

**INDEPENDENT SCHOOL
DISTRICT #624**



**SCHOOL BOARD
WORK SESSION
PACKET**

August 22, 2022

MISSION STATEMENT

The mission of the White Bear Lake Area School District, the community at the forefront of educational excellence, honoring our legacy and courageously building the future, is to ensure each student realizes their unique talents and abilities, and makes meaningful contributions with local and global impact through a vital system distinguished by:

- *Students who design and create their own future*
- *A culture that respects diverse people and ideas*
- *Safe, nurturing and inspiring environments*
- *Exceptional staff and families committed to student success*
- *Abundant and engaged community partners*

**INDEPENDENT SCHOOL DISTRICT NO. 624
WHITE BEAR LAKE, MN 55110**

To: Members of the School Board

From: Dr. Wayne A. Kazmierczak
Superintendent of Schools

Date: August 17, 2022

A work session of the White Bear Lake Area School Board will be held on **Monday, August 22, 2022**, at 5:30 p.m. in Room 112 at District Center, 4855 Bloom Avenue, White Bear Lake, MN.

WORK SESSION AGENDA

A. PROCEDURAL ITEMS

1. Call to Order
2. Roll Call

B. DISCUSSION ITEMS

1. Overview of Community Survey Results
2. Instructional Leadership, Educational Equity, and Academic Programming Update
3. Summary of Superintendent's Evaluation

C. OPERATIONAL ITEMS

1. Action on Proposed Substitute Teacher Rate Change
2. Action on Superintendent's Contract for 2023-2026

D. ADJOURNMENT

B. DISCUSSION ITEMS

AGENDA ITEM: **Overview of Community Survey Results**

MEETING DATE: **August 22, 2022**

SUGGESTED DISPOSITION: **Discussion Item**

CONTACT PERSON(S): **Dr. Wayne A. Kazmierczak, Superintendent;**
Marisa Vette, Director of Communications
and Community Relations

BACKGROUND:

Peter Leatherman from The Morris Leatherman Company will be in attendance at the August 22, 2022 School Board work session to provide an overview of the results from a community survey that was conducted in June.

White Bear Lake Area School District

2022 Residential Survey

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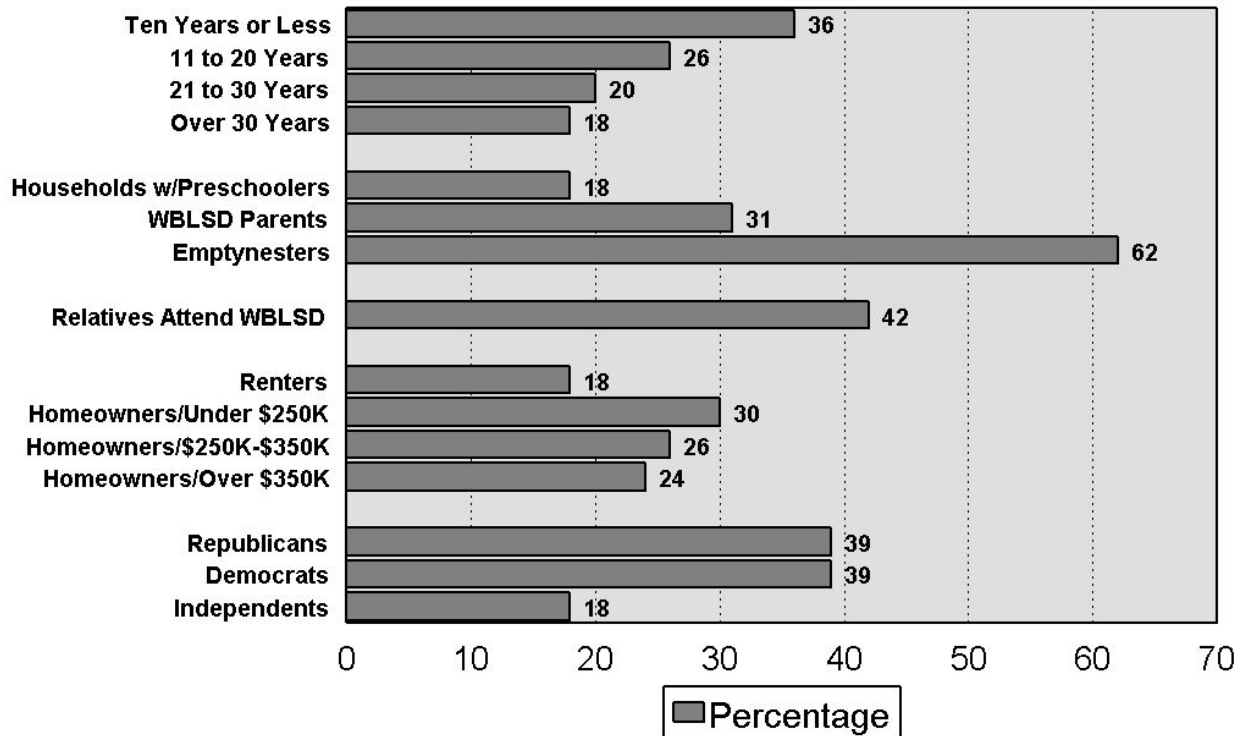
Survey Methodology

2022 White Bear Lake Area Schools

- ☒ 400 random household sample of School District residents
- ☒ Telephone interviews conducted between June 9th and 24th, 2022
- ☒ Average interview time of 14 minutes
- ☒ Non-response level of 4.0%
- ☒ Projectable within +/- 5.0% in 95 out of 100 cases
- ☒ Cellphone Only Households: 51%
- ☒ Landline Only Households: 9%
- ☒ Both Landline and Cellphone Households: 40%

Demographics I

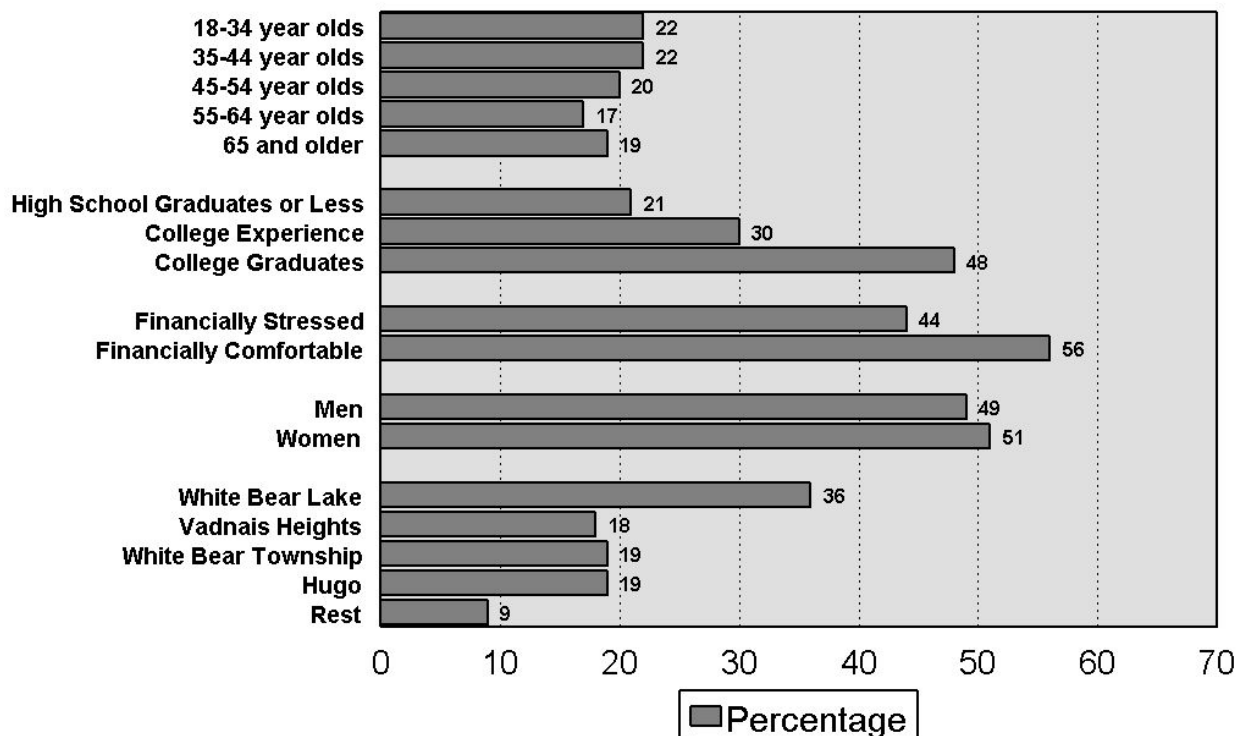
2022 White Bear Lake Area Schools



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Demographics II

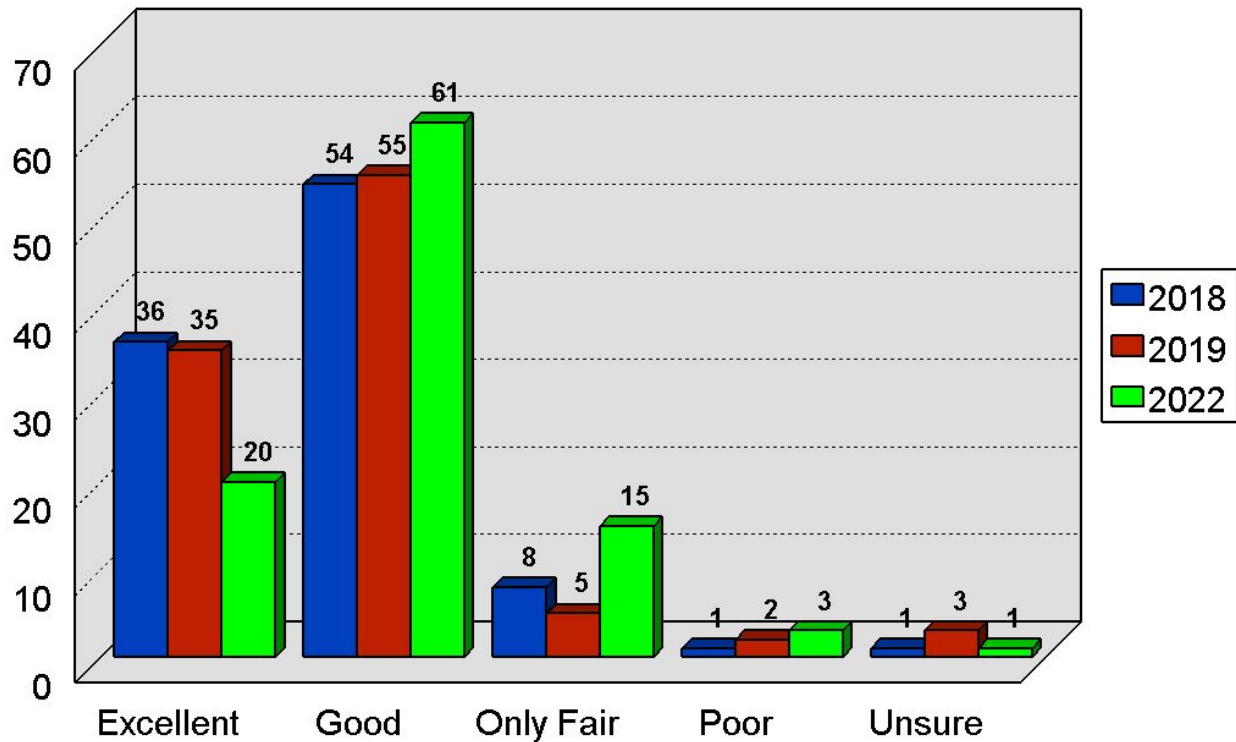
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Quality of Public Schools

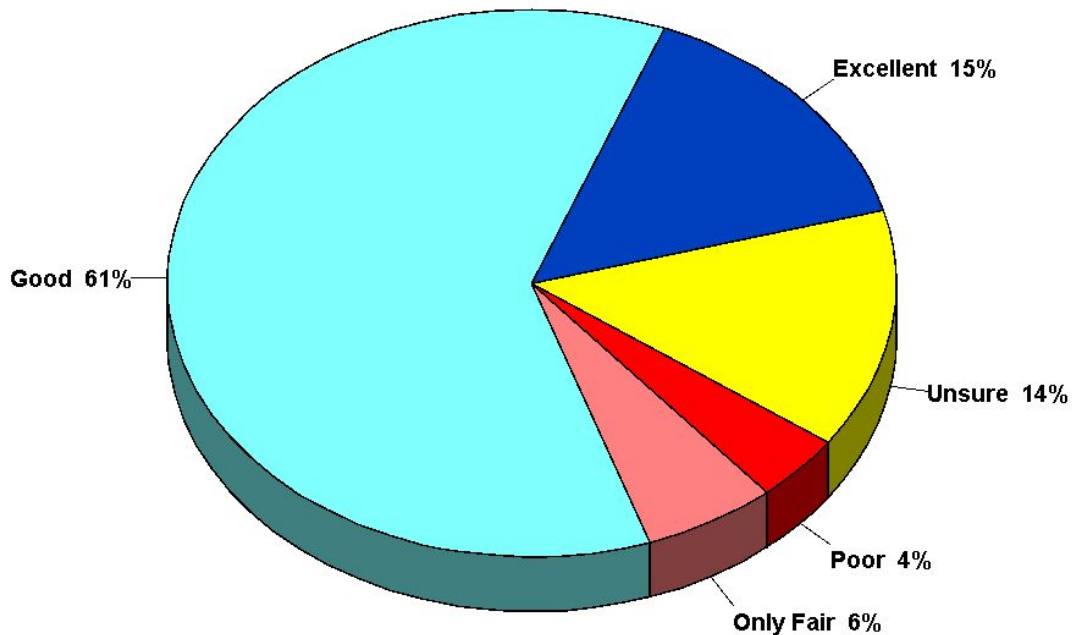
2022 White Bear Lake Area Schools



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Handling the Pandemic

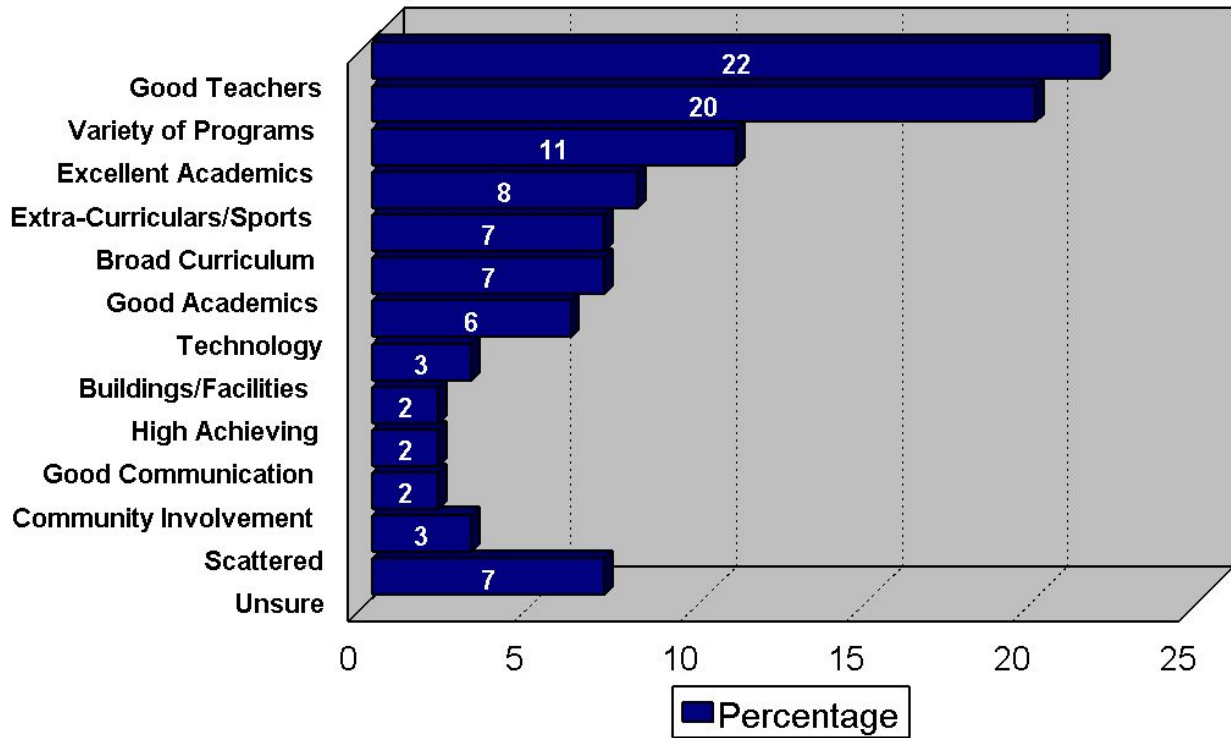
2022 White Bear Lake Area School District



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Like Most

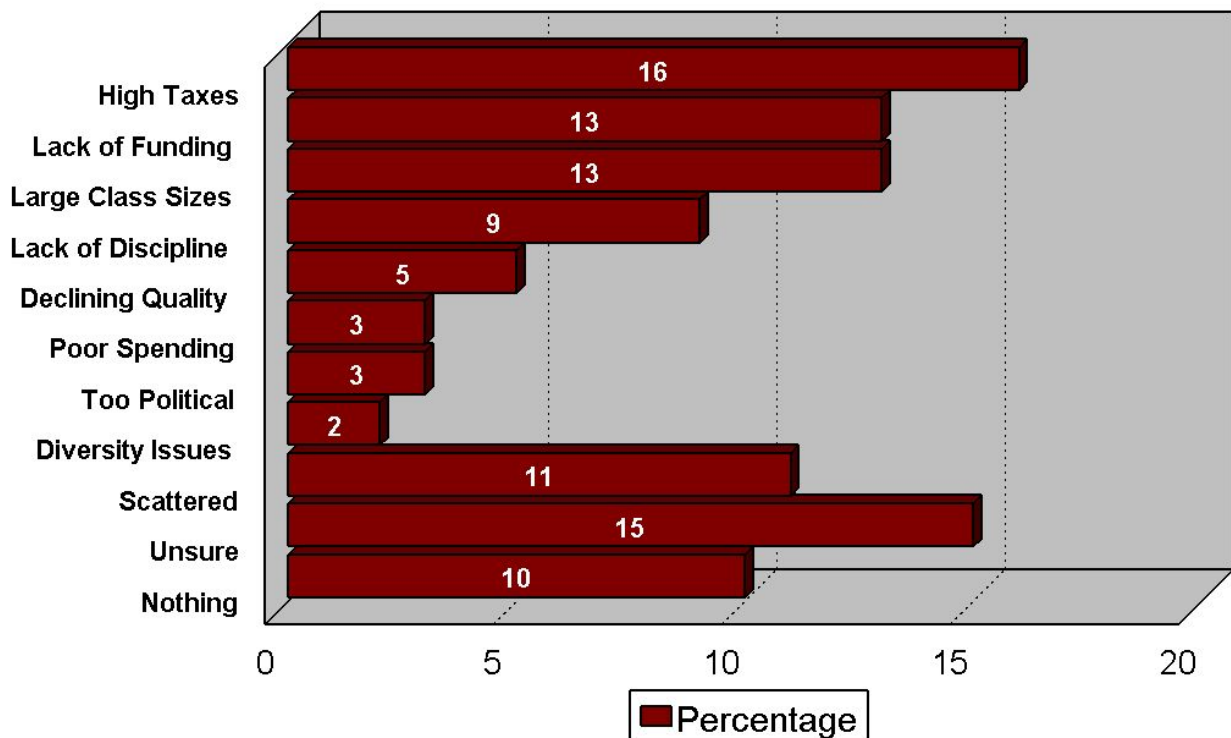
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Most Serious Issue

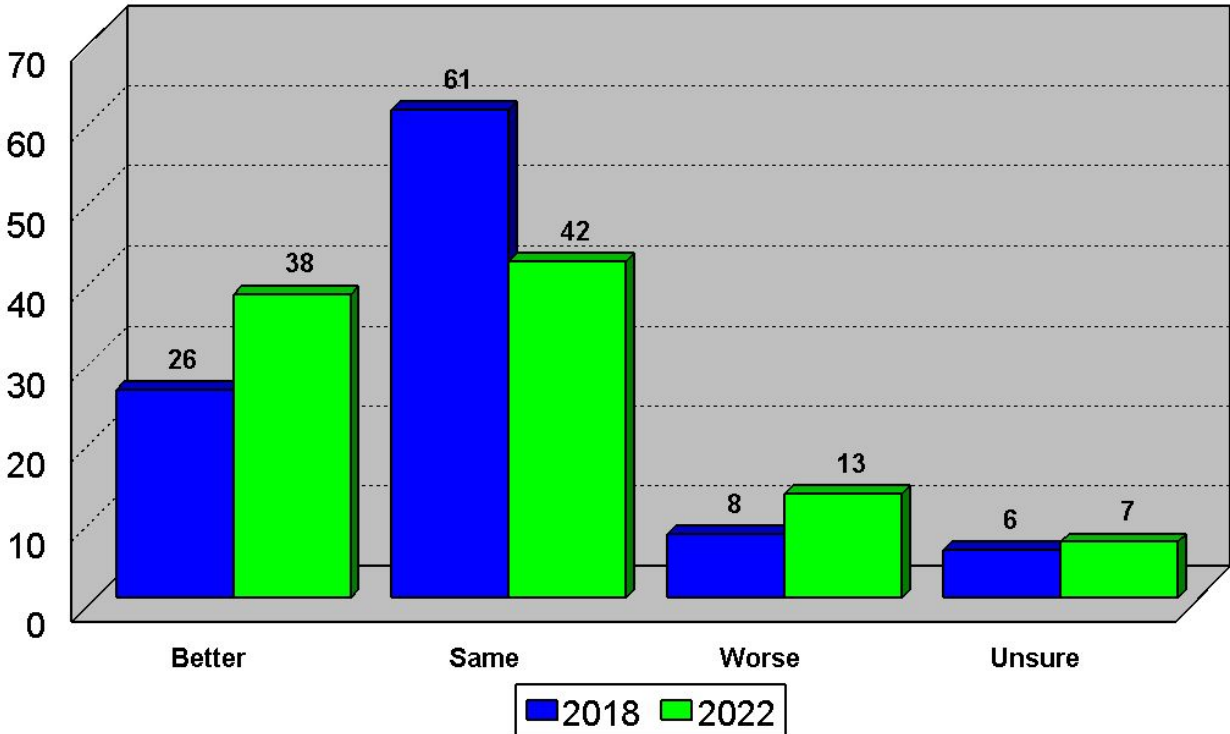
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Quality Compared to Three Years Ago....

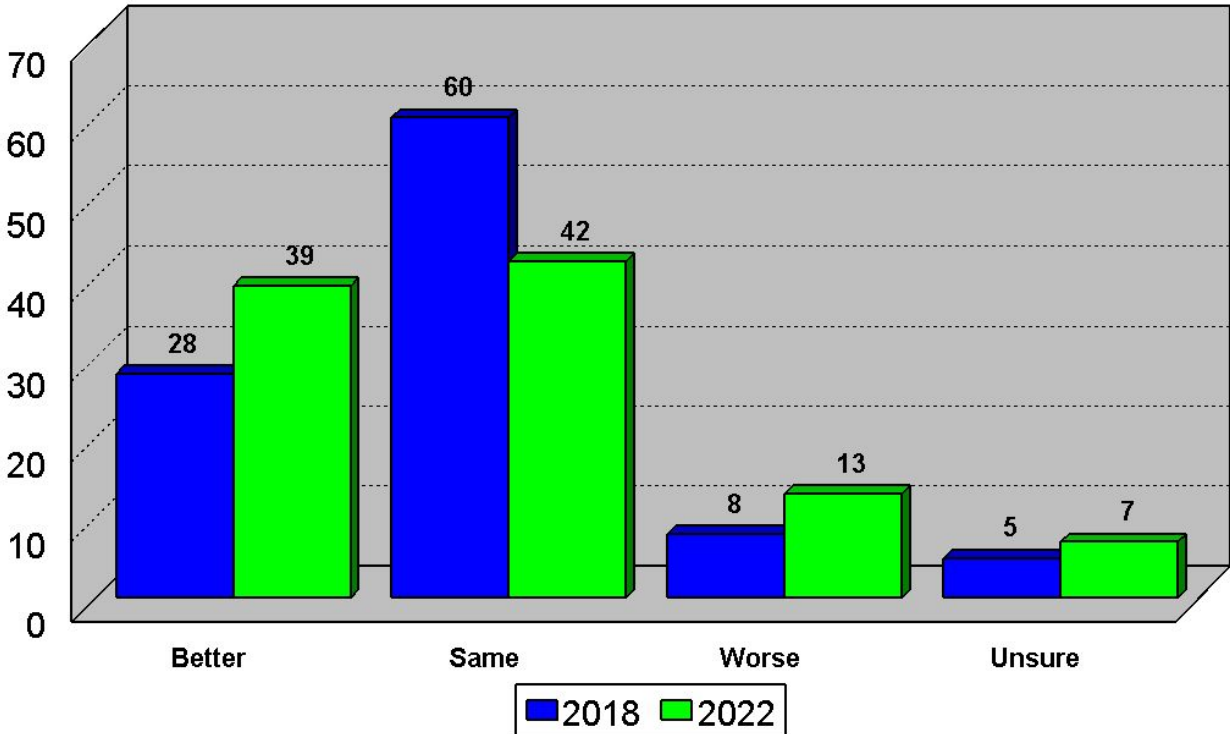
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Quality Compared to Neighboring Districts....

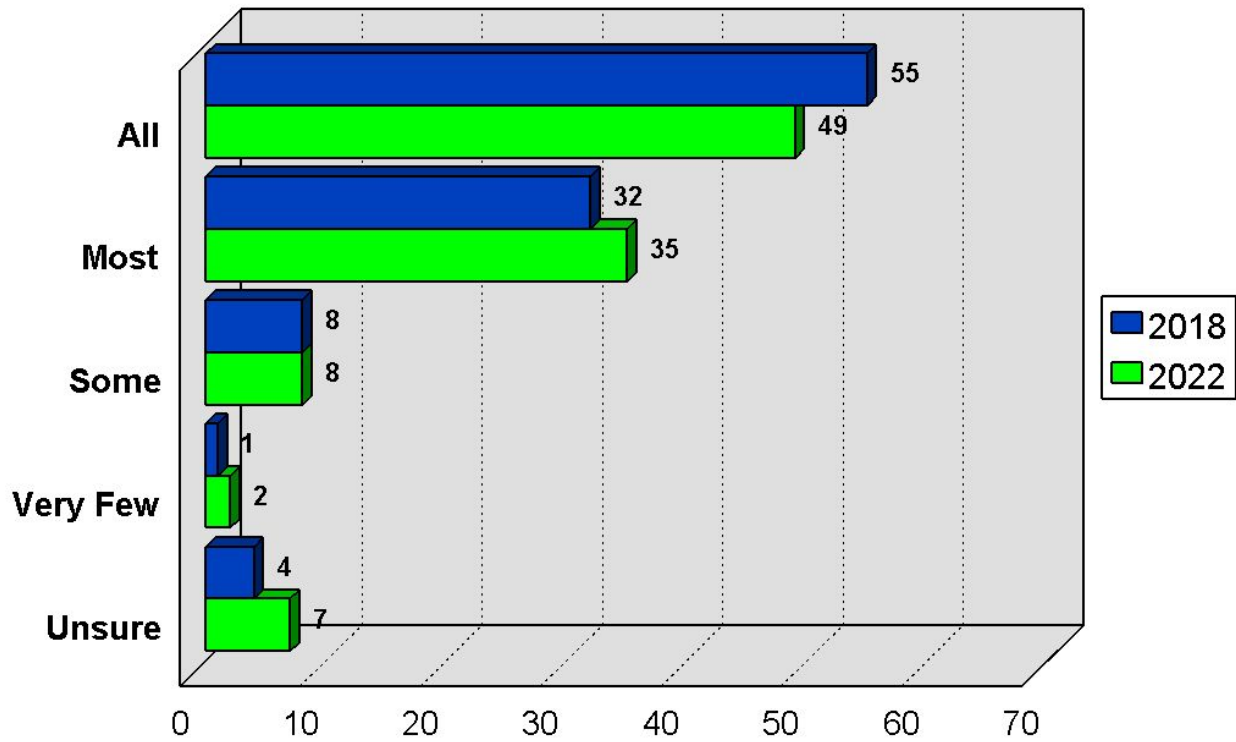
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Meet Students' Learning Needs

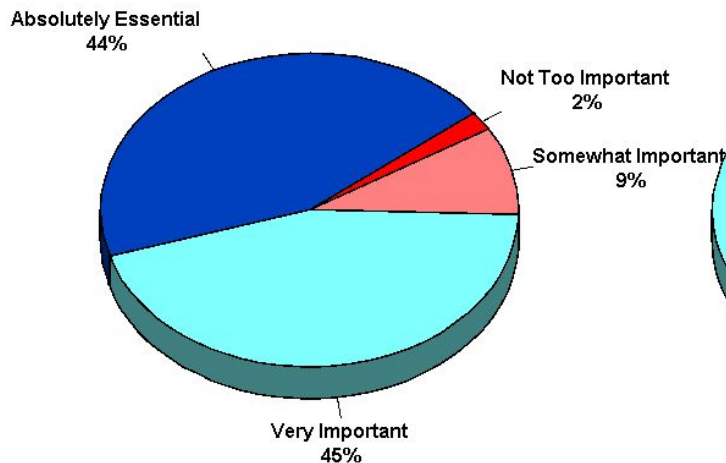
2022 White Bear Lake Area School District



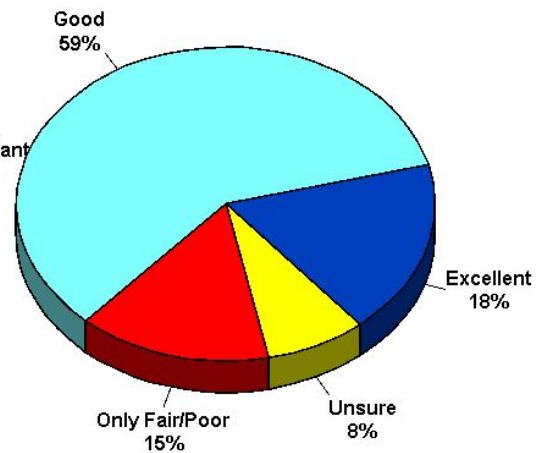
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Technology

2022 White Bear Lake Area School District



Importance of Technology to Student Learning

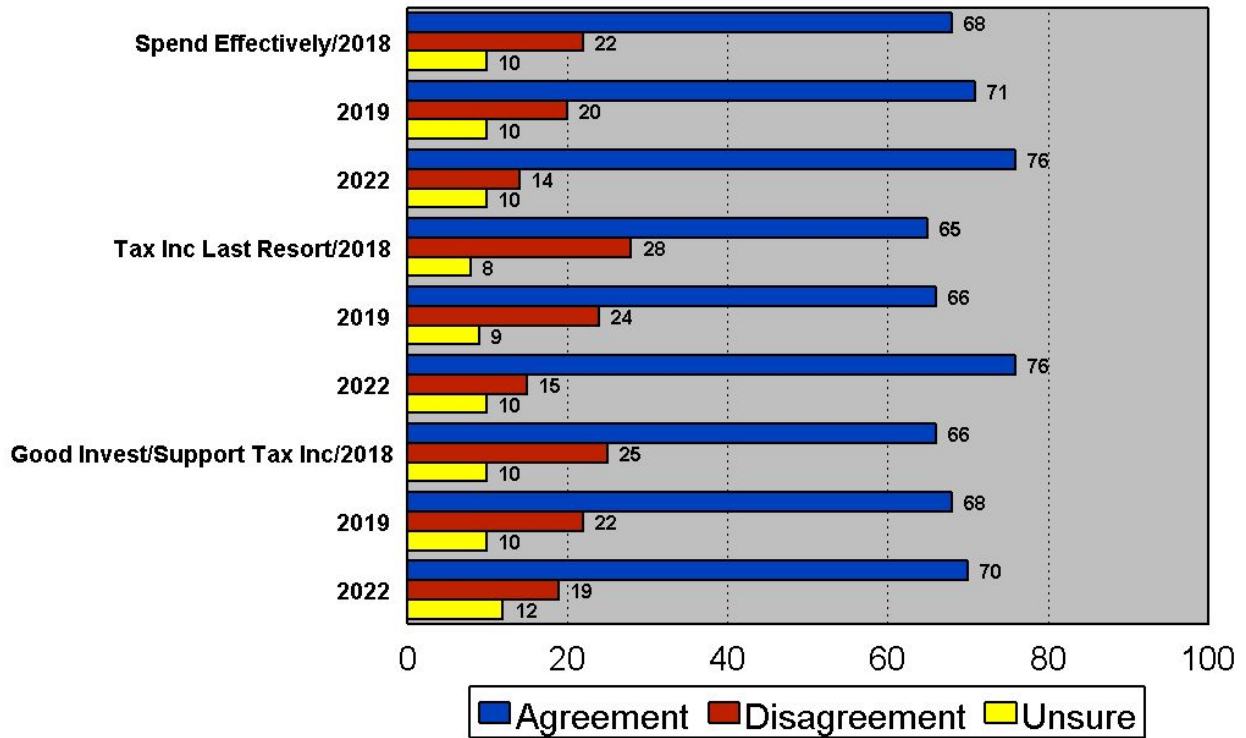


Rating of Technology in WBLSD

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School District Perceptions I

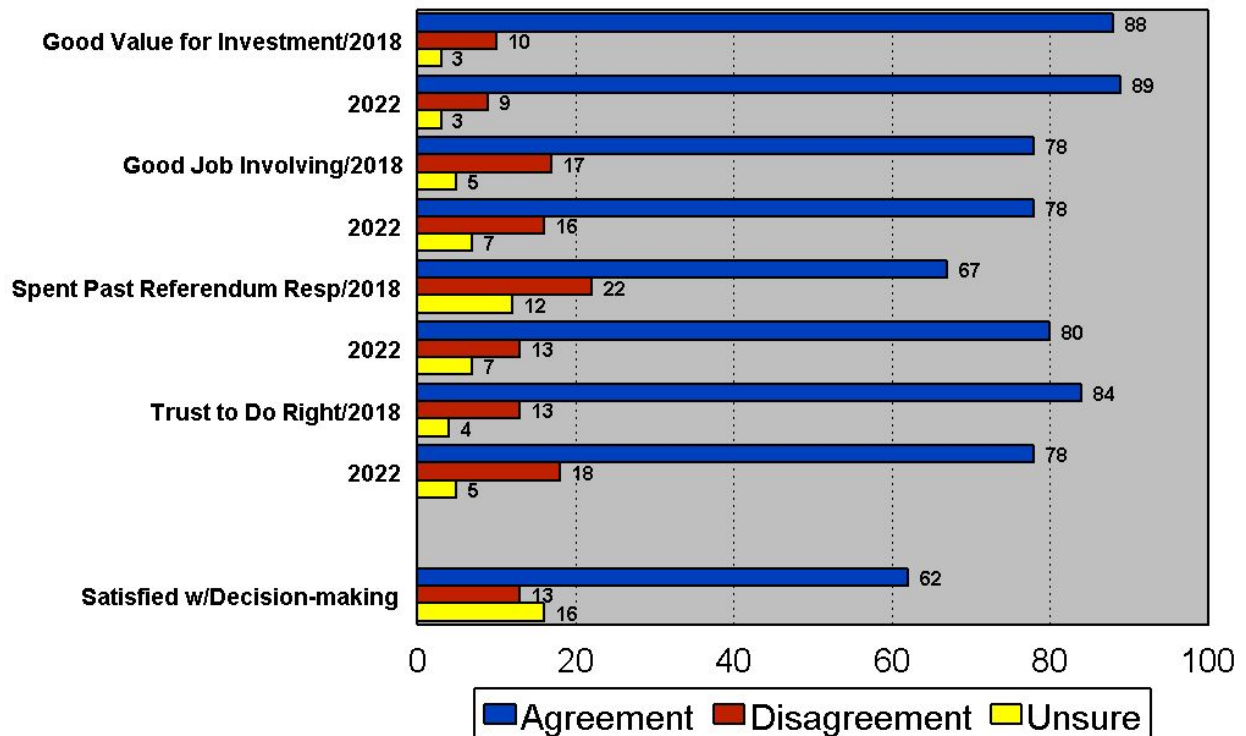
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School District Perceptions II

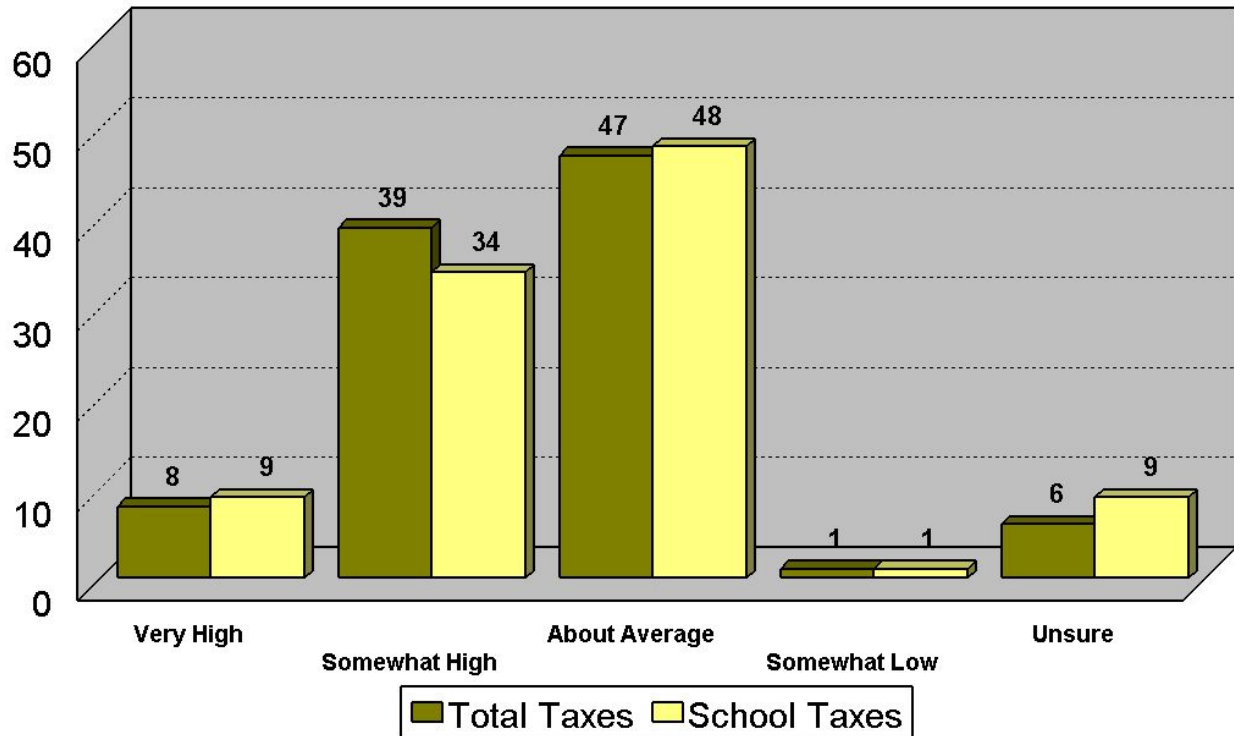
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Property Tax Comparisons

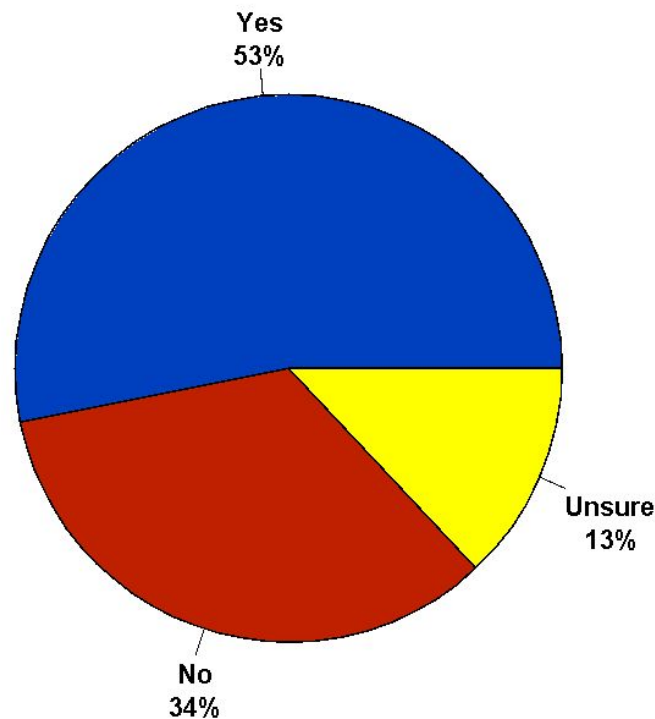
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Adequately Funded

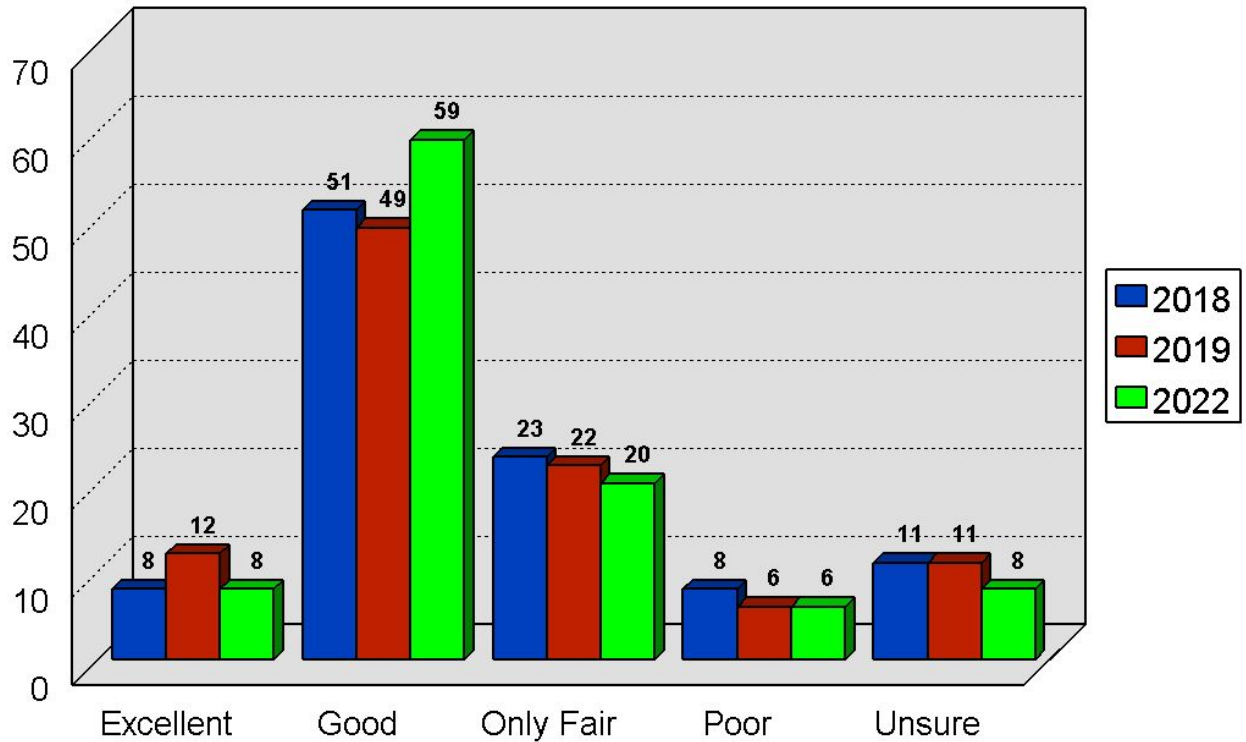
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Financial Management

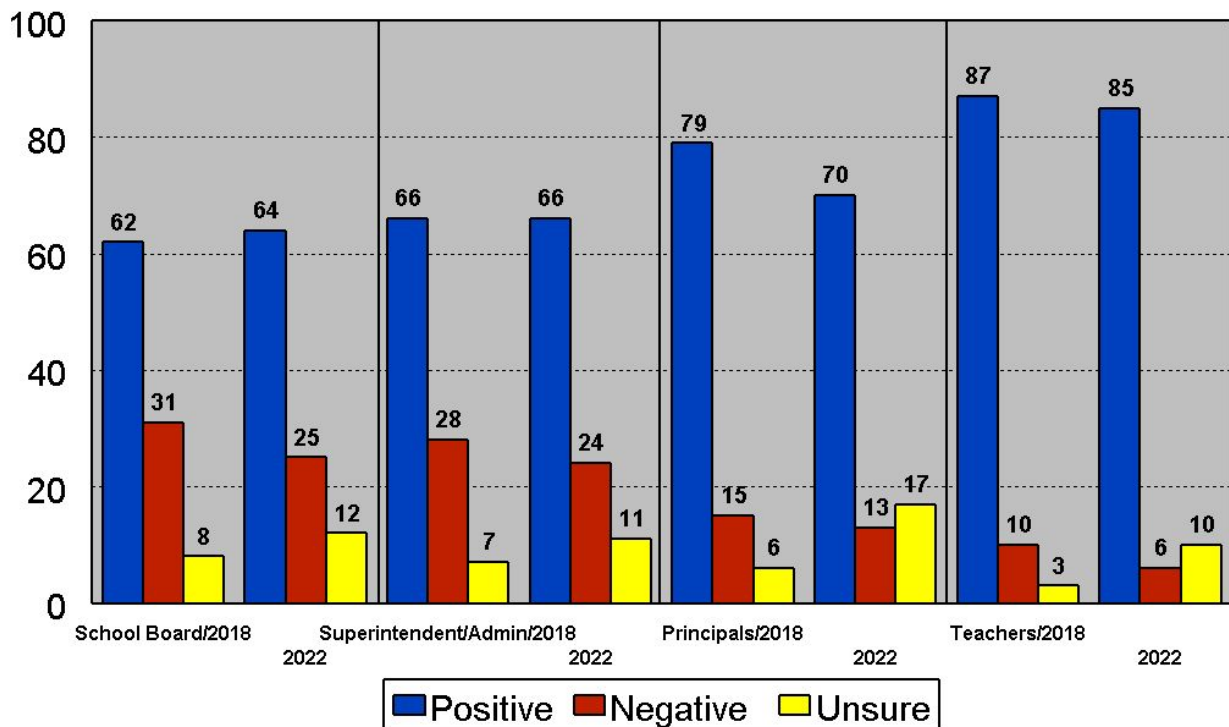
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Job Performance Ratings

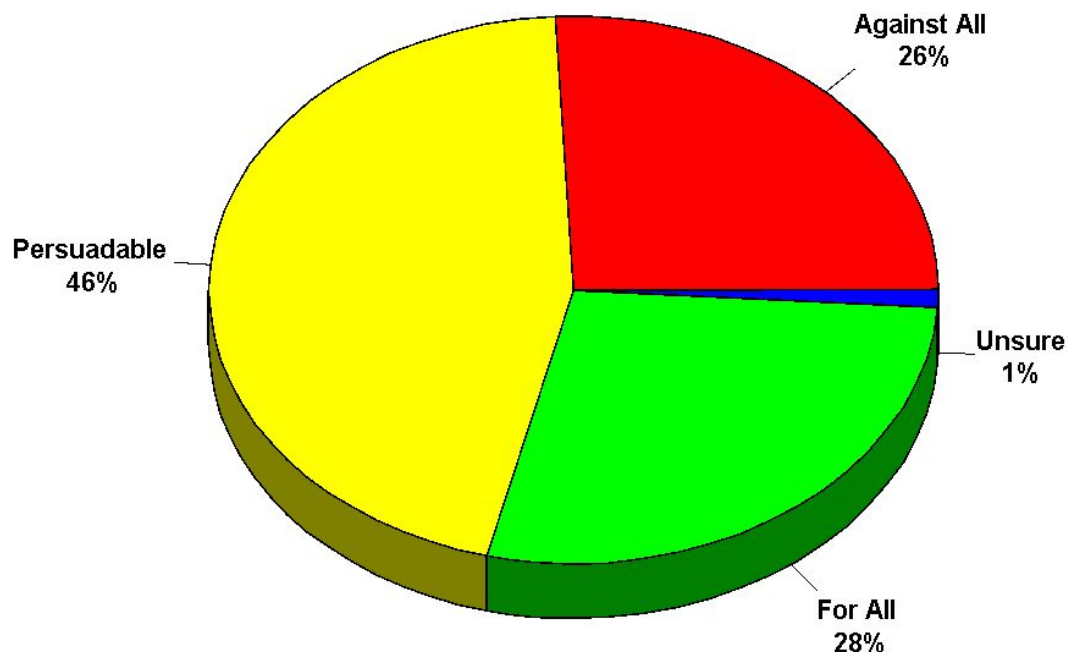
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Tax Increase Predisposition

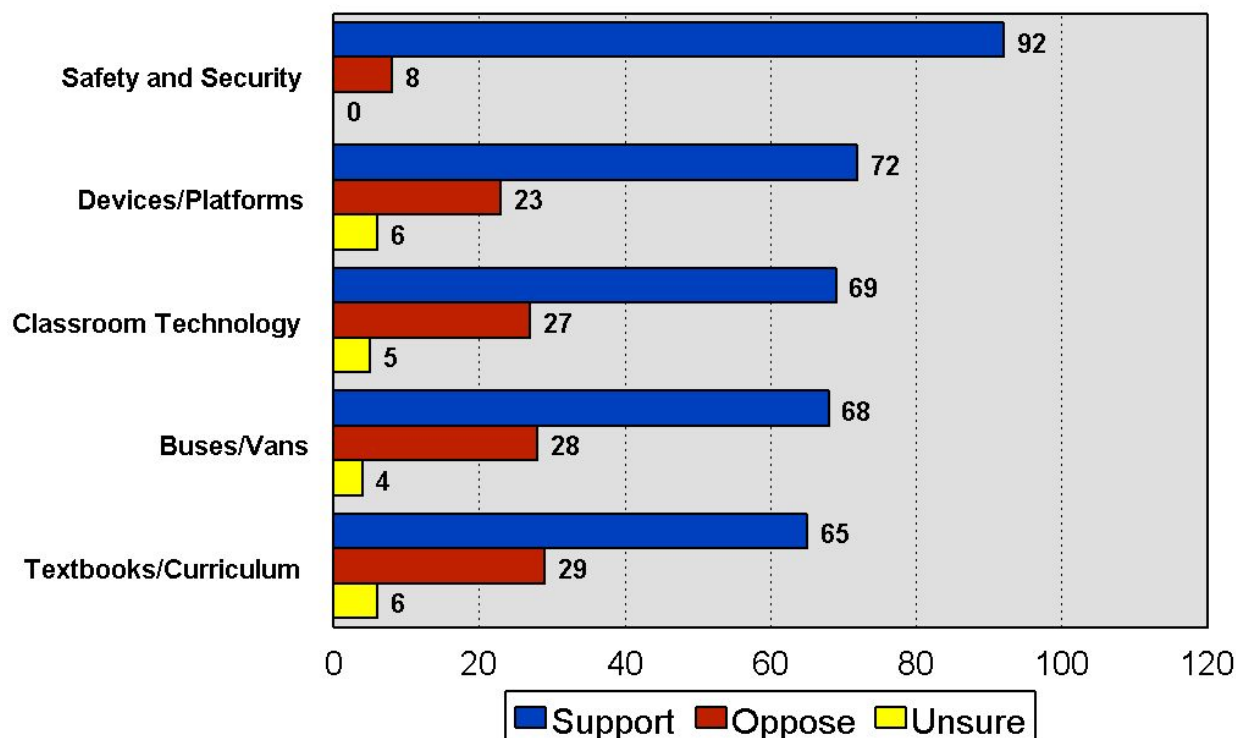
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Using Capital Projects Levy Revenue for....

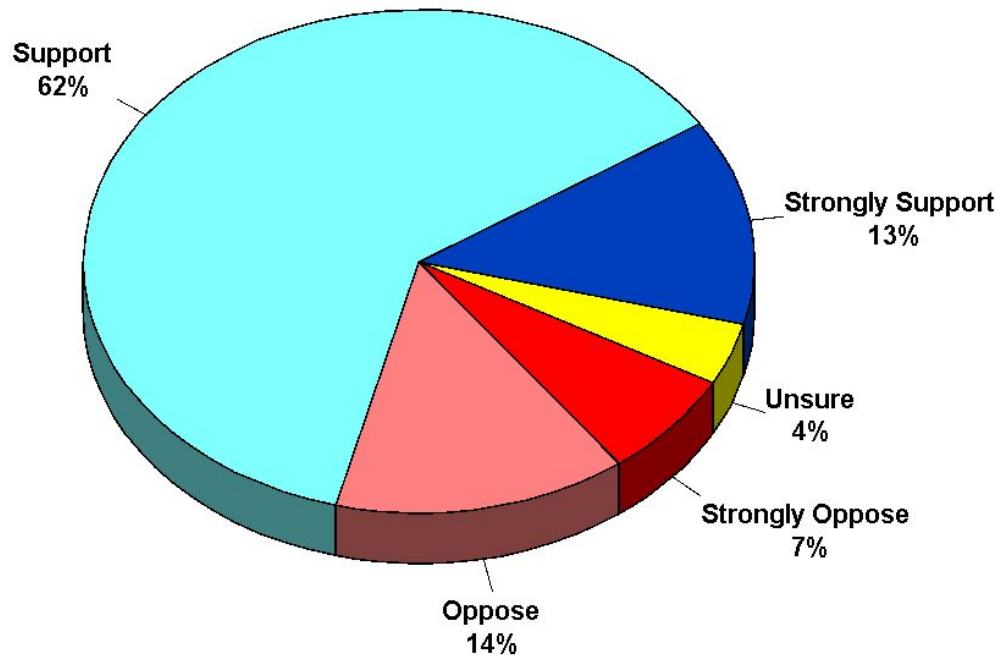
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Capital Projects Levy Renewal

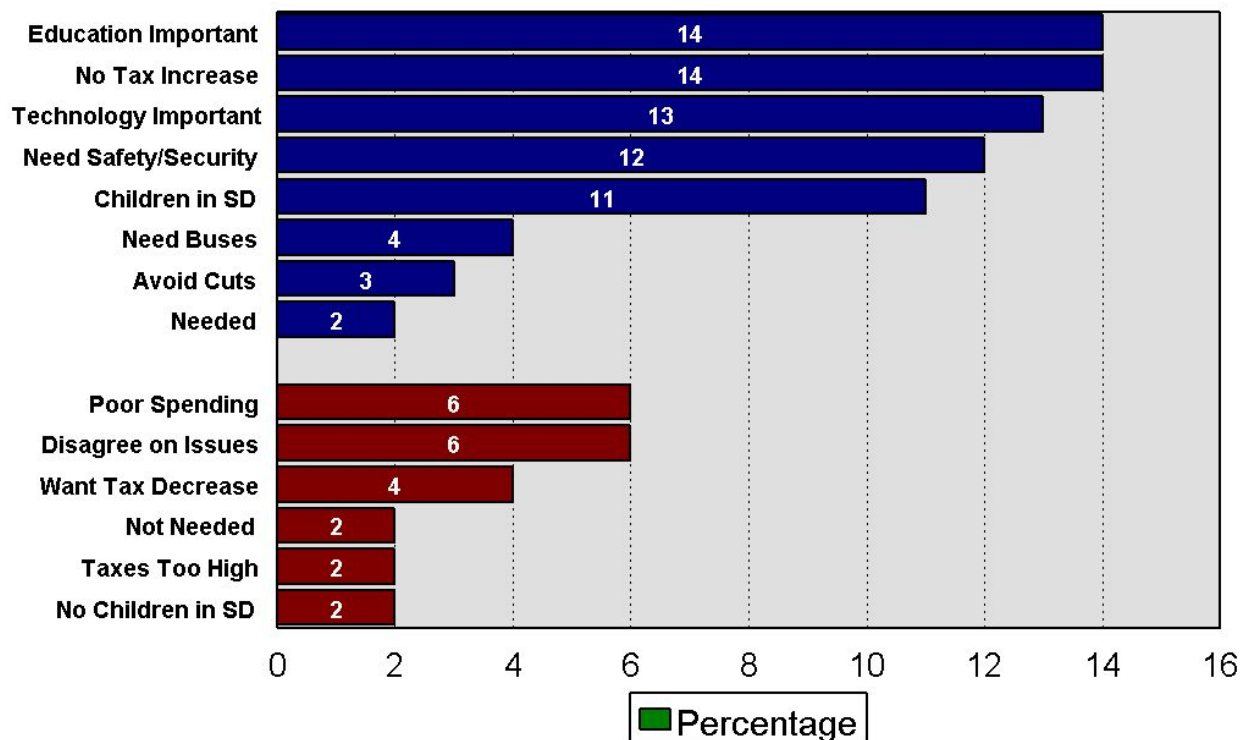
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Reason for Renewal Decision

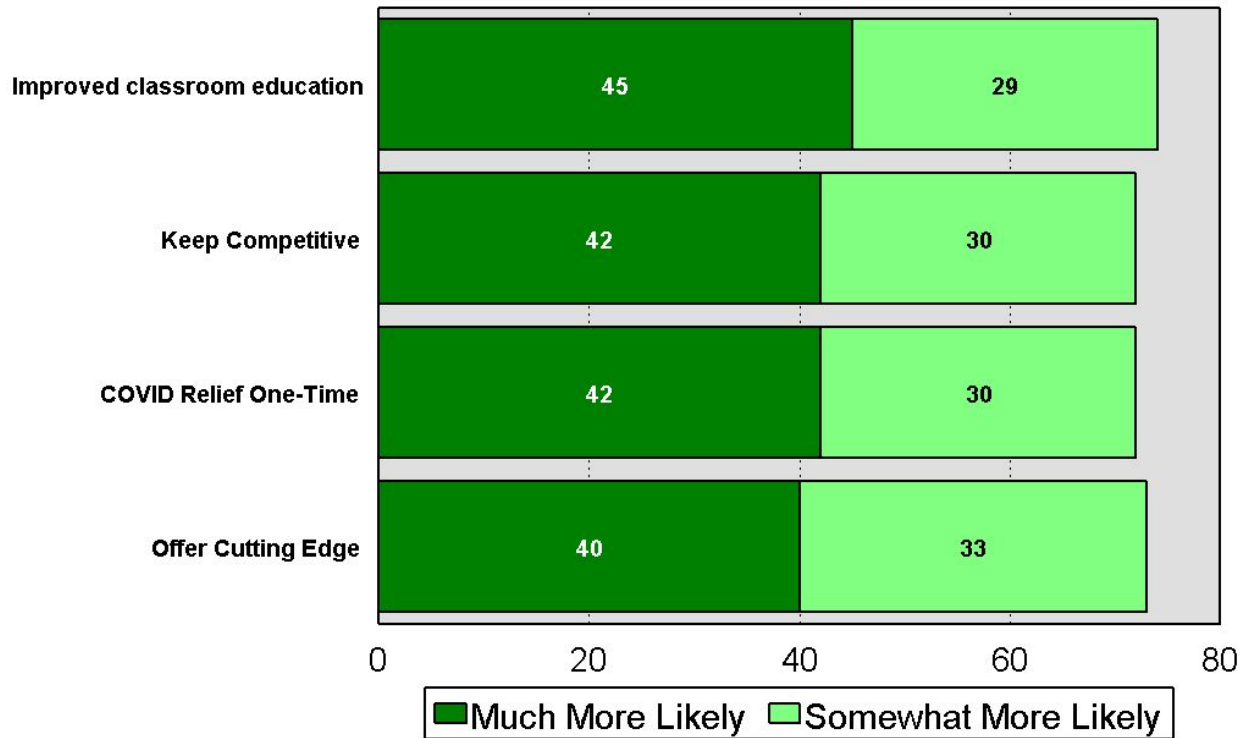
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Arguments in Support

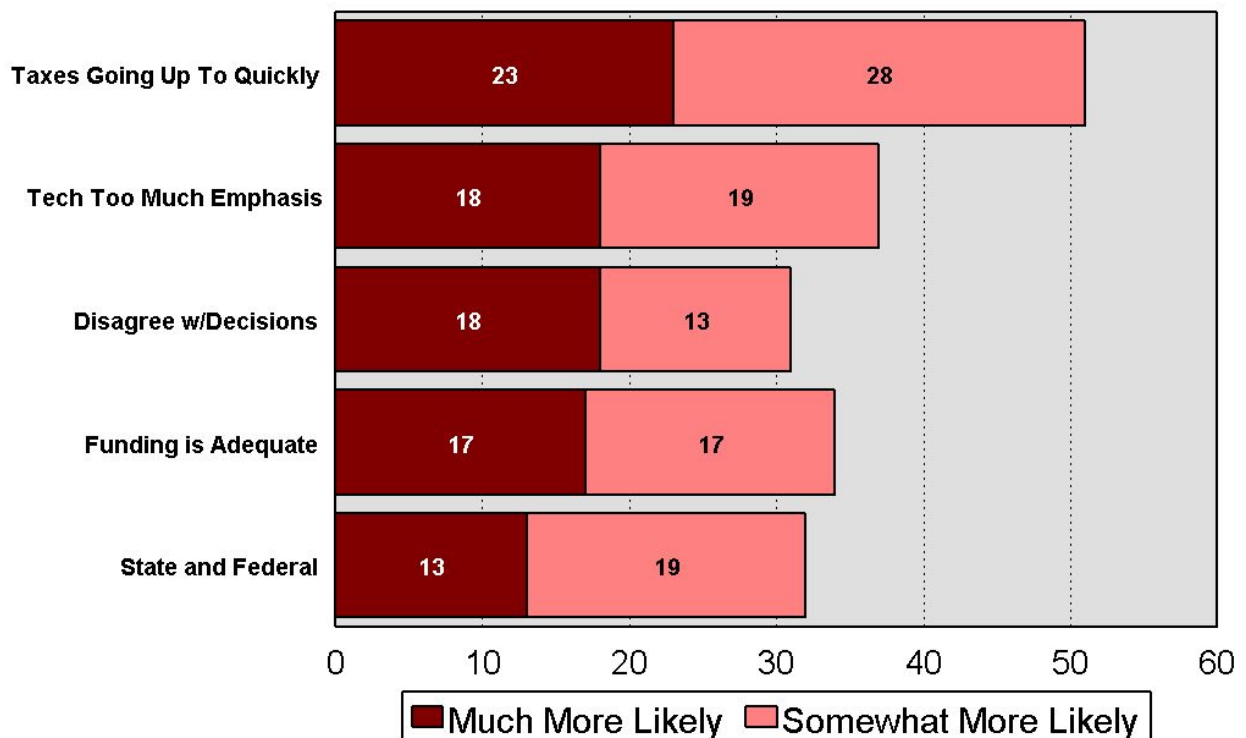
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Arguments in Opposition

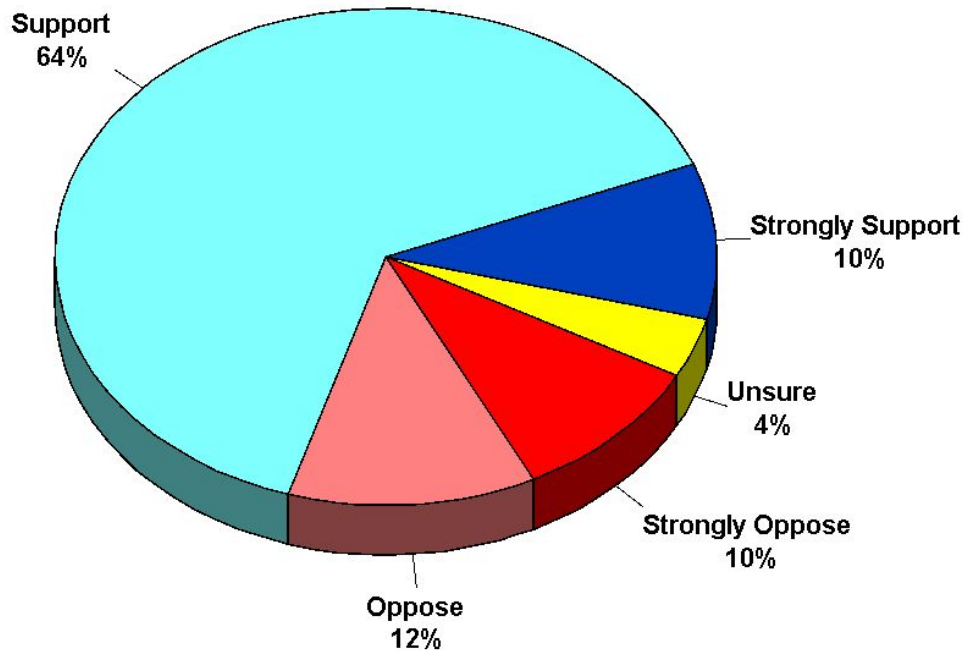
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November Vote

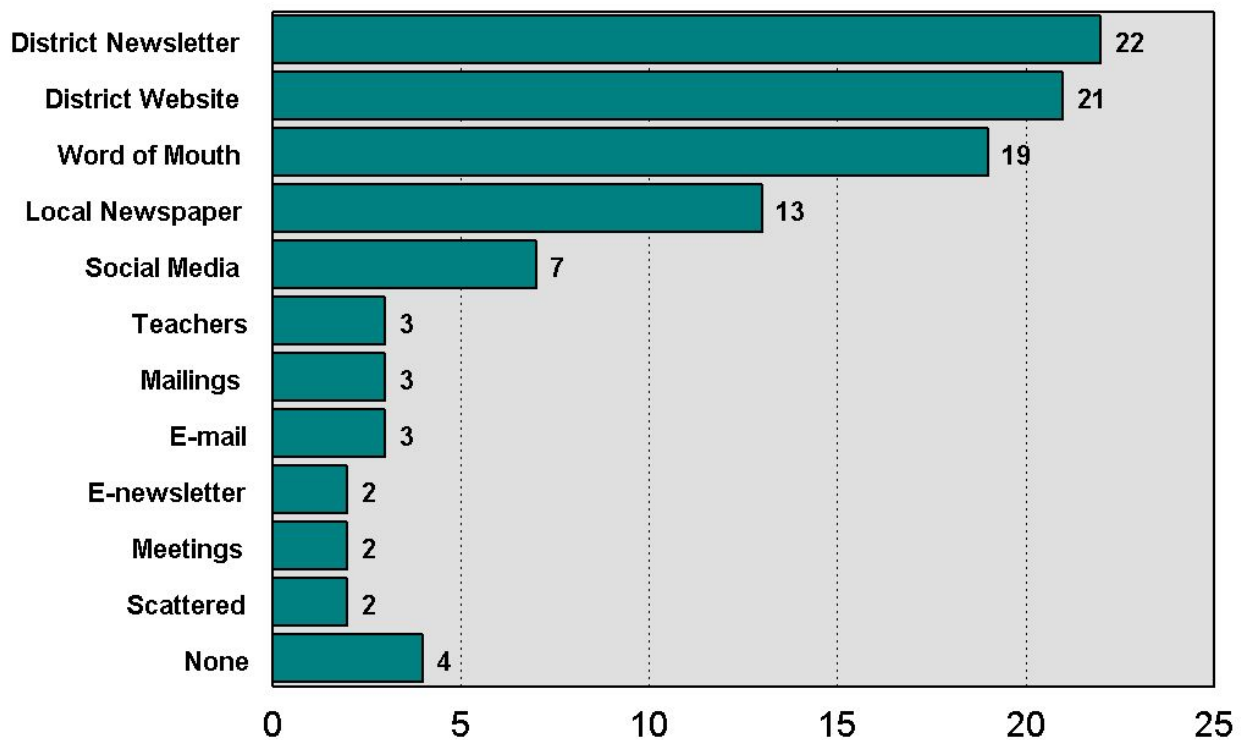
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Credible Source of Information

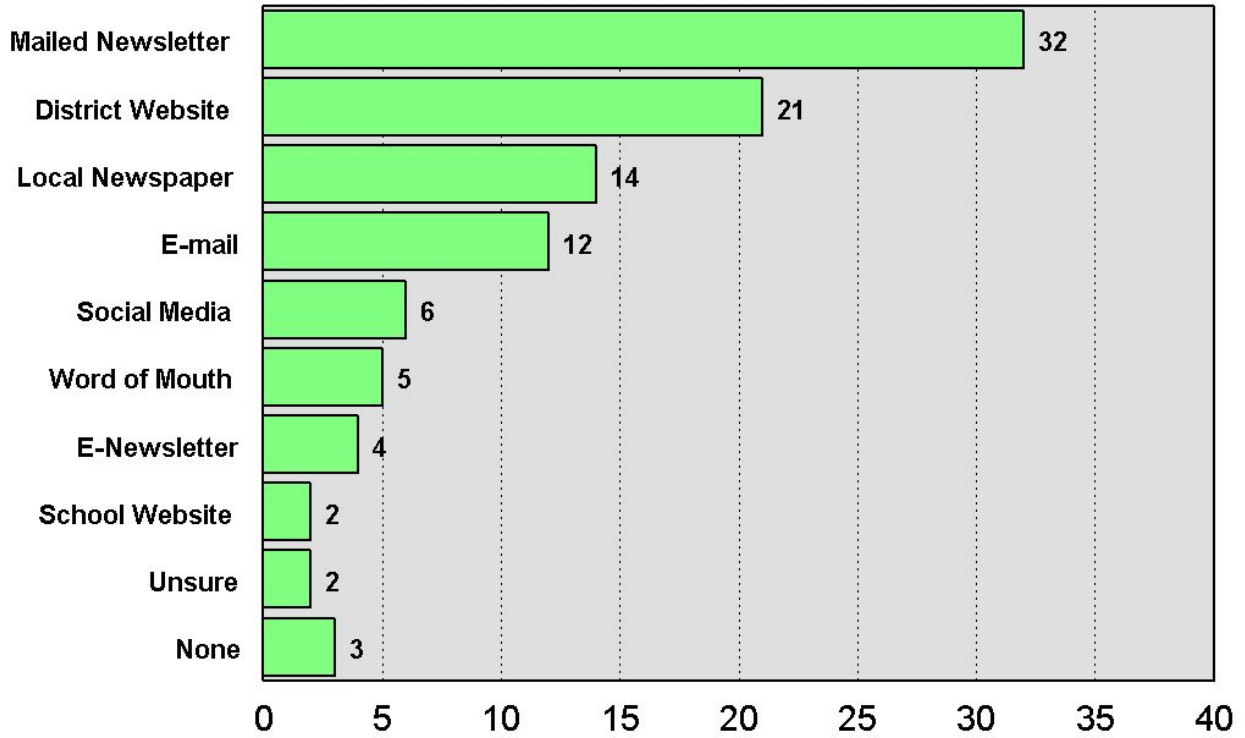
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Most Effective

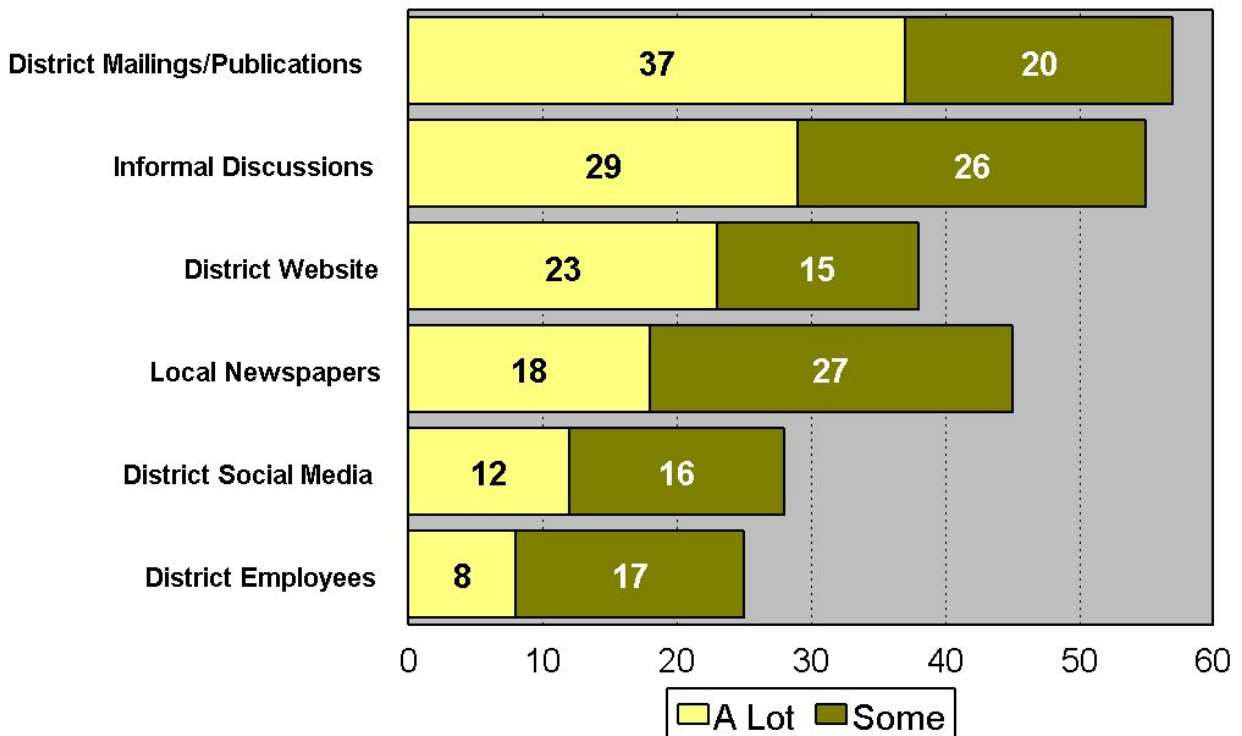
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Information Sources

2022 White Bear Lake Area School District



The Morris Leatherman Company

AGENDA ITEM: **Instructional Leadership, Educational Equity,
and Academic Programming Update**

MEETING DATE: **August 22, 2022**

SUGGESTED DISPOSITION: **Discussion Item**

CONTACT PERSON: **Dr. Alison Gillespie, Assistant Superintendent
for Teaching and Learning;**
Dr. Wayne Kazmierczak, Superintendent

BACKGROUND:

Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning along with Angela Nelson, WBLAHS- North Campus Principal and Briana Santoscoy, Student, Family and Community Engagement Coordinator will provide an overview of system alignment that has occurred in an effort to better support our continued work in operationalizing strategic priorities in the areas of instructional leadership, educational equity and academic programming. Specific projects will be highlighted including: WBLAS Equitable Family Engagement Framework, WBLAHS student voice and leadership project, and system wide protocols such as the Administrative Guidelines for Transgender and Gender-Expansive Student Rights and Protections and the Racial and Biased Harm Response Protocol which are included as addenda to Policy 413: Harrassment and Violence.

Instructional Leadership, Educational Equity and Academic Programming

Summer 2022 School Board Update

Dr. Alison Gillespie, Assistant Superintendent for Teaching and Learning
Ang Nelson, Principal- WBLAHS North Campus
Don Bosch, Principal- WBLAHS South Campus
Briana Santoscoy, Student, Family and Community Engagement Coordinator

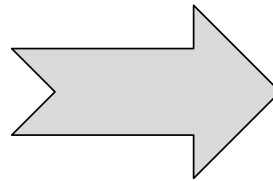
Strategic Emergence

District Leadership Structure Reorganization

- Assistant Superintendent for Teaching and Learning
 - Director of Teaching and Learning
 - Director of Educational Equity and Achievement
 - Director of Student Support Services
 - Director of Technology and Innovation
 - K-12 Principals

Partner and support Principals and Buildings

- Biweekly meetings
- Daily conversations
- Expectations around relationships
- Organizational culture change



Other support and team members:

Superintendent

Assistant Superintendent for Finance and Operations

Director of HR and General Counsel

Cabinet

Instructional Leadership

District and building leaders partner together to ensure that professional development is responsive to the needs of students, staff, and leaders.

- Flexible in format (hybrid, virtual, in-person)
- Topics are responsive to building needs within district priorities
- Asynchronous options have increased
- Instructional Cabinet meets weekly for collaborative leadership opportunities between building, district, and union leadership.

Principals are prioritized as instructional leaders.

Each school has an instructional coach.



Continuous Improvement Cycle

- District Strategic Plan — Building Action Plans
- **Data- Community, School District, Student, Staff, Building and Site**
- Annual Site Improvement Plans
 - Goal #1
 - Elementary: Student Literacy
 - Secondary: Student Grades
 - Goal #2
 - Building Action Plan
 - Math Goal (MCA) and/or Pre ACT/ACT goal
 - School Culture and Climate
 - Goal #3
 - Family Engagement aligned to Equitable Family Engagement Framework
- Reviewed as part of Principal Development and Evaluation Process

Educational Equity

System Toolkit and Expectations

- 4- Way Equity Decision Making Protocol
- Racial and Biased Harm Response Protocol
- Administrative Guidelines for Transgender and Gender-Expansive Student Rights and Protections
- **Assessing Bias in Standards and Curricular Materials Tool**

Our Foundation:

Equity Commitment & Resolution Supporting Commitment to Equity

District Strategic Plan

School Board Policy

Educational Equity: System Toolkit

- We condemn all forms of bullying and unlawful discrimination. We authorize and direct the Superintendent to develop and implement a systemic protocol for responding to racial and/or biased harm (Resolution Supporting Commitment to Equity: #1 and #12).



White Bear Lake Area Schools Responding to Racial and Biased Harm

Definition: Racial and biased harm has occurred where biased speech, conduct, or expression against a federally protected class (race, religion, ethnicity, nationality, gender, sexual orientation, gender identity and disability) has an impact. A specific incidence could also rise to the level of a hate crime when a crime has been committed such as physical assault, vandalism, etc. and this crime is motivated in part or whole by bias against a federally protected class. (Source: [Responding to Hate and Bias at School](#) by Learning for Justice)

Response Protocol: For any incident of racial and biased harm, you are required to do the following:

Racial and Biased Harm has Occurred

Educational Equity: System Toolkit

- We condemn all forms of bullying and unlawful discrimination. We believe that one's gender and sexuality are important parts of one's identity which deserve to be genuinely accepted and valued. (Resolution Supporting Commitment to Equity: #1 and #7)

*White Bear Lake Area
School District #624 Policy 413 Addendum C*

WHITE BEAR LAKE AREA SCHOOLS ADMINISTRATIVE GUIDELINES FOR TRANSGENDER AND GENDER-EXPANSIVE STUDENT RIGHTS AND PROTECTIONS

These Administrative Guidelines ("Guidelines") set forth White Bear Lake Area Schools' ("District") procedures for schools to address the needs and concerns of transgender and gender-expansive students to ensure safe, supportive, and healthy school environments where every child can learn. These Guidelines are intended to: 1) ensure that all students are welcomed, valued, included, and respected; 2) help schools ensure safe learning environments free of discrimination, harassment, and bullying; and 3) promote the educational and social integration of transgender and gender-expansive students. These Guidelines do not and cannot anticipate every situation that may occur, as every student is unique. The support for each student must be assessed and addressed individually based upon the student's specific requests and needs.

These Guidelines are supported by District Policy 102 (Equal Education Opportunity), 413 (Harassment and Violence), 515 (Bullying Prohibition Policy), 515 (Protection and Privacy of Pupil Records, 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process), and 525 (Violence Prevention).

Educational Equity

Professional Development

- Professional development for Cabinet, district and building/site leaders including educator leaders
- Partnering and sharing best practices with other districts to enhance protocols, processes, and practices.
- District Equity and Achievement Team established.
 - Site equity team requirements established and communicated.
 - EC-12+ Site Leader Professional Development- Aug 2022
- Realigned district staff to building assigned and partnership model
- Increased site based staff

Academic Programming: Building Assets Reducing Risks (BARR)

- WBLAS 2nd district wide adoption of BARR
 - WBLAHS- Fall 2020
 - Central, Sunrise Park, Vaden Heights, and Lakeaires- Fall 2021
 - Willow Lane- Fall 2022
- Strengths-based comprehensive approach to meeting needs of students through data and relationships
- Most consistently proven school improvement models in the country
 - Most research intervention in education- American Institute of Research (AIR)



BARR[™]

Same Students.
Same Teachers.

Better Results.

Academic Programming: WBLAHS Student Voice and Leadership Project

- Formation of group
- Initial Fall Harvest at Youth Lens 360 with Ms. Paula Forbes and Mr. Dario Otero
- Project Purpose: Building a Public Will Campaign for a Diverse and Affirming Culture at WBL
- Final projects and lessons learned



Academic Programming: Non-Negotiables in Classrooms and Curricula

- Background and context
- Student feedback groups
- Staff working group
- Finalized product and future work

Academic Programming



- US History through an Ethnic Studies lens was added as an option for students in Fall 2021.
 - Student interest continues to grow for Fall 2022.
- Career Pathways has seven pathways
 - Automotive
 - Business
 - Construction
 - Education
 - Engineering and Manufacturing
 - Health and Wellness Careers
 - Information Technology Careers
- Focus on enrollment in college credit classes moved to success in classes.
 - CIS enrollment mirrors our racial demographics.



Equitable Family Engagement Framework

- Districtwide framework and tool for family engagement
 - Building and Site required yearly improvement goal



Family Engagement

- Back to School Family Event
- Incoming 6th Grade and 9th Grade Family Events
- Home Visit program offered throughout the district
 - 107 staff members trained
 - 69 homevisits conducted affecting 272 students
- Family Literature program at Early Childhood Family Education continues to grow and add more sections.

Questions?

White Bear Lake Area Schools Responding to Racial and Biased Harm

Definition: Racial and biased harm has occurred where biased speech, conduct, or expression against a federally protected class (race, religion, ethnicity, nationality, gender, sexual orientation, gender identity and disability) has an impact. A specific incidence could also rise to the level of a hate crime when a crime has been committed such as physical assault, vandalism, etc. and this crime is motivated in part or whole by bias against a federally protected class. (Source: [Responding to Hate and Bias at School](#) by Learning for Justice)

Response Protocol: For any incident of racial and biased harm, you are required to do the following:

Racial and Biased Harm has Occurred

- You become aware that an incident or event of racial and biased harm has occurred. Whether impacting one student or many, you are required to enact the racial and/or biased harm protocol.
- When you become aware, investigate immediately.
 - Take statements from any and all affected students, witnesses and accused. When additional information is provided after the original statement has been made, record it as a follow-up statement rather than a replacement of any original information.

Put Safety First

- Secure the area and notify the Assistant Superintendent for Teaching and Learning.
 - If unavailable, notify the Director of Human Resources, Director of Educational Equity and Achievement and/or Superintendent.
 - A district team will be assembled to assist the building and site supervisor with support that is needed.
 - The building/site leader remains the lead throughout the process.
- Determine and remove any students affected to a safe spot.
 - Offer appropriate supports (medicine bundles for American Indian students, etc.)
- Determine and remove any staff affected to a safe spot.
- Assess the need for increased supervision.

Communicate (Sample Template)

- Denounce the act.
- Communicate as soon as possible.
- Determine who needs to have this provided to them first.
 - Call involved families **asap** to alert them of the incident.
 - For families of students who have experienced harm:
 - If the harm occurred due to the student's sexual/gender identity, first check with the student to confirm whether or not their family is aware and supportive of their identity. Make a communication plan that will minimize further harm for the student.
 - Share information and let them know the investigation is just starting.

- Stress that this is being taken seriously.
 - Apologize for harm that has been done.
 - For families of students being accused:
 - Share information and let them know the investigation is just starting.
 - Have them pick their student up, issue a consequence or dismissal as appropriate pending further investigation.
- Notify others.
 - SRO, Educational Equity Specialists, Family Engagement Coordinator, student support specialists and team, student and/or staff affinity, leadership, and equity teams as appropriate.
 - Other school sites as necessary.
 - Provide pre-communication for staff whenever possible about messages.
- More widely denounce the act. (This is unacceptable and does not represent the values of WBLAS. Refer to our [Equity Commitment](#) and [Resolution Supporting Commitment to Equity](#).)

Investigate (Template)

- Initiate fact-finding to better understand the situation.
- Electronic documentation of the incident, including investigation notes and statements from the affected students and witnesses.
- Administrator-led set of identified standard questions that are asked when something occurs.
- Maintain communication with Assistant Superintendent for Teaching and Learning or Director of Human Resources.

Possible consequences for offender

- Various consequences include out of school suspension, AWARE, etc.
 - While at AWARE, restorative reflections with social worker and Educational Equity Specialist will occur. This partnership between the referring school and AWARE staff is extremely important as we continue to educate and restore harm that has occurred.
 - Refer to the [MN Pupil Fair Dismissal Act](#) and [Policy 506: Student Discipline](#) for additional guidance.
 - Additional guidance can be found on the [WBLAS bullying webpage](#) and through the [Title IX policy and procedures](#).
- As an option when partnering with families, when longer consequences may ensue, and/or concerns around violence exist:
 - Set up appointment for Social Worker and possibly the Safety and Emergency Supervisor to conduct a risk assessment.

Readmission plan for offender

- Family comes in for a readmit with admin and possibly social worker.
- Develop a safety plan to transition them back to their classes.
 - Possible alternate passing time, shadow, etc.
- Restorative Circle with the offender and victim(s) as appropriate. Let honest and authentic conversations occur. Keep families involved in the restorative process and plan.
- Additional check-ins with Academic Achievement Specialist (MS and HS) and/or other identified support staff as needed.

Involve others to Respond and Provide Support

- Call appropriate Educational Equity Specialists/Academic Achievement Specialist
 - Alert them to the situation.
 - Start planning for healing circles.
 - Hold healing circles either that day or the following day as needed.
- Involve social workers, counselors and student support team members to support targeted students and the offended students.
- Involve case managers to support targeted and offended students.
- Support for impacted adults is provided through administrative support.
- Support for parents/families through staff and administration.
- District team continues to partner with the building and site leader to provide consultation and support so that the response continues to be appropriate and done with urgency.
 - Additionally this team partners with the leader to assist in determining the next action steps with additional staff, students, families based on the magnitude of the act.

Follow-Up and On-Going Communication

- Building administrator works with the Director of Communications to provide clear and timely communication to necessary stakeholders, including families, school staff, and district administration.

Important reminders:

- Identify place to go for additional information (district/school website).
- Provide accurate talking points (2-3 bullets) to office staff.
- Provide accurate talking points (2-3 bullets) to all building staff.
- Solicit misinformation intentionally from staff so accurate information can be shared.
- Director of Communications works to ensure communication is available in multiple languages.
- Building administrator should work with the Director of Communications on developing the messaging to families and then include staff on all family communication.
- **Complete summary [form](#) and submit to Assistant Superintendent for Teaching and Learning.**

Rebuild Relationships, Rebuild Community and Promote Healing

- Follow-up activities or response for classrooms/grade levels/whole school, as necessary, depending on severity of the event.
- Debrief the incident and reflect on actions taken, actions still needed, proactive work for the future.
- Continue work through restorative practices that focus on repairing harm with deeper, more authentic learning and understanding of racism, hateful language, discriminatory acts, and bias.
- Seek to restore through the rebuilding of relationships with feedback from stakeholders. Ensuring that you involve students throughout this process is an important step as you continue to promote healing, repair harm and rebuild relationships.

Resources/Tools

- [Teacher script](#)

**WHITE BEAR LAKE AREA SCHOOLS
ADMINISTRATIVE GUIDELINES FOR TRANSGENDER AND
GENDER-EXPANSIVE STUDENT RIGHTS AND PROTECTIONS**

These Administrative Guidelines (“Guidelines”) set forth White Bear Lake Area Schools’ (“District”) procedures for schools to address the needs and concerns of transgender and gender-expansive students to ensure safe, supportive, and healthy school environments where every child can learn. These Guidelines are intended to: 1) ensure that all students are welcomed, valued, included, and respected; 2) help schools ensure safe learning environments free of discrimination, harassment, and bullying; and 3) promote the educational and social integration of transgender and gender-expansive students. These Guidelines do not and cannot anticipate every situation that may occur, as every student is unique. The support for each student must be assessed and addressed individually based upon the student’s specific requests and needs.

These Guidelines are supported by District Policy 102 (Equal Education Opportunity), 413 (Harassment and Violence), 515 (Bullying Prohibition Policy), 515 (Protection and Privacy of Pupil Records, 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process), and 525 (Violence Prevention).

I. DEFINITIONS

- A. **Cisgender** is a term used to describe individuals whose gender identity matches their sex assigned at birth.
- B. **Gender-expansive** describes someone with a more flexible gender identity than might be associated with a gender binary.
- C. **Gender expression** means the manifestation, presentation, or communication of one’s gender identity through behavior, physical appearance, clothing, accessories, voice, body characteristics, or other means. Although transgender people may seek to make their gender expression match their gender identity, rather than their sex assigned at birth, gender expression may or may not conform to a person’s gender identity.
- D. **Gender identity** is a person’s deeply held sense or psychological knowledge of their own gender, regardless of the sex or gender they were assigned at birth. A person’s gender identity can be the same or different than the sex or gender assigned at birth.
- E. **Gender non-conforming** is an umbrella term that is used to describe individuals whose gender expression, gender identity, or gender role differs from gender norms associated with their sex assigned at birth.

- F. **Parent** means a person with legal custody or the legal guardian of a child.
- G. **Questioning** is an identity label for people exploring their sexual orientation or gender identity.
- H. **Sex** refers to a set of biological attributes. It is primarily associated with physical and physiological features including chromosomes, gene expression, hormone levels and function, and reproductive/sexual anatomy. Sex is usually categorized as female, male, or intersex, but there is variation in the biological attributes that comprise sex and how those attributes are expressed.
- I. **Sex assigned at birth** refers to the sex designation recorded on an infant’s birth certificate when such a record is provided at birth.
- J. **Sexual orientation** refers to a person’s pattern of sexual attraction, often toward a specific gender, toward multiple genders, or to nobody at all.
- K. **Transgender** describes people whose gender identity or expression is different from that traditionally associated with an assigned sex at birth.
- L. **Transition** refers to the process in which transgender people begin asserting the gender that corresponds to their gender identity instead of the sex assigned at birth.

II. NONDISCRIMINATION

- A. **Bullying and Harassment.** Transgender and gender-expansive students have the right to attend school and participate in all school sponsored events and activities in an environment that is free from unlawful discrimination, including bullying or harassment that is based on gender identity, gender expression, sexual orientation, or any protected class status.
- B. **Response to Sexual Harassment.** Harassment that is based on gender identity or transgender status is harassment based on sex. If sexual harassment occurs, the District must take prompt action to stop the harassment from occurring and to prevent it from recurring. Various laws and policies may be implicated, including Title IX, the Minnesota Human Rights Act, District Policy 413 (Harassment and Violence) and District Policy 514 (Bullying Prohibition Policy).

III. FACILITY USE

- A. **Restroom Accessibility.** Pursuant to state law, students shall have access to the restroom that corresponds to their gender identity asserted at school:
 - 1. Any student who has a need or desire for increased privacy, regardless of the student’s gender identity or expression, and regardless of the

underlying reason for the student's need or desire for increased privacy, should be provided access to a single user restroom.

2. No student shall be required to use a single user restroom because they are transgender or gender-expansive.
3. The District shall work with each gender-expansive student to determine which restrooms are most comfortable for the student.
4. In no case shall a transgender or gender-expansive student be required to use a restroom that conflicts with the student's gender identity.

B. Locker Room Accessibility. The use of locker rooms by transgender and gender-expansive students shall be assessed on an individualized basis with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports and other school activities, ensuring the student's safety and comfort, and minimizing stigmatization of the student.

1. Unless the student requests otherwise, transgender and gender-expansive students should have access to the locker room that corresponds to the student's gender identity asserted at school, like all other students.
2. Any student who has the need or desire for increased privacy, regardless of the student's gender identity or expression, and regardless of the underlying reason for the student's need or desire for increased privacy, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a physical education instructor's office in or near the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to gender identity before or after other students).
3. Any alternative arrangement should be provided in a manner that protects the student's ability to keep the student's transgender or gender-expansive status confidential.
4. The District shall work with each gender-expansive student to determine which restrooms and locker room facilities are most comfortable for the student.
5. In no case shall a transgender or gender-expansive student be required to use a locker room that conflicts with the student's gender identity.

C. School Trips. All students shall be permitted to participate in all school trips in a manner that corresponds with their gender identity or in a manner that allows the student to feel the safest, included, and most comfortable. In planning school

trips, staff is expected to assess the student's need in collaboration with the student and/or the student's parent(s)/guardian(s) and make reasonable efforts to provide an accommodation that is acceptable to the student. Accommodations will be discussed in advance of the trip on a case-by-case basis.

IV. GENDER EXPRESSION

- A. **Student Names, Pronouns, and Gender Markers.** A student has the right to request that the student be referred to by a name and pronouns that correspond to the student's gender identity by all school staff and fellow students. Parent(s)/Guardian(s) have a right to request that the District change the student's name and/or gender marker in the school's student information system. A court-ordered name change or official gender change is not required, and the student is likewise not required to change the school's official records in order to be addressed by the name and pronouns that correspond to the student's gender identity.
- B. **Student Attire.** Regardless of age, transgender and gender-expansive students have the right to dress in a manner that is consistent with their gender identity at school and at school sponsored events and activities.

V. EDUCATION RECORDS

- A. **MARSS Report.** School districts must currently use a student's legal name and sex assigned at birth in the Minnesota Automated Reporting Student System (MARSS).
- B. **Other Records.** At the request of a transgender or gender-expansive student, or their parent, the district will use the student's preferred name, gender identity, and pronouns when referring to the student in education records. This applies to all school records, including, but not limited to, the following:
- Transcripts
 - Diplomas
 - IEPs
 - Section 504 Plans
 - Honor or Award Certificates
 - Yearbooks
 - School IDs
 - Announcements
 - Programs for sports, plays, and concerts.
- C. **Amendment of Education Records.** The Office for Civil Rights (OCR) has issued the following guidance for responding to requests to amend or correct education records to reflect a student's gender identity and new name in order to protect the student's privacy rights:

A school may receive requests to correct a student's education records to make them consistent with the student's gender identity. Updating a transgender student's education records to reflect the student's gender identity and new name will help protect privacy and ensure personnel consistently use appropriate names and pronouns.

Under FERPA, a school must consider the request of an eligible student or parent to amend information in the student's education records that is inaccurate, misleading, or in violation of the student's privacy rights. If the school does not amend the record, it must inform the requestor of its decision and of the right to a hearing. If, after the hearing, the school does not amend the record, it must inform the requestor of the right to insert a statement in the record with the requestor's comments on the contested information, a statement that the requestor disagrees with the hearing decision, or both. That statement must be disclosed whenever the record to which the statement relates is disclosed.

Under Title IX, a school must respond to a request to amend information related to a student's transgender status consistent with its general practices for amending other students' records. If a student or parent complains about the school's handling of such a request, the school must promptly and equitably resolve the complaint under the school's Title IX grievance procedures.

VI. STUDENT ACTIVITIES, PHYSICAL EDUCATION AND HEALTH EDUCATION, CLASSROOM AND PROGRAM EXPECTATIONS

- A. Minnesota State High School League Activities.** The MSHSL has adopted a bylaw that states: "In accordance with applicable state and federal laws, rules and regulations, the Minnesota State High School League allows participation for all students consistent with their gender identity or expression in an environment free from discrimination with an equal opportunity for participation in athletics and fine arts." Based on this bylaw, transgender students must have an equal opportunity to participate but are subject to the same performance criteria that apply to all students trying out for a team. The MSHSL bylaws outline an appeals process for addressing eligibility disputes in this area. The current bylaws state:

Transgender Eligibility Appeal Procedures. The application to appeal a transgender eligibility determination is limited to the following circumstances:

- (1) The school must have made a determination of ineligibility based on the student's gender identity after receiving information*

that the student has a consistent gender identity or that the gender identity is sincerely held as part of the student's core identity and the gender identity is different from the student's sex assigned at birth and that the student wishes to participate in athletics in a manner consistent with the student's gender identity.

(2) The appeal must be submitted to the MSHSL Executive Director or Executive Director's Designee and may include, but is not limited to, the following:

(a) The student's current transcript, school registration and any additional relevant information.

(b) The written statement from the student and the student's parent(s)/legal guardian(s) affirming the consistent gender related identity and expression to which the student self-relates.

(c) Statements from individuals such as, but not limited to parents, friends, and/or teachers, which affirm that the actions, attitudes, dress and manner demonstrate the student's consistent or sincerely held gender-related identification and expression.

(d) A written statement from an appropriate health-care professional, acting within the scope of his/her licensure that verifies the existence of the student's consistent and uniform gender-related identity or sincerely held gender-related identity.

(e) Any other evidence that the gender identity is sincerely held as part of the person's core identity as may be required by the school or the MSHSL office relative to the eligibility determination.

B. Physical Education and Health Education Classes and Intramural Sports. Transgender and gender-expansive students shall be permitted to participate in physical education classes, health education classes, and intramural sports and activities in a manner consistent with their gender identity or in a manner that allows the student to feel the safest, included, and most comfortable.

C. Classroom and Program Expectations. Teachers and staff in all subject areas will make their best efforts not to divide students based on sex assigned at birth or gender identity during any activities or classes. A student's gender identity shall not be considered when assessing ability.

- D. **Other School Sponsored Activities.** Transgender and gender-expansive students have the right to participate in school sponsored activities consistent with their gender identity. Transgender and gender-expansive students must have an equal opportunity to participate and are subject to the same performance criteria that apply to all other students. To the extent possible, schools should reduce or eliminate the practice of segregating students by gender.

VII. PARENT ACCESS TO INFORMATION

- A. **Parent Involvement.** If a student asks a school official to modify education records to refer to the student based on the student's gender identity rather than sex assigned at birth, the school official or other appropriate staff member will inform the student's parents of the change unless they are over the age of 18. If a student asks a school official to modify education records to refer to the student based on the student's gender identity rather than the sex assigned at birth, the school official will inform the student that the request requires parental consent. If the student wants to pursue the issue, the school official or other appropriate staff member will inform the student's parents of the change unless they are over the age of 18.
- B. **May Not Withhold Information from a Student's Parent.** A staff member must not refuse to provide parents with information about their child who is under the age of 18, including information about whether their child has asked to use a name, pronouns, restrooms, or locker rooms based on the child's gender identity rather than sex assigned at birth. Staff members may refuse to provide such information if the student is 18 years of age or older, unless the parent has been designated as the child's legal guardian or conservator. The law generally gives parents the right to access all educational data on their child, if the child is under the age of 18.

VIII. DATA PRIVACY

- A. **Disclosure of Transgender or Gender-Expansive Status to other Employees.** All students have a right to privacy, including the right to keep private one's transgender or gender-expansive status at school. Transgender and gender-expansive students have the right to discuss and express their gender identity and expression openly and to decide when, how, and with whom to share private information, well as to determine what information will be shared.

To ensure the safety and well-being of the student, District employees shall not disclose a student's gender identity, sex assigned at birth, transgender identity, or information that may reveal a student's gender identity (e.g., birth name) to anyone, including, but not limited to, other staff members, students, or parents of other students, unless such disclosure has been authorized by the student or their

parent(s)/guardian(s). If such a disclosure is necessary, it will be documented in writing and should be discussed with the student in advance.

- B. **No Disclosure of Transgender or Gender-Expansive Status to Other Parents or Students.** A school district employee may not confirm or otherwise disclose a student's transgender or gender-expansive status to the other students, parents of other students in the school, or community members. A student's gender identity is classified as private educational data.
- C. **Response to Parent Inquiries.** If the parent of another student expresses a concern or makes a complaint that the District is violating their child's privacy rights by allowing transgender students to use restroom and locker room facilities consistent with their gender identity, the complaint should be forwarded to the building principal. When responding, the building principal should state that school officials may not share information about other students and that the school district follows the laws governing the rights of transgender students. If applicable, the principal may also consider informing the parent that single-use facilities are available for all students who have an increased desire for privacy.

IX. PROCEDURES

- A. **Proof Not Required.** Students do not need to provide any documentation or other "proof" that they are transgender or gender-expansive as a prerequisite to being afforded the rights of a transgender and gender-expansive student.
- B. **Notice to Building Administrator.** If a parent or student informs a staff member that a student wishes to change their facility use, gender identity, or update a status in the education records, the staff member must notify the building principal so the principal can ensure that the student's rights are honored and that appropriate supports are in place. Staff members should not unilaterally make decisions about supports that will or will not be provided to the student. If a student asks a school official to modify education records to refer to the student based on the student's gender identity rather than the sex assigned at birth, the school official will inform the student that the request requires parental consent. If the student wants to pursue the issue, the school official or other appropriate staff member will inform the student's parents of the change unless they are over the age of 18.
- C. **Staff Training and Compliance.** All administrative staff shall be informed of the existence of these Guidelines. The District will provide training on these Guidelines and how to support transgender or gender-expansive students at reasonable intervals, to be determined by the District.

District employees who refuse to abide by these Guidelines may be subject to disciplinary actions, up to and including termination, as set forth in the relevant employee discipline policy. This includes a staff member's persistent refusal to

respect a student's gender identity; for example, by consistently referring to the student by a name or pronoun that does not correspond with the student's gender identity.

AGENDA ITEM: **Summary of Evaluation of Superintendent**
MEETING DATE: **August 22, 2022**
SUGGESTED DISPOSITION: **Discussion Item**
CONTACT PERSON(S): **Jessica Ellison, School Board Chair**

BACKGROUND:

At the August 8, 2022 meeting in a closed session pursuant to Minnesota Statutes 13D.05, Subd. 3(a) the School Board reviewed the results of the 2021-22 performance evaluation with the superintendent. Jessica Ellison, School Board Chair and the School Board members will publicly comment on that evaluation to the extent permitted by law.

C. OPERATIONAL ITEMS

AGENDA ITEM: **Action on Proposed Substitute Teacher Rate Change**

MEETING DATE: **August 22, 2022**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON: **Matt Mons, Director of Human Resources and General Counsel**

BACKGROUND:

Districts across the State of Minnesota are experiencing a shortage of reserve teachers. White Bear Lake Area Lake Schools increased the daily rate of pay for reserve teachers at the July 11, 2022 School Board Meeting. We propose an increase in the daily rate of pay for reserve teachers, from \$175 per day to \$185 per day, and an increase in the daily rate of pay for retired WBLAS teachers from \$185 per day to \$195 per day, to be effective September 1, 2022.

RECOMMENDED ACTION:

The School Board approves the following revisions to the reserve teacher pay accordingly:

- \$185 for full day reserve teachers, \$92.50 for one half day;
- \$195 for full day, \$97.50 for one half day for retired White Bear Lake Area Schools reserve teachers.

AGENDA ITEM: **Action on Superintendent's Contract for 2023-2026**

MEETING DATE: **August 22, 2022**

SUGGESTED DISPOSITION: **Operational Item**

CONTACT PERSON: **Jessica Ellison, School Board Chair**

BACKGROUND:

At tonight's School Board work session the School Board will act on a three-year (July 1, 2023 – June 31, 2026) contract with Superintendent Dr. Wayne Kazmierczak. Per Minnesota Statute 123B.143 the superintendent and School Board may enter into negotiations during the last year of the contract.

RECOMMENDED ACTION:

Approve the three-year contract with Dr. Wayne Kazmierczak to continue serving as superintendent of White Bear Lake Area Schools.