; or
  - c. The expected date the summary data will be available and reasons for delay; or
  - d. Reason why the data is not available.
5. The district will strive to respond to all requests in a timely manner. The school district's response time may be affected by:
  - a. The size and complexity of the particular request;
  - b. Redactions of the data, as required; and
  - c. The volume of requests made within a particular period of time.
6. Questions about the public data request process or status of a particular request may be directed to: [humanresources@stillwaterschools.org](mailto:humanresources@stillwaterschools.org)

**TO BE COMPLETED BY THE REQUESTOR**

<b>REQUESTOR NAME (NOT REQUIRED):</b>	<b>PHONE NUMBER:*</b>
<b>ADDRESS:*</b>	<b>EMAIL ADDRESS:*</b>
<b>DATE OF REQUEST:</b>	
<b>DESCRIPTION OF THE INFORMATION REQUESTED: (attach additional page if necessary)</b>	
<b>MANNER IN WHICH RESPONSIVE DATA IS TO BE PROVIDED:</b>	
INSPECTION ONLY _____ COPIES ONLY** _____ BOTH INSPECTION AND COPIES _____ **	
**Inspection is free, but there is a charge for copies. Payment must be received before copies will be provided.	

**FOR OFFICE USE ONLY**

<b>DATE REQUEST RECEIVED:</b>	<b>REQUEST RECEIVED BY:</b>
<b>DATE OF RESPONSE:</b>	<b>RESPONSE PROVIDED BY:</b>

Stillwater Area Public Schools complies with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (MGDPA), and Minn. Rules Parts 1205.0100-1205.2000 in responding to requests for public data.



**Agenda Item: XI.H.**  
**Date Prepared: February 9, 2022**  
**ISD 834 Board Meeting**

Report for Information: First Reading Policy 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse

Meeting Date: February 17, 2022

Contact Person: Dr. Jennifer Cherry, Assistant Superintendent

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***Background:***

The 2022 Policy Working Group will be presenting the revised Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 414 for a first reading.

The policy is included for your review

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***Recommendation:***

Input from Board directors and community is requested. This will come back for a second reading at the next business meeting.

**EMPLOYEES / PERSONNEL**

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
<b>Mandated Reporting of Child Neglect or Physical or Sexual Abuse</b>	<b>414</b>	08-23-2001 Renumbered: 03-11-2021	<del>3-Years</del> Annual

~~It is the policy of I.S.D. 834 to fully comply with Minnesota Statute regarding the report of suspected child maltreatment. All I.S.D. 834 staff, including volunteers and paid consultants, will be held responsible for complying with the law requiring the reporting of suspected physical or sexual abuse and conditions of neglect, including educational neglect, involving minors.~~

**ADMINISTRATIVE PROCEDURES AND REGULATIONS**

**GENERAL STATEMENT OF PROCEDURES RELATED TO THE MANDATORY REPORTING OBLIGATION OF CHILD MALTREATMENT FOR DISTRICT 834 EMPLOYEES**

~~It shall be a violation of this policy for any school personnel to fail to immediately report instances of child neglect, or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.~~

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to fully comply with Minn. Stat. Ch. 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III. DEFINITIONS**

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:
  - 1. is not likely to occur and could not have been prevented by exercise of due



care; and

2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Juvenile Safety and Placement) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being maltreated or has been maltreated ~~neglected or physically or sexually abused, or has been neglected or physically or sexually abused~~ within the preceding three years.
- E. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- F. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical, or other care required for the child’s physical or mental health when reasonably able to do so;
  2. failure to protect a child from conditions or actions ~~which imminently and that~~ seriously endanger the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after ~~(considering factors as the child’s age, mental ability, physical condition, length of absence, the or environment, whether~~ when the child is unable to care for the child’s own basic needs or safety, or the basic needs or safety of another child in his or her care) ~~or~~;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);

7. ~~Neglect also includes~~ chronic and severe use of alcohol or a controlled substance by a ~~parent or~~ person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child, which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not ~~include spiritual means or prayer for treatment or care of disease where occur solely because the child's parent, guardian, or other the person responsible for the child's care in good faith has selected and depends upon spiritual means or prayer such means for treatment or care of disease or remedial care of the child in lieu, except where the lack of medical care may cause imminent and serious danger to the child's health.~~

- G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.
- H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

~~("Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.)~~ Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that does not result in an injury. Abuse does not

include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn. Stat. § 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following ~~that are done in anger or without regard to the safety of the child~~: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6 ~~of Minnesota Statutes~~; (7) striking a child under age one on the face or head; (8) ~~striking a child who is at least age one but under age four on the face or head, which results in an injury~~; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, or ~~giving the child~~ other substances that substantially affect the child's behavior, motor coordination, or judgment, or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379, including, but not limited to, tying, caging, or chaining; or (11) ~~in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.~~

- J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.
- K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, ~~or~~ by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, ~~solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children~~. Sexual abuse also includes any act involving a minor that constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. ~~Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking.~~ Sexual abuse includes threatened sexual abuse ~~which includes the status of a parent or household member who has committed a violation that requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).~~
- M. "Threatened injury" means a statement, overt act, condition, or status that

represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

#### IV. REPORTING PROCEDURES

- A. A mandated reporter ~~as defined herein~~ shall immediately report the ~~neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years to the Minnesota Department of Children, Families & Learning,~~ information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. An oral report shall be made immediately by telephone or otherwise, The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) ~~to the Minnesota Department of Children, Families & Learning,~~ to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. ~~The~~ Any report shall be of sufficient content to identify the child, any person believed to be responsible for the ~~abuse or neglect~~ maltreatment of the child if the person is known, the nature and extent of the ~~abuse or neglect~~ maltreatment, and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who ~~knows or has reason to believe that a child is neglected or physically or sexually abused, as defined by Minnesota law and this policy, or has been neglected or physically or sexually abused within the preceding three years, and fails to report is guilty of a misdemeanor, and such a failure to report~~

~~may result in discipline.~~ may be subject to criminal penalties and/or discipline, up to and including termination of employment.

- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report. ~~Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.~~
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

## V. INVESTIGATION

- A. The responsibility for assessing or investigating reports of suspected ~~maltreatment neglect or physical or sexual abuse~~ rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian, or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable, and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school

employees when an interview is conducted on school premises.

- D. Where the alleged **offender perpetrator** is believed to be a school official or employee, the school district shall conduct its own investigation independent of **MDE and, if involved**, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

## **VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

## **VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.
- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)



**Agenda Item: XI.I.**  
**Date Prepared: February 9, 2022**  
**ISD 834 Board Meeting**

Report for Information: First Reading Policy 415 Mandated Reporting of Maltreatment of Vulnerable Adults  
Meeting Date: February 17, 2022  
Contact Person: Dr. Jennifer Cherry, Assistant Superintendent

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***Background:***

The 2022 Policy Working Group will be presenting Mandated Reporting of Maltreatment of Vulnerable Adults Policy 415 for a first reading. This is a new policy for #834.

The proposed policy is included for your review.

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***Recommendation:***

Input from Board directors and community is requested. This will come back for a second reading at the next business meeting.



**EMPLOYEES / PERSONNEL**

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
<b>Mandated Reporting of Maltreatment of Vulnerable Adults</b>	<b>415</b>		<b>Annual</b>

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.

**II. GENERAL STATEMENT OF POLICY**

A. The policy of the school district is to fully comply with Minn. Stat. § 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.

B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

**III. DEFINITIONS**

A. “Mandated Reporters” means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.

B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.

C. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 17.

D. “Abuse” means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322;

and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 2.

E. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.

F. "Vulnerable Adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.

I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

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

A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.

B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.

C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data* as defined under Minn. Stat. § 13.02 to the extent necessary to comply with the above reporting requirements.

D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.

F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

## V. INVESTIGATION

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

## VI. DISSEMINATION OF POLICY AND TRAINING

A. This policy shall appear in school personnel handbooks where appropriate.

B. The school district will develop a method of discussing this policy with employees where appropriate.

C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)

Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)

Minn. Stat. §§ 609.221-609.224 (Assault)

Minn. Stat. § 609.234 (Crimes Against the Person)

Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)



Agenda Item: Adjournment  
Meeting Date: February 17, 2022  
Contact Person: School Board Chair

**Agenda Item XII. A.**  
**Date Prepared: February 7, 2022**  
**ISD 834 Board Meeting**

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The meeting must formally adjourn.



**Finance and Operations Working Group  
Minutes: 2/10/2022**

**Present:** Beverly Petrie, Alison Sherman, Pete Kelzenberg, Mark Drommerhausen, John Thein, John Perry, Malinda Lansfeldt, Joan Hurley, Linda Moncrief

**916 Resolution to access telecommunications Equity Aid**

The district has been able to apply for some funding for telecommunications through State Equity Aid funding, but it cannot be accessed directly. It must be done through an authorized agent. The district's previous agent is no longer available, so administration is proposing the district apply for the funding—about \$60,000—through partnering with Intermediate School District 916. This arrangement must be executed through a resolution to be introduced at the next board meeting.

**Oak-Land Middle School pool tile and locker replacement**

The district is going forward with a Long-Term Facilities Maintenance project to replace the tile and lockers in the pool area of Oak-Land Middle School. The project was broken down by the district's agent, Kraus Anderson, into six parts and will be managed by Kraus Anderson. Each of the parts was put out for bid separately. Construction costs were estimated to be \$873,507, and the total cost of the six lowest responsible bids was \$754,533. Work on this project is scheduled for this summer.

**2021-22 Draft Budget**

Finance Director John Thein previewed for the committee some documents he will present to the full board as it begins the process of evaluating the district's finances and approving a budget for 2022-23.

Respectfully submitted,  
Beverly Petrie



Stillwater School Board  
Policy Meeting Notes  
February 9, 2022

Present: Katie Hockert, Jennifer Cherry, Joan Hurley, Cindy Gustafson  
Absent: Annie Porbeni, Bev Petrie

#### Agenda

- Review Policy Committee schedule
- Prepare policies 722, 205, & 214 for second reading
- Review new policies

#### Highlights of Discussion

- No comments received after first reading of 205 & 214. No additional adjustments made.
  - Move 205 & 214 for second read at 2/17/22 board meeting
- Reviewed new procedural form for policy 722 and reviewed board and public comments on 722 policy from first reading on Nov 18, 2021
  - Move 722 & procedural form for second read at 2/17/22 board meeting
- Reviewed policy 414: Mandated Reporting of Child Neglect or Physical or Sexual Abuse. Previously reviewed and endorsed by the Director of Special Education. Also had the Director of Human Resources answer a couple follow up questions.
  - Move 414 for first read at 2/17/22 board meeting
- Reviewed a new policy 415: Mandated Reporting of Maltreatment of Vulnerable Adults. Previously reviewed and endorsed by the Director of Special Education. This policy reflects the legal mandates for reporting maltreatment of vulnerable adults.
  - Move 415 for first read at 2/17/22 board meeting
- Tabled 207 for now. Will add to the Open Forum policy package along with 206, 201.3, 201.6.

#### What's next

- Feb 17 board meeting-second reading of 205, 214, 722 with procedure, first reading of 414 & 415
- Bring back policies we didn't get to: 215, 201.10, 213, 201.9
- New policies up next: 202, 201.7, 201.8, 209, 201.4, 201.11, 209.1

Respectfully submitted by: Katie Hockert

Date: 2/9/22

Next Meeting: February 23, 2022



**TO:** Northeast Metro 916 Board of Education

**FROM:** Dr. Val Rae Boe

**DATE:** February 8, 2022

**RE:** February 2 Board of Education Meeting Summary

Members present: Knisely-12, Palmer-13, Starck-14, Forsberg-16, Oksnevad-282, Westerman 621, Yener-622, Clark-623, Daniels-624, Donovan-832, Dols-833 and Hockert-834. Members absent: Keto-831

**Calendar Dates:** 916 will be providing program/site visits to Member District Leaders over the next few months. A link to sign up was sent to Superintendents, Board Members and Special Ed Directors.

- Wednesday, February 23: Career and Tech Student Built Home Tour at 10:30 a.m.
- Wednesday, March 23: Metro Heights at 8:00 a.m. and Karner Blue at 9:30 a.m.
- Wednesday, April 6: Auditory Oral Program at 8:30 a.m. and Pankalo at 9:30 a.m.
- Wednesday, May 11: WELS N at 8:00 a.m., South Campus at 9:00 a.m., and Quora Education Center at 10:30 a.m.

**School Resource Officer Update:** Dan Naidicz, assistant superintendent, shared the Executive Summary Report that was provided upon concluding the SRO study that has occurred over the last year. The workgroup was made up of Cabinet Members, Principal/Managers, School Board Members, SRO's, district staff, a consultant and a facilitator. Several focus groups were held as well involving students and parents. Based on the process and data sourced from the focus group, the overwhelming sense was that the district should not discontinue its contract and partnership with SRO's. The work group made recommendations in these four areas: Purpose and Roles Clarification (establishing clarity of partnership), Alignment (strengthening connection between 916 and SRO's), Accountability (ensuring follow-through and effectiveness), and Sustainability (working together for success).

**Joint purchasing:** Mark Kumlien, executive director of finance, provided a report which summarized the extent to which our 13 member districts and 39 other partners have used our joint purchasing contracts over the last year. The combined total purchases made using these contracts in 2021 was \$4,817,444. Based upon these purchases, Northeast Metro 916 will collect administrative fees totaling \$48,175 for 2021. 916 currently has joint purchasing agreements with 101 public entities including school districts in Iowa, Illinois, Michigan, Minnesota, Nevada and Wisconsin, a State University and the MN Sports Facility Authority.

**Extended School Year:** The school board approved the 2022 Extended School Year (ESY)



calendar for Special Education Center Based Programs, which will be held from July 12-28<sup>th</sup>. The Summer Transition Program will be held June 11-26<sup>th</sup>.

**Audit report:** The school board approved the FY21 audit report, which was presented at the January 2022 school board meeting. The auditor found one deficiency in the District's internal controls over compliance in the subrecipient monitoring requirements and a corrective action plan has been put into place. There were no instances of noncompliance with laws and regulations.