

Tuesday, January 3, 2023

**6:30 pm Listening Session**  
**7:00 pm Organizational Meeting**  
**REGULAR MEETING immediately following the Organizational Meeting**

**City Council Chambers – 3301 Silver Lake Road NE**

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Please [click here](#) to join the 6:30 pm Listening Session.

**ORGANIZATIONAL MEETING**

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**Organizational Meeting**

Board Chair Laura Oksnevad

Next Meeting(s):

Tuesday, January 17, 2023 – 7:00 pm – SAMS/SAVHS Media Center – Work Session  
Tuesday, January 31, 2023 – 6:00 pm – City Council Chambers - Joint Meeting with City of St. Anthony  
Tuesday, February 7, 2023 – 7:00 pm City Council Chambers – Regular Meeting

St. Anthony-New Brighton School District 282  
Organizational Meeting  
Tuesday, January 3, 2023– 7:00 p.m.  
St. Anthony Village City Council Chambers  
3301 Silver Lake Road – St. Anthony, MN 55418

A G E N D A

*First Regular Meeting of the Calendar Year will follow this Organizational Meeting*

1. Call to Order

Presenter: Laura Oksnevad, Board Chair

2. Approval of Agenda

Recommended Motion: “to approve the agenda for the January 3, 2023, Organizational Meeting of the School Board, as presented.”

Presenter: Laura Oksnevad, Board Chair

Made by: \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.  
Approval \_\_\_\_\_

3. Election of Officers

*The Chair will call for nominations from the floor for the office of Chair. No second is required. After a call for further nominations, if none are stated, the Chair will declare the nominations closed. If only one nomination is made, the nominee is elected by acclamation. A vote is called in the following manner: “Those in favor of ‘candidate’s name’ signify by saying ‘aye’. Those opposed? The ayes have it, (Candidate) is elected Chair.*

At this time, the gavel is passed to the newly elected Chair. The same procedure is then followed for the offices of Vice Chair, Clerk and Treasurer.

Presenter: Board Chair

A. Chair

Made by: \_\_\_\_\_; Approval: \_\_\_\_\_

B. Vice Chair:

Made by: \_\_\_\_\_; Approval: \_\_\_\_\_

C. Clerk:

Made by: \_\_\_\_\_; Approval: \_\_\_\_\_

D. Treasurer:

Made by: \_\_\_\_\_; Approval: \_\_\_\_\_

4. Re-Affirmation of School Board Ethics and DEI (Diversity, Equity and Inclusion):

Recommended Motion: “a.)...to reaffirm our role as school board members in the St. Anthony-New Brighton School District as it pertains to the ISD #282 Code of Ethics Policy 209” (Policy included for your review.)...b.)...to restate ISD #282’s commitment to Diversity, Equity and Inclusion (attached for your review).

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.  
Approval \_\_\_\_\_

5. Organizational Business:

A. Regular Meetings

Recommended Motion: "...to set regular business meetings on the first Tuesday of each month when school is being conducted. As much as possible and practical, these meetings will be held in the St. Anthony Village City Council Chambers or via ZOOM teleconference per Minnesota Statutes 13D.021 or other location as announced. Additional regular business meetings may be set as needed or as warranted by items requiring board action that surface throughout the fiscal year. These additional regular meetings will be formally set as a Regular Meeting and held in the HS/MS Media Center or via ZOOM teleconference per Minnesota Statutes 13D.021 or other location as announced. All regular meetings will begin at 7:00 p.m. and are time-certain until 10:30 p.m. (*no new action item may be discussed after 10 p.m. unless the time-certain meeting ruling is suspended*). All routine items will be included in the *Consent Agenda*. There may be a 10-minute *Communications Break* following recognitions. All items requiring action by the School Board shall, when at all possible, be placed at the beginning of the agenda.

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

B. Work Sessions

Recommended Motion: "...to hold work sessions on the third Tuesday of each month when school is in session and at other times as needed. Work sessions will be held in the HS/MS Media Center or via ZOOM teleconference per Minnesota Statutes 13D.021 unless otherwise announced and will begin at 7:00 p.m./ or at a time of day as arranged that best suits the topics planned for discussion."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

C. Payment of Bills

Recommended Motion: "...that *Payment of Bills* will be approved by the board as part of the *Consent Agenda* at School Board Meetings. At times when this practice is not timely or practical, *Payment of Bills* and other routine business actions may be authorized by the Superintendent of Schools or Director of Finance and Operations ."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

D. Meeting Minutes

Recommended Motion "...that the School Board Secretary shall keep an accurate record of all minutes on file in the District Office. Minutes must be posted on the District website and in the newspaper designated by the School District."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

E. Official Newspaper

Recommended Motion: "...to designate the Northeaster as the official newspaper of the School District."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

F. Bank Depositories

Recommended Motion: "...to designate M.S.D.L.A.F., U.S. Bank Minneapolis, N.A., MN Trust, PMA Financial Network, and Associated Bank, as bank depositories for the School District."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

G. Electronic Transfers:

Recommended Motion: "...to authorize the Superintendent and/or Executive Director of Finance and Operations to make electronic transfers."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

H. Authorization to Invest Funds:

Recommended Motion: "...to authorize the Superintendent and/or Executive Director of Finance and Operations to invest funds."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

I. Committee Appointments

Recommended Motion: "...to designate the Chairperson of the Board to review all member appointments, including MSHSL and NE Metro 916, in January and identify positions which require new appointments prior to the first February board meeting.

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

J. Mileage Reimbursement

Recommended Motion: "...to authorize mileage reimbursement paid at the current Internal Revenue Service rate."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

K. Member Compensation

Recommended Motion: "...to authorize Board Member compensation as follows: Chair \$6,437; Vice Chair \$5,900; Treasurer \$5,900; Clerk \$5,496 and Directors \$5,378. All members of the Board may receive expense reimbursement over the salaries established by the School Board policy 202.1."(included for your review)

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

L. Listening Sessions

Recommended Motion: "...to approve Regular Listening Sessions for Members of the School Board to meet with the public in advance of the first Regular board meeting of each month 30 minutes prior to the meeting, as defined in 5A, for a period of time not to exceed 20 minutes in length."(Policy 206 included for your review)

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.

Approval \_\_\_\_\_

6. Authorization to Use Electronic Signatures

Recommended Motion: "...to authorize the business office to continue the use of the current electronic signatures in Skyward for salary and accounts payable checks."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.  
Approval \_\_\_\_\_

7. Resolution Authorizing the Superintendent or School Board Chair to Hire Legal Counsel  
Recommended Motion: "...to designate Kennedy and Graven Chartered. as the official legal counsel of the School District."

Made by \_\_\_\_\_ Seconded by: \_\_\_\_\_ Roll Call Vote.  
Approval \_\_\_\_\_

8. Next Regular Meeting

January 3, 2023, immediately following this Organizational Meeting.

9. Adjournment



*Original: 2009  
Revised February 2, 2016*

## **209 SCHOOL BOARD MEMBER CODE OF ETHICS**

### **I. PURPOSE**

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

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

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

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

1. Attend school board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other school board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.
8. Inform myself about the proper duties and functions of a school board member.

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

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the school board as a whole, is to see that the schools are properly run – not to run them myself.
5. Work through the superintendent – not over or around the superintendent.
6. Delegate the implementation of school board decisions to the superintendent.

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

1. Respect the right of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school board.

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

1. Attempt to appraise and plan for both the present and future educational needs of the school district and community.
2. Attempt to obtain adequate financial support for the school district's programs.
3. Insist that business transactions of the school district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my school district.

E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF I WILL:

1. Hold the superintendent responsible for the administration of the school district.
2. Give the superintendent authority commensurate with the responsibility.
3. Assure that the school district will be administered by the best professional available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER I WILL:

1. Comply with all federal, state and local laws relating to my function as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other federal and state agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open meeting of the school board.



5. Avoid conflicts of interest and refrain from using my school board position for personal gain.
6. Take no private action that will compromise the school board or administration.
7. Guard the confidentiality of information that is protected under applicable law.

***Legal References:*** Minn. Stat. § 123B.02, Subd. 1 (School District Powers) Minn. Stat. § 123B.09 (School Board Powers)  
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

***Cross References:*** MSBA Service Manual, Chapter 1, School Board Member Code of Ethics

**INDEPENDENT SCHOOL DISTRICT 282, ST. ANTHONY-NEW BRIGHTON  
RESOLUTION SUPPORTING A COMMITMENT TO DIVERSITY, EQUITY, AND INCLUSION**

WHEREAS, we ground our work in audacious love for the children of our district and community while aspiring to be in community as a body loyal to all of our learners, staff members, and families, fairly and with care;

WHEREAS, as a non-partisan School Board of the Independent School District No. 282, St. Anthony-New Brighton Schools strives to advance the district's vision of success of all learners; engaging, inspiring, and supporting through innovation and collaboration;

WHEREAS, children cannot learn without supportive community, so while we may not understand every experience they are having, we believe them and love them as they are;

WHEREAS, we are responsible for fostering equitable learning environments and actively opposing and removing racism within our school system where all students, staff members, and families are respected and valued for who they are regardless of skin color, race, sexual orientation, gender identity or expression, culture, religion, creed, national origin, ethnicity, ability or disability, immigration status, or any other category;

WHEREAS, our district is committed to promoting racial equity and developing culturally relevant learning environments within and across our schools, in conversation and partnership with students, families, staff, and community stakeholders;

WHEREAS, we recognize that the experiences and outcomes in our district are not consistent for historically underserved and marginalized groups, including Black, Indigenous, and People of Color; those experiencing poverty, homelessness, or foster/kinship care; students who identify as LGBTQIA+; those with disabilities, visible and invisible; students receiving special education instruction; and immigrant and emergent bilingual students; and

WHEREAS, the School Board and the Administration are committed to removing obstacles that may contribute to systemic inequities.

NOW, THEREFORE, be it resolved that the St. Anthony-New Brighton School Board:

1. Commits to its own work as individuals and our collective work overseeing the district in continuing to become equitable and actively opposing and removing racism within our school system policies, beliefs, and actions;
  - a. [Policy 212 School Board Member Development](#)
2. Commits to setting an example for nuanced, respectful and courageous conversations and viewpoint diversity grounded in our belief that the children, staff members, and families in our district deserve our best;

3. Commits to fostering a school environment that promotes respect for and curiosity about all cultures, affirms the equal humanity of all members of the community;
  - a. [Success Metrics](#)
  - b. [Policy 102 Equal Education Opportunity](#)
4. Condemns all forms of bullying and discrimination;
  - a. [Policy 413 Harassment and Violence](#)
  - b. [Policy 514 Bullying Prohibition](#)
  - c. [Policy 521 Student Disability Nondiscrimination](#)
5. Condemns all manifestations and expressions of racism, discrimination, and ethnic or racial intolerance;
  - a. [Policy 102 Equal Education Opportunity](#)
6. Condemns hate speech directed at individuals because of their sexual orientation, gender identity or expression;
  - a. [Policy 102 Equal Education Opportunity](#)
  - b. [Policy 522 Nondiscrimination of Students Based on Gender \(Title IX\)](#)
7. Commits to working together to institute School Board goals, policies, and educational opportunities that reflect the values expressed in this resolution;
  - a. [Policy 104 School District Vision/Mission Statement and Operational Goals](#)
  - b. [Policy 208 Development, Adoption, and Implementation of Policies](#)
8. Commits to continue the Equity Review process, including reviewing policies, practices, and learning environments through an equity lens;
9. Authorizes and directs the Superintendent to develop and implement a systemic protocol for responding to racial and/or biased harm; and
10. Commits to ensuring each student has access to appropriate learning opportunities that honor their educational needs while also promoting a sense of belonging.
  - a. [Success Metrics](#)

*Adopted January 7, 2020*

**Policy 202.1 - ISD 282 BOARD COMPENSATION**

**I. Compensation Philosophy**

The School Board of ISD 282 recognizes that board member compensation is a sensitive public policy matter. The Board believes that board members should be reasonably compensated for the time, efforts, and out-of-pocket costs incurred in serving the community as an elected official. The Board aspires to pay its members a wage that is:

- Commensurate with the responsibilities and time commitment of board members
- In alignment with compensation paid to board members at districts with similar characteristics to St. Anthony-New Brighton Schools
- Is reasonable and defensible to taxpayers and the community by demonstrating prudent use of public funds.

**II. Board Member Compensation**

- a. Effective January 1, 2020 board members' annual compensation, shall be based on the average of the compensation paid to board members of the districts that comprise membership in Northeast Metro 916 Intermediate School District.
- b. The Chair, Vice Chair, and Treasurer will receive an added stipend to reflect additional duties. The stipend will be, approximately, an additional 20% for the Chair, and an additional 10% for the Vice Chair and Treasurer.
- c. School board compensation shall be paid in March, June, September and December, and shall have all applicable federal and state deductions withheld.

**III. Expense Reimbursements**

School board members are eligible for reimbursement of expenses incurred that are directly related to fulfilling a board member's official responsibilities. Reimbursed expenses normally include:

- a. Mileage to and from school board member's home to seminars, committee meetings, association meetings (AMSD, MSBA, etc.), legislative hearings, and other meetings that are directly related to board service. Board members will not be reimbursed for mileage to and from regularly scheduled school board meetings, or mileage to attend school functions and events such as athletic competitions, plays, concerts, etc.
- b. Parking and other required transportation costs will also be reimbursed, based on actual costs incurred.
- c. Meals in conjunction with official school board activities and duties will be reimbursed, based on actual costs not to exceed limits set by the Board at its annual organizational meeting.

IV. Oversight

- a. This policy will be reviewed annually, prior to the Board's January Organizational meeting.
- b. Annually, at its organizational meeting the Board shall review and approve the amount of annual compensation for board members as determined by this policy.
- c. Throughout the year, requests for expense reimbursements must be submitted to the district finance office for review as to conformity with district policy and procedures. Following that review, all board expense reimbursement requests must be approved by the board treasurer. Requests for expense reimbursement submitted by the treasurer will be approved by the board chair.



*April 2, 2019*

*MSBA/MASA Model Policy 206*

*Orig. 1995 Rev. 2017, 2019*

## **206 PUBLIC INPUT TO THE SCHOOL BOARD AND DATA PRIVACY CONSIDERATIONS**

### **I. PURPOSE**

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

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

- A. The policy of the school board is to encourage discussion by persons of subjects related to the management of the school district at listening sessions. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

### **III. DEFINITIONS**

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature

of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be

reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

#### **IV. RIGHTS TO PRIVACY**

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
  - 1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
  - 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
  - 3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
  - 4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
  
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
  - 1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
  - 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
  - 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

#### **V. THE PUBLIC'S OPPORTUNITY TO BE HEARD**

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).



## VI. PROCEDURES

### A. Listening Session

The school board shall normally provide a specified period of time when persons may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

### B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. Agenda Items Persons who wish to have an agenda item discussed at a public school board meeting are required to notify the superintendent's office in advance of the school board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. Reference Policy 203.5 Section III Part B.

### D. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

## **VII. PENALTIES FOR VIOLATION OF DATA PRIVACY**

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)
- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

***Legal References:*** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)  
Minn. Stat. § 13D.05 (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)  
Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
Minn. Op. Atty. Gen. 852 (July 14, 2006)

***Cross References:*** MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)  
MSBA/MASA Model Policy 207 (Public Hearings)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin "C" (Minnesota's Open Meeting Law)  
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records – Privacy – Access to Data)