



Saint Paul Public Schools

Regular Meeting

Tuesday, March 19, 2019 6:05 PM

**SAINT PAUL PUBLIC SCHOOLS
INDEPENDENT SCHOOL DISTRICT NO. 625**

BOARD OF EDUCATION



Zuki Ellis
Chair



Steven Marchese
Vice Chair



Jeanelle Foster
Clerk



Marny Xiong
Treasurer



John Brodrick
Director



Jon Schumacher
Director



Mary Vanderwert
Director



ADMINISTRATION
Dr. Joe Gothard
Superintendent

BOARD OF EDUCATION COMMITTEES

Committee of the Board – Steven Marchese, Vice Chair

Mission of Saint Paul Public Schools

Inspire students to think critically, pursue their dreams and change the world.

Guiding Values

Achievement | Communication | Continuous Improvement

Collaboration | Accountability | Inclusive Culture

SPPS Achieves

Each student. One community. Endless Opportunities.

Strategic Focus Areas

Positive School and District Culture | Effective and Culturally Relevant Instruction

Program Evaluation and Resource Allocation | College and Career Paths

Family and Community Engagement

INDEPENDENT SCHOOL DISTRICT NO. 625
Saint Paul, Minnesota
REGULAR MEETING OF THE BOARD OF EDUCATION
Administration Building
360 Colborne Street

March 19, 2019
6:05 PM

A G E N D A

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF THE ORDER OF THE MAIN AGENDA**
- IV. RECOGNITIONS**
 - A. Acknowledgement of Good Work Provided by Outstanding District Employees 7
 - B. Recognition of Schools, Teams, Individuals, and Coaches in Our St. Paul Public Schools That Have Won Athletic Awards and Championships 8
- V. APPROVAL OF THE ORDER OF THE CONSENT AGENDA**
- VI. APPROVAL OF THE MINUTES**
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XIV. ADJOURNMENT

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Acknowledgement of Good Work Provided by Outstanding District Employees

A. PERTINENT FACTS:

1. **Dr. Mike McCollor**, Principal of Washington Technology Magnet, was named 2019 Minnesota High School Principal of the Year by the Minnesota Association of Secondary School Principals (MASSP). According to the MASSP, Dr. Mike McCollor has been an administrator for 25 years and the Principal at Washington Technology Magnet School for the past 16 years. During that time Mike has served on the MASSP Board of Directors, as Secretary for the Saint Paul Association of Secondary Principals, named Capitol Division Assistant Principal of the Year and served as Adjunct Faculty for the University of Minnesota College of Education and Human Development.
2. **Lisa Carrigan**, Principal of Focus Beyond Transition Services and Bridge View School, was awarded "*Direct Service Provider of the Year*" by the Minnesota Association for Career and Technical Education Special Needs Personnel at their recent bi-annual conference.

Lisa pulled all of the transition programs, including Focus Beyond/STEPS, together under one roof at 340 Colborne as a lead teacher at the beginning of the 2011-2012 school year and was appointed principal of both Bridge View and Focus Beyond/STEPS for beginning in 2013-2014 school year. She is in her 6th year as principal.

This award category is intended to recognize administrative or non-classroom individuals who have made a major to the development and/or growth of career and technical education for students with special needs. Nominees must represent one of the following categories: Private Employer, Advisory Committee Member, Individual who has been unusually supportive of Career & Technical Education programs for students with special needs, Local School Administrator, State, national & county government agency personnel.

3. This item is submitted by Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

The recommendation is that the Board of Education recognizes the staff acknowledged above for their contributions and outstanding work.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
Saint Paul Public Schools That Have Won Athletic Awards, Championships and
Qualified for State Tournament Participation

Sequence of Presentation:

1. **Murray Middle School** – The girls' basketball team was middle school city champion. Lorenze Francisco is the coach.
2. **Highland Park Middle School** - The boys' basketball team was middle school city champion. Jesse McCann is the coach.
3. **Washington Technology Magnet** – The wrestling team was middle school city champion. Anthony Henninger is the coach.
4. **Washington Technology Magnet** – The wrestling team was city co-champion. Richard Taylor is the coach.
5. **Humboldt High School** – The wrestling team had a state tournament qualifier. Brad Novacheck is the coach.
6. **Johnson Senior High School** – The wrestling team had two state tournament qualifiers. Mason Fong is the coach.
7. **Johnson Senior High School** – The boys' swimming team had one state tournament qualifier. Lee Salminen is the coach.
8. **Central Senior High School** – The girls' Nordic ski team were state tournament qualifiers. Robb Lageson is the coach.
9. **Central Senior High School** – The boys' Nordic ski team had one state tournament qualifier. Robb Lageson is the coach.
10. **Central Senior High School** – The boys' swim team had 8 state tournament qualifiers. David Albornoz is the coach.
11. **Central Senior High School** – The boys' basketball team were city champions. Scott Howell is the coach.
12. **Como Park Senior High School** – The girls' basketball team were city champions. Alexis Gray-Lawson is the coach.
13. **Como Park Senior High School** - The wrestling team was city co-champion and had one state tournament qualifier. Tijl Vanderwege is the coach.
14. **Highland Park Senior High School** – The boys' Nordic ski team was city champion and qualified for the state tournament. Brad Moening is the coach.
15. **Highland Park Senior High School** – The girls' Nordic ski team was city champion and qualified for the state tournament. Brad Moening is the coach.

16. **Highland Park Senior High School/SPA** – The boys' co-op swim team was city champion and had five state tournament qualifiers. Erin Bury is the coach.
17. **Highland Park Senior High School** – The girls' gymnastics team were city champions and had three state tournament qualifiers. Kathy Balzart is the coach.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
Saint Paul Public Schools That Have Won Athletic Awards and Championships

A. PERTINENT FACTS:

1. **Murray Middle School** – The middle school girls' basketball team was city champion. Lorenze Francisco is the coach. The team roster consists of:

Janayia	Anderson	Deleah	Riley
Neveah	Askew	Rane	Roste
Mairin	Blank	Greta	Seppanen
Jaydn	Brooks	Dream	Sorrell
Clarise	Freeberg	Kathryn	Sweeney
James	Kayla	Aiya	Tarver
Naomi	Kempcke	Ellery	Tennison
Makyia	Kenney-Bolden	Shawnice	Thomas
Gwen	McRoberts	Grazina	Troup
Asia	Mohamed	Elayna	VanNett
Mata	Nguon	Nasra	Wagad
Madalyn	Noll	Alice	Wagner-Hemstad
Layla	Orcutt	Jailyn	Walker
Julia	Pletch	Niya	Walker
Krishna	Rana	Kashonna	Wilder

2. This item will meet the District strategic plan focus area of Positive School and District Culture.
3. This item is submitted by Laura Ranum, Athletic Secretary and Darren Ginther, Director of Athletics.

B. RECOMMENDATION:

That the Board of Education recognize and congratulate the coaches, teams and individuals for their accomplishments.

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A. PERTINENT FACTS:

1. **Highland Park Middle School** – The middle school boys' basketball team was city champion. Jesse McCann is the coach. The team roster consists of:

Henry Acker
Luis Aguirre Bueno
Kidus Assefa
Andrew Bacigalupi
Walter Blau
Daniel Blumer-Lamotte
Charles Bougie
Antonie Brown
Musa Bugeraha
Jayden Cunningham
Alexei (AJ) Dale
Ta'Vion Davis
Charles Fragassi
Kevin Johnson
Jake Little
Xavier May
Terez McDaniel-Vaughn
Jamel McKitten
Melvin Mensah
Samir Mohammed
Wesley Nordquist
Chase Robinson
Mahome Tedase
Monaire Vaughn

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A. PERTINENT FACTS:

1. **Washington Technology Magnet** – The middle school boys' wrestling team was city champion. Anthony Henninger is the coach. The team consists of:

Abdifatah Abdi	Kaw Htoo
Musab Ahmed	Myint Htway
William Chang	Muajtsim Lee
Maung Shwe Do	Joseph Mee
Has Doh	Mouamong Moua
Micah Engelstad	Chit Plen
Estevan Escandon	Isaiah Searcie
Jose Aragon Espinoza	Kae Doh Soe
Azamabet Flores Villarreal	Way Thee Soe
Tavion Gonzalez	David Thao
Prasanth Gurung	Trysten Treager
Cody Her	Yee Vang
Hey Blu Hser	Chu Chi Xiong
Char Htoo	Isaac Yang 03
Eh Kugay Htoo	Eric Yang
Eh Ni Htoo	Mong Zong Yang
Jacksion Htoo	Patrick Yang

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A. PERTINENT FACTS:

1. **Washington Technology Magnet** – The boys' wrestling team was city co-champion. Richard Taylor is the coach. The team consists of:

Francisco Anorve Perez	Kpree Paw
Isabel Delamater	November Paw
Camille Dokken	Eh Klu Say
Doh Han	Ler Say
Vang Her	Jeremiah Searcie
Baw Mu Htoo	Kler Kue Soe
Yahya Hussein	Moua Thao
Nay Soe Kmaw	Alejandro Vicuna Diaz
Eh Ku Mwee Ku	Hsa Mu Wah
Touyuekong Lao	Shalen Woods
Brong Lee	Baily Yang
Hafizullah Masoumi	Cha Yang
Eh Klu Moo	Suwichai Yang
Mocko Nah	Sehrab Zakhil
Christ Oh	

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A. PERTINENT FACTS:

1. **Humboldt High School** – The boys' wrestling team had one state tournament qualifier. Brad Novacheck is the coach. The state qualifier was:

Ryan Prisch
2. This item will meet the District strategic plan focus area of Positive School and District Culture.
3. This item is submitted by Laura Ranum, Athletic Secretary and Darren Ginther, Director of Athletics.

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A. PERTINENT FACTS:

1. **Johnson High School** – The boys' wrestling team had two state tournament qualifiers. Mason Fong is the coach. The state qualifiers names are:

Tyler Gustafson
Yim-Leej Yang

2. This item will meet the District target area goals of accelerating the path to excellence.
3. This item is submitted by Laura Ranum, Athletic Secretary and Darren Ginther, Director of Athletics.

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TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
Saint Paul Public Schools That Have Won Athletic Awards and Championships

A. PERTINENT FACTS:

1. **Johnson High School** – The boys' swimming team had a state tournament qualifier. Lee Salminen is the coach. The state qualifier was:

Martin Kocher
2. This item will meet the District strategic plan focus area of Positive School and District Culture.
3. This item is submitted by Laura Ranum, Athletic Secretary and Darren Ginther, Director of Athletics.

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TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
Saint Paul Public Schools That Have Won Athletic Awards and Championships

A. PERTINENT FACTS:

1. **Central High School** – The girls' Nordic ski team were state tournament qualifiers. Robb Lageson is the coach. The team roster consists of:

Nora Barnard
Ava Fischer-Ross
Dana Fried
Kaia Hilgendorf-Roost
Mary Ostergren
Rachel Poppleton
Hanna Savaraid
Loretta Wacek
Claire Weissman

2. This item will meet the District strategic plan focus area of Positive School and District Culture.
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A. PERTINENT FACTS:

1. **Central High School** – The boys' Nordic ski team had a state tournament qualifier. Robb Lageson is the coach. The state qualifier was:

Aidan Finnegan
2. This item will meet the District strategic plan focus area of Positive School and District Culture.
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TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
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A. PERTINENT FACTS:

1. **Central High School** – The boys' swim team had eight state tournament qualifiers. David Alborno is the coach. The state qualifiers were:

David Cerkenik
Jonathan Cordano
Peter Exley
Aiden Fairman
Kade Hagen
Jacob Lowry
Joseph Ricker
Everett Ries

2. This item will meet the District strategic plan focus area of Positive School and District Culture.
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A. PERTINENT FACTS:

1. **Central High School** – The boys' basketball team was city champions. Scott Howell is the coach. The team consists of:

Darius Brown
Caron Crowe
Daveonte Davis
Curtis Favors
Dion Ford
Terrell Fountain
Gavin Gothard
Luke McElroy
Adam Pikel
Ronnell Porter
Donnie Preston
Jahziah Smith
Jaelen Thomas
Khai West
Nauticas Williams

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TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
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A. PERTINENT FACTS:

1. **Como Park High School** – The girls' basketball team was city champion. Alexis Gray-Lawson is the coach. The team consists of:

Kaylynn Asberry
JaShawna Baker
Abang Cham
Tenia Childs
Cloey Dmytruk
Jada James
Linda Mitchell
Shania Nichols
Ronnie Porter
Demya Riley
Dinnea Riley
Jaylen Smith
Shakyla Walker

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A. PERTINENT FACTS:

1. **Como Park High School** – The boys' wrestling team was city co-champion and had one state tournament qualifier. Tilj van der Wege is the coach. The team consists of:

Elijah Ayala
Izzy Brown
Laquan Burks
Chue Chang
Tenny De
Justus DeLoach
Stone Frasl
Aysaiah Harris
Simon Heck
Alonte Johnson
Thai Lee
Tusun Lee
Sullivan Lucy
Diego Mata
Lucky Moua
Jorge Nieto
Kyaw Oo
Bleah Paw
Kaelyb Sears
Mu Ku Shi
Teet Soe

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A. PERTINENT FACTS:

1. **Highland Park High School** – The boys' Nordic ski team was city champion and qualified for the state tournament. Brad Moening is the coach. The team roster consists of:

Nathaniel Aiden
Calvin Boone
Ian Boylan
Emmett Donohue
Conor Gregg-Escalante
Davis Isom
Cole Johnson
Jack Johnson
Theo Sage-Martinson
Otto Schmidt

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A. PERTINENT FACTS:

1. **Highland Park High School** – The girls' Nordic ski team was city champion and qualified for the state tournament. Brad Moening is the coach. The team roster consists of:

Celeste Alden
Rayna Axelson
Salja Earl-Torniainen
Addie Fabel
Caroline Harding
Delia Johnson
Maeve Moening
Molly Moening
Anna Schmidt
Claire Temali

2. This item will meet the District strategic plan focus area of Positive School and District Culture.
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A. PERTINENT FACTS:

1. **Highland Park High School** – The boys' co-op swim team was city champion and had five state tournament qualifiers. Erin Bury is the coach. The team roster consists of:

Charlie Abenth	Kieran Kristjanson
Aidan Alme	Rocco Kylo
Eliot Aust	Aidan Lanz
Rishi Bhargava	Indy Larsen
Bjorn Birkeland	Ian Matenaer
Owen Buchanan	Thomas Minner
Henry Cheney	Andrew Noecker
Thomas Danielson	Noah Rice
Tuco (Joseph) Dixon	Parker Scanlon
Cesar Gallagher	Dylan Tan Stephenson
Owen Gifford	Sean Ege Stephenson
Sebastian Hermann	Henry Vlietstra
Joshua Hoang	Jacob Wahlberg
Parker Johnson	Christian Worrall
Ethan Khan	Tanner Zeise
	William Zhao

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TOPIC: Recognition of Schools, Teams, Individuals and Coaches in Our
Saint Paul Public Schools That Have Won Athletic Awards and Championships

A. PERTINENT FACTS:

1. **Highland Park High School** – The girls' gymnastic team was city champions and had three state tournament participants. Kathy Balzart is the coach. The team consists of:

Alani Bayon
Mya Bishop
Lili Boyd
India David
Lucy Lipscomb
Kate Paulson
Anna Rehfeld
Kara Savage
Lia Wallace
Annika w\Wetzel
2. This item will meet the District strategic plan focus area of Positive School and District Culture.
3. This item is submitted by Laura Ranum, Athletic Secretary and Darren Ginther, Director of Athletics.

B. RECOMMENDATION:

That the Board of Education recognize and congratulate the coaches, teams and individuals for their accomplishments.

INDEPENDENT SCHOOL DISTRICT NO. 625
Saint Paul, Minnesota
MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION

February 19, 2019

I. CALL TO ORDER

The meeting was called to order at 6:08 p.m.

II. ROLL CALL

Present: Ms. Ellis, Ms. Foster, Mr. Brodrick, Ms. Xiong, Ms. Vanderwert, Mr. Schumacher, Superintendent Gothard, Mr. Long, General Counsel, and Ms. Dahlke, Assistant Clerk

Absent: Mr. Marchese (pre-planned out-of-town event)

III. APPROVAL OF THE ORDER OF THE MAIN AGENDA

MOTION: Ms. Ellis moved approval of the Order of the Main Agenda with one change - to move New Business: Centering Ethnic Studies in SPPS to immediately follow the Superintendent's Report. The motion was seconded by Ms. Xiong and Ms. Foster.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

IV. RECOGNITIONS

BF 31568 Acknowledgement of Good Work Provided by Outstanding District Employees

Jane Law, a French Teacher at Harding Senior High School, is Minnesota's French Teacher of the year. Madame Law, who has taught in SPPS for more than 25 years, will be honored by the American Association of Teachers of French in March

Be Vang, Mississippi Creative Arts Principal, has earned the Division Leadership Award from the Saint Paul Division of Minnesota Elementary School Principals Association for 2019. The award expresses appreciation to the many outstanding individuals in the principalship who have contributed generously to improving education, their communities and their profession.

V. APPROVAL OF THE ORDER OF THE CONSENT AGENDA

MOTION: Ms. Ellis moved approval of the Order of the Consent Agenda with no items pulled for separate consideration. The motion was seconded by Ms. Xiong.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes

Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

VI. APPROVAL OF THE MINUTES

- A. Minutes of the Regular Meeting of the Board of Education of January 22, 2019
- B. Minutes of the Special Closed Meeting of the Board of Education of February 11, 2019

MOTION: Ms. Ellis moved approval of the Minutes of the Regular Meeting of the Board of Education of January 22, 2019, and the Minutes of the Special Closed Meeting of the Board of Education of February 11, 2019 as published. The motion was seconded by Ms. Foster.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

VII. COMMITTEE REPORTS

- A. Minutes of the Committee of the Board Meeting of December 4, 2018

At the February 5, 2019 Committee of the Board meeting Superintendent Gothard thanked everyone for their work and communication during the weather delays and closures. He also noted that the State of the District event was rescheduled to Wednesday, February 13th. A draft resolution was presented to the Board for the District to withdraw from the Joint Powers Agreement with the City and County and provided more details for next steps. He also shared the launch of SPPS achieves with a lapel pin as a symbol to show that we are organized for action to change our long-term student outcomes.

Representatives from Wells Fargo and US Bank then provided updates on SPPS investments. Wells Fargo provided details on the OPEB trust. It is performing well given the current market environment. Questions from the Board included the market averages and benchmarks and how we compare, the trade deficit with China and its impacts to SPPS, international investments within the portfolio, and the emerging markets. US Bank then provided an update on the SPPS investments, which is a reserve account that is very safe and a US government security. The overall summary and cash flows included in the report were noted.

The next presentation centered on Kindergarten Readiness. The framework of how we teach literacy was reviewed, as well as the current PreK enrollment of 1,865. The proficiency rate from Fall to Spring saw a dramatic increase with 19% proficiency in the Fall, 44% in the Winter, and 63% in the Spring. PreK literacy growth was also shown for full-day, half-day, and program overall, as well as next steps. The second portion of the presentation focused on Kindergarten with enrollment of 3,124. Assessments were reviewed, as well as kindergarten proficiency rates based on FAST data and its correlation to SPPS Pre-K and Non-SPPS PreK. Promising data on a deeper look into kindergarten FAST data disaggregated by demographics was shown, as well as next steps. This presentation sparked questions from the Board involving context and comparisons for SPPS programs to others, identifying students in HeadStart, and comparison of numbers to other districts. Discussion also addressed ways in which we involve families into the literacy goals and data from FAST, program data from our partner sites, including child cares, and matriculation data, which showed that 80% of half day students and 86% of full-day students continue to SPPS kindergarten. Information was also provided for grant funded parent-child centers and outcomes for families and importance of ECFE. Ways of teaching literacy, including phonics, were also a point of discussion, and strategies to address the individual students who may struggle with literacy and our plans to address

those to help teachers and students to achieve. Also, the role of the strategic plan and changes to early education that will be addressed were noted, as well as our work in supporting all three- and four-year olds across the city. The board also noted that it is important to tie-in the work and results to the long-term objectives noted in the strategic plan and the accountability and direction.

Next, the Permits Committee presented information on the community use of buildings and grounds. Board questions centered on the net revenue, overtime expenses for engineers and custodians, the process for PTOs and PTAs, and site usage of 360 Colborne. Directors also recapped their meeting with the City on shared facilities. Questions also centered on the procedure for opening buildings for permitted events, and the role of building administration in events scheduled at their school. The process and timeline for those requesting to have a use permit was reviewed. It was also noted to include a negotiable disclaimer for those events that do not fall into categories 1-3, in place of category 4. Data was also requested on the number of events that SPPS has hosted for the city and vice versa, and information on the shared maintenance of district and city properties were discussed. Details on the logistics and team efforts to ensure we are adequately protecting our buildings and grounds were provided. The Board also noted that a study on the community's perception and views on the accessibility of our buildings would be beneficial.

Next, three policies were presented to the Board. Policy 416.00 and 417.00 on drug and alcohol testing were brought back before the Board to review. Questions from the Board on this policy involved the definition of reasonable suspicion, review by and input from bargaining units, publicizing this policy to all staff, especially principals and administrators, and that this policy will give the district a means and process to be followed to address situations with employees where this need may arise. It was also noted that this policy is for the safety of all students and staff, and to help employees who truly have a problem. The Board approved the recommendation to move these two policies to the first reading.

The next policy involved the legislative changes to the uniform municipal contracting law. Recently the statute for procurement requirements changed the threshold from \$100,000 to \$175,000. If the Board wants to allow the increased limit of \$175,000, no action is required because it will follow state statute. The policy includes not only the reference to the state statute, but also the dollar value of the contracts that the Board reviews. Discussion topics involved data on the number of contracts that fall between \$100,000 and \$175,000, and the vast majority of contracts fall under that threshold. Questions were also asked the reasoning for the change. Board members requested information on what other municipalities and neighboring school districts are doing in terms of board approval for contracts, and at what dollar value they review. The contract authority matrix was also highlighted, and will be brought before the Board to review. The overall recommendation was to bring back information to gain a better sense of the process in other entities for further discussion.

The third policy brought to the Board was Policy 516.00 – Medications/Medical procedures. Discussion on this policy revision focused on questions about the designee to administer medications, training, the role of nurses and staff in ensuring students receive their medications, protocols, emergency medicines, designees within Extended Day Learning and Discovery Club, and conversations with bargaining groups on their concerns and steps to ensure those administering medications are confident and comfortable. Consent was also discussed, which is included in the medication process at the procedure level. Procedures in smaller buildings were also discussed, as well as personalized care of each student, and the role of health assistants. The Board approved the recommendation to move this policy to the three-reading process.

Following the Committee of the Board meeting, the Board discussed follow-up information from the previous work session on board engagement.

MOTION: Ms. Ellis moved the Board accept the report on the February 5, 2019 Committee of the Board meeting and approve the minutes and recommended motions within that meeting as published. The motion was seconded by Mr. Brodrick.

The motion was approved with the following roll call vote:
Ms. Ellis Yes

Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

VIII. SUPERINTENDENT'S REPORT

Superintendent Gothard noted that school has been canceled for Wednesday, February 20th due to snow. We made the determination early to cancel the ACT test for tomorrow, because with snow-covered roads and delays with transportation, with this being a high-stakes test for our students, we did not feel comfortable risking a student not making to the test on time and not being able to take it. It has been rescheduled to March 12, 2019, which should hopefully be free of snow, and get the students to their test site for an uninterrupted time and to prepare.

Superintendent Gothard also thanked the Board of Education and recapped his time working with the Board, and their great work with the students, staff, families, and community during Minnesota Board of Education Week.

He went on to share the State of the District report, and thanked the Board, staff, partners, and community members for their support of the State of the District on February 13, 2019 at Washington Tech. He recapped the event and provided information on SPPS Achieves, which includes our plan and goals.

Superintendent Gothard also noted that Governor Walz presented his budget for the state that provides an increase in state funding by \$2B. Education was a clear priority with a proposed investment with \$733M. He also provided highlights of this proposal, including information on the cross-subsidy. He thanked Governor Walz and Lt. Governor Flanagan, and their staff for proposing a budget that is focused on education.

He also recapped a letter that was recently received from Stockton, CA with a circa 1919 postcard from an antique store that featured St. Paul High School. The letter went on to note that heritage is important to all of us and should be preserved. He then went on to note that in 1881 a bond issue was proposed and passed to build a high school for the rapidly growing Saint Paul public schools. The photograph is of St. Paul High School built in 1883 at the corner of 10th and Minnesota Streets and served the needs of secondary students city-wide. Later, fourteen classrooms were added and it was renamed Central High School. In 1912, a new Central was built at its current location. In the early 1970s, Central underwent renovations built around the original structure. He thanked and appreciated this note, and that it fits with our history and knowing who we are and value that.

A. Resolution To Withdraw from Joint Powers Agreement

Superintendent Gothard then recapped the draft resolution that was presented at the February 5th Committee of the Board Meeting on the District's recommendation to withdraw from the Joint Powers Agreement on data-sharing entered into by Saint Paul Public Schools, the City of Saint Paul, Ramsey County, and ISD 916. The original intent for this agreement was to assist these public entities in supporting our children and families. Our community brought forth concerns and provided important perspectives to this work. Although there is a recommended vote to withdraw from the agreement, he believes there are ways for our public entities to work together and looks forward to greater collaboration.

BF 31569 Resolution To Withdraw from Joint Powers Agreement

RESOLUTION TO WITHDRAW FROM JOINT POWERS AGREEMENT

WHEREAS, the City of Saint Paul, the County of Ramsey, Northeast Metro 916 Intermediate School

District, and Independent School District 625 – Saint Paul Public Schools (herein collectively referred to as the “Parties”) are committed to working together to identify ways in which the Parties can work better together in serving youth and families in the community, and;

WHEREAS, the Parties have identified that a critical area of focus is how best to improve youth connections to school, to their peers, to positive role models, and to a sense of belonging in their community, especially for those youth who may be at risk of coming into contact with the justice system, and;

WHEREAS, after engaging in a multi-year pre-planning process, a Joint Powers Agreement, which called the project the Community Innovation Project, was developed and adopted by the Parties in 2018 with the goal of improving coordination of services and resources, and;

WHEREAS, with this Joint Powers Agreement, the Parties’ goal was to transform the way public systems work together to improve opportunities and outcomes of families and children in the community today, and in the future, and;

WHEREAS, following the adoption of the Joint Powers Agreement, during pre-implementation planning the Parties received feedback from the community, including partners with strong, long-standing relationships with the Parties, expressing concern about the Community Innovation Project as outlined in the Joint Powers Agreement, and;

WHEREAS, in response to the concerns about the Community Innovation Project, the Parties seek to redevelop the vision for how they work together to serve youth and families, and engage in a series of community conversations to develop shared goals with the community, and;

WHEREAS, as a part of the redevelopment of the vision for this work with the community, the Parties have determined that the Joint Powers Agreement, and the authorities and tools it contains are no longer appropriate for their work, and;

WHEREAS, the Parties wish to terminate the Joint Powers Agreement, and;

WHEREAS, by its terms the Joint Powers Agreement may be terminated by consent of the Parties; now therefore,

BE IT RESOLVED that the Independent School District 625 – Saint Paul Public Schools, hereby withdraws from and terminates the attached Joint Powers Agreement executed on April 24, 2018.

QUESTIONS/DISCUSSION:

- Director Schumacher appreciated the difficulty that has led us to this point, including challenges, finding ways to use appropriate tools, data to understand our kids, and finding ways to accomplish to understand students as well as we can and their needs. He noted his thanks to folks who worked hard for over three years. In talking to others involved, there is commitment to find ways to come back at this because we all want same thing – for our kids have every support they need to be successful in life and in community. We look forward to making good on commitment and working with community, and appreciate the work.

MOTION: **Ms. Ellis moved to approve the Resolution to Withdraw from Joint Powers Agreement. The motion was seconded by Ms. Foster.**

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes

B. School Start Times Update

Superintendent Gothard then welcomed Tom Burr, Director of Transportation; Tiffany Weeks, Program Supervisor of Discovery Club; and Tom Parent, Director of Facilities to provide an update on supports to students and families on the upcoming Fall 2019 school start times change.

Early Walkers Subcommittee – Update: Committee Members

- Committee members included representatives from SPPS Transportation, SPPS SEM, SPPS SHIP, SPPS Engagement, SPPS Early Learning, SPPD, School Patrol, City of Saint Paul, Public Works, Ramsey County Health, and Ramsey County

Safety Categories

- Policy
 - Transportation
 - School Boundaries
- Infrastructure
 - Sidewalks
 - Street Lighting
- Education
 - Data Facts
 - Pedestrian Safety
- Agency Support
 - School District
 - City of Saint Paul
 - Ramsey County
- Safety Support
 - Reflectorization – an example of reflectors that would be provided to students was shown
 - Personal Lighting
 - School Patrol

Childcare Subcommittee – Update: Committee Members

- Committee members included CE Youth Programs, Discovery Club, Family Engagement, EDL, S'More Fun, Rec Check, Boys and Girls Club, Sprockets, YMCA
- Parent survey is complete
- Responses from all schools changing to 7:30am-2:00pm
- Families responded that 436 students who are not currently in after-school care will need care next year
- Committee members connected with the schools where the survey showed high numbers to discuss options
- Staff members are working with partners to plan based on the data collected
- Next Steps
 - Meeting with principals
 - Elementary schools switching to 9:30am start
 - Site based supports
 - Direct families to web resources under Start Times – Childcare section
 - Providers
 - Financial support
 - Search tools

Athletics Subcommittee – Update

- Members of the committee included athletic directors and coaches, Facilities, Permits, City of Saint Paul Parks and Rec, Visible City (data and policy)
- Fall 2019 schedule is coordinated

- All schedules should be in the Permits system
 - SPPS 5-Year Capital Plan
 - Some temporary lighting at City facilities possible
- Workshop for Winter 2019-2020 later

QUESTIONS/DISCUSSION:

Transportation

- It was noted that one of the positive consequences of the earlier start times for elementary students is that at 2:00, those buses will be queued up and ready to go, parking in the same spot for those students on the first bus, whereas now, they may be staggering in based on issues with the previous routes.
- How many bus stops do we have in our system? Response: That information can be provided to the Board.
 - It's a big number. In that most kids are within a block of bus stops, in some cities with early start times, they have walking groups with adults on hand. In the number of stops and adults needed, it would be a fairly large number. Response: There are walking school buses that neighborhoods organize for students to walk to school.
 - Is that another area, or talked about in the committee? Response: It fell under pedestrian safety when we sent out information, and it was discussed.
- For Safe Routes to School funding, is that mostly for localized patrols around the schools, or are funds able to be used beyond the sites? Response: Safe Routes covers infrastructure, and we could probably tap into funds. We do have representation on the Safe Routes to Schools committee and we meet monthly to discuss those types of situations, and it is involved in the conversation.
- It was mentioned that not everyone is a block away from a bus stop, and there is an area that we could focus funding for adults for those longer stretches – in particular for the little kids. It would be helpful for those families who may not know what the bus stop will look like, and thinking along those line and communicate with parents whose children will be at the bus stop at those early hours. Response: We do look at bus stops each year, and cater them to the younger students. We group them at corners, and is something we can look at in routing and to have those bus stops closer to home.
- It sounds like kids aren't having to walk real far. How many of them are having to cross the street? Response: There are kids that cross streets and the 0.07 is an average. About 40% of kids need to cross streets. Throughout the school district, we do not have students crossing major streets, such as Snelling or Marshall.
- Do you have a sense of what neighborhoods are doing to ensure students make it across the street safely? Are parents outside with their students? Response: Yes, parents are outside with the students. In talking with bus drivers, they frequently say that parents are out at the corners with elementary students.
- In going back to the Safe Schools budget and those students who are walking farther than a block, as we roll out this process and thinking about how we can utilize parents using Safe Schools dollars to volunteer or stipend to ensure we are able to catch those items early in this process, and if those conversations have happened. Response: Not specifically those conversations, however, that can be brought up to see if we can tap into those funds and if people are able to do that.
 - We want to make sure we are looking all those options. Our parents are great resources and many will step up, and others with incentives, and if each school community could identify those parents who are willing to help. Response: A lot of parents are looking out for students at the bus stop, and there is a community effort to ensure those kids are safe.

Child Care

- Do all schools have the opportunity for kids to stay at programs at elementary sites? Do we provide transportation options to other sites with programs? Response: All elementary level students in SPPS have access to Discovery Club through district transportation. All elementary students in 1-5 grade also have access to Rec Check, which is a free program. There are often multiple Rec Checks available for families, and students can often be bussed to another. There are Rec Checks in all areas. It is paid through city funds.
 - There have been concerns from parents whose students just want a quiet place to work on homework after school, and maybe in their own school, but are being bussed to Rec Check sites.

In thinking about the transportation costs or finding a staff member to have an after school study hall, is that an option? Response: For the transportation, those students are on regular SPSS bus routes, and there is not additional transportation; families can elect to have their students dropped off at home, Rec Check, or after school program. The city is running those programs at their recreation centers.

- It would be cost-prohibitive to have something at all the elementary schools where kids could stay if they wanted? Response: In terms of Rec Check moving into the schools, there are reasons that they use their own facilities. We are trying not to duplicate services, even those available amongst the community partners, and making sure we are not adding competition but filling gaps where there are gaps.
- At the elementary schools affected by the new start times, are there ALC programs within the school setting for an extended learning day? How many schools affected by the change move to 7:30 start time have ALC for extended learning days, and how many don't have them? Response: Every elementary school has extended day learning or ALC; some have 2 and others have 4, it depends on the students. We have talked about how extended day learning may look next year, and if there is a desire to change, and discussions to look at morning ALC, and each have multiple tales, and some take more money or more collaboration. Our first task was to look at providing child care, athletics, and transportation, as we learn more, we hope to build those additional items into place. We encourage support during this time, and look forward to building out those supports. We found these were the three primary concerns from the survey. Overall, we are looking at modifying our ALC to accommodate those students.
- The child care study is in addition to the families who aren't interested in utilizing the ALC programs at their local schools? This is the option available should they want to seek childcare providers versus the ALC option? Response: Correct, this is in addition to. Families will still be able to go to ALC and Rec Check for those days that they are in ALC. Some families can take access to both.
 - It would be interesting to explore expanding ALC programs in schools, since that is where the students have relationships with staff, without the travel to another site. How do we expand that program so that students' extended day is in the safe environment of the schools. Maybe we look at partnering with Rec Check to be at our school sites. With experience in other districts with an early start time, parents appreciate a four-day after school program and can go home at 4:30pm, and they know where their students are in the safety of the school. Response: EDL has been at the table for these discussions. There are financial implications and staffing, and those issues are at the table and we are working to address those questions and barriers.

Facilities – None

Superintendent Gothard reiterated that these changes were approved in October 2017, and we are ready to implement these changes in Fall 2019. Staff have been working collaboratively across the District on these issues and challenges. He encouraged the community to continue to communicate with us, and come together to allow us to develop solution to items that may arise. He thanked the teams for their hard work to implement these changes.

C. Human Resource Transactions

QUESTIONS/DISCUSSION:

- Director Schumacher noted that within the HR transaction list, there are names of those who have retired or moved to another role outside the District, and within this month's transaction list is Roy Magnuson. He is someone that all board members have known and taught for more than 25 years at Como Park Senior High School. He was Director Brodrick's student teacher. Roy is now the public information officer for the Ramsey County Sheriff's Office, and someone who attended Murray High School through 12th grade, and started coaching as a high school senior. His career of coaching, teaching, and mentoring has been special to this city. He asked questions as a social studies teacher, cared and coached football, wrestling, and track. Every school has these teachers who are the heart of our schools, and wanted to note his moving on, and thanked him and all our teachers who mean so much and are legacies to our District.

MOTION: Ms. Ellis moved approval of the HR Transactions for the period January 1, 2019 – January 31, 2019. The motion was seconded by Mr. Brodrick.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

IX. CONSENT AGENDA

MOTION: Ms. Ellis moved approval of all items within the Consent Agenda with no items pulled for separate consideration. The motion was seconded by Ms. Foster.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

A. Gifts

BF 31570 Acceptance of Gift from Linwood Monroe Arts Plus PTA

That the Board of Education authorize the Superintendent (designee) to accept the gift from Linwood Monroe Arts Plus PTA.

B. Grants

BF 31571 Request for Permission to Accept a Grant from Generation Next

That the Board of Education authorize the Superintendent (designee) to accept a grant from Generation Next for funds to support the SPPS Achieves Strategic Plan; and to implement the project as specified in the award documents.

BF 31572 Request for Permission to Accept a Grant from Lowe's Toolbox for Education

That the Board of Education authorize the Superintendent (designee) to accept a grant from Lowe's Toolbox for Education for funds to support personalized learning with upgraded technology at Dayton's Bluff Elementary School; and to implement the project as specified in the award documents.

BF 31573 Request for Permission to Accept Multiple Grants from the Target Foundation

That the Board of Education authorize the Superintendent (designee) to accept funds from the Target Foundation to support field trip costs; and to implement the projects as specified in the award documents.

BF 31574 Request for Permission to Submit a Grant Application to the CenturyLink

Clarke M. Williams Foundation

That the Board of Education authorize the Superintendent (designee) to submit an application to the CenturyLink Clarke M. Williams Foundation for funds to purchase 3D printers for Crossroads Elementary School; to accept funds, if awarded; and to implement the projects as specified in the award documents.

BF 31575 Request for Permission to Submit a Grant Application to the Confucius Institute

That the Board of Education authorize the Superintendent (designee) to submit a grant to the Confucius Institute to support academic and professional development activities in Mandarin language classes; to accept funds, if awarded; and to implement the project as specified in the award documents.

BF 31576 Request for Permission to Submit a Grant Application to the French-American Cultural Exchange (FACE) Foundation

That the Board of Education authorize the Superintendent (designee) to submit a grant to the FACE Foundation for funds to support French immersion at Central Senior High School; to accept funds, if awarded; and to implement the project as specified in the award documents.

BF 31577 Request for Permission to Submit a Grant Application to the Minnesota State Arts Board

That the Board of Education authorize the Superintendent (designee) to submit an application to the Minnesota State Arts Board for support of an Artist in Residency with artist Leon Wang at Highland Park Middle School; to accept funds, if awarded; and to implement the project as specified in the award documents.

C. Contracts - None

D. Agreements

BF 31578 SPPS Supplemental Literacy Support

The Board of Education authorize the use of funds to provide literacy materials to support district literacy goals.

BF 31579 MOU between Amherst Wilder, Saint Paul Promise Neighborhood, Ramsey County, Saint Paul Public Schools and Saint Paul City School

That the Board of Education authorize the Superintendent (designee) to approve the Memorandum of Understanding with these organizations for Homework Starts with Home.

BF 31580 Request to Sign Concurrent Enrollment Agreement with Inver Hills Community College

That the Board of Education authorize the Superintendent (designee) to sign the Concurrent Enrollment Agreement between Saint Paul Public Schools and Inver Hills for FY19.

E. Administrative Items

BF 31581 Monthly Operating Authority

1. That the Board of Education approve and ratify the following checks and wire transfers for the period December 1 – December 31, 2018.

(a) General Account	#703748-705059	\$57,169,973.31
	#0003193-0003216	
	#7003086-7003122	
	#0003080-0003158	
(b) Debt Service	-0-	\$0.00
(c) Construction	-0-	\$5,398,431.73
		<u>\$62,568,405.04</u>

Included in the above disbursements are two payrolls in the amount of \$37,257,462.81 and overtime of \$212,501.69 or 0.57% of payroll.

- (d) Collateral Changes

Released:

None

Additions:

None

2. That the Board of Education further authorize payment of properly certified cash disbursements including payrolls, overtime schedules, compensation claims, and claims under the Workers' Compensation Law falling within the period ending May 31, 2019.

BF 31582 Recommendations for Exclusion of Students in Non-Compliance with Minnesota Statute 123.70 Health Standards: Immunizations

That the Board of Education excludes the named students from school effective February 28, 2019, should they not comply with Minnesota State Health Standards for Immunizations on or before this date.

BF 31583 Request for Chaperone to Travel to New York City with Como Park Senior High School Choir Members and their Director to Perform at Carnegie Hall

That the Board of Education authorize the Superintendent (designee) to approve travel for the chaperone, Mr. Carlson, to attend the Como Park Senior High Choir trip to Carnegie Hall from May 24th to May 28th, 2019 in New York, NY.

BF 31584 Request for Approval to Apply for Funds from the Minnesota State High School League's Foundation

That the Board of Education authorize the Superintendent (designee) to submit an application to the Minnesota State High School League's Foundation for monies being awarded to high schools in the State of Minnesota; to accept funds, if awarded; and to implement the project as specified in the award documents.

BF 31585 Travel Request for Non-Saint Paul Public School Staff to Chaperone the JROTC Type III Field Trip to Fargo, North Dakota

That the Board of Education authorize the Superintendent (designee) to approve the travel request for the non-Saint Paul Public School staff to chaperone the JROTC Type III Field Trip to Fargo, North Dakota.

BF 31586 Title I Technology Refresh

That the Board of Education authorize the Superintendent (designee) to approve the purchase of computers for Title I schools.

BF 31587 Facilities Department FY19 Purchases over \$100,000

That the Board of Education authorize the purchases listed for the Facilities Department anticipated to be over the \$100,000.

F. Bids

BF 31588 Humboldt High School Addition & Renovation Electrical Work

That the Board of Education authorize award of the electrical work for phases 1-8 at the Humboldt High School Addition & Renovation work to Master Electric Co., Inc. for the lump sum bid for \$4,518,300.

BF 31589 Bid No. A216551-A Highland Senior High School Pool Piping Replacement

That the Board of Education authorize the award of Bid No. A216551-A Highland Park High School Auditorium Pool Piping Replacement to JPMI Construction for a lump sum base bid for \$226,500.

BF 31590 Bid No. A216679-A E-STEM (formerly Crosswinds) Middle School Renovation

That the Board of Education authorize the award of Bid No. A216679-A E-STEM (formerly Crosswinds) Middle School Renovation to RAK Construction, Inc. for a lump sum base bid with Alternates 1, 2 and 3 of \$799,609.

G. Change Orders

BF 31591 Change Order #19 for Shaw-Lundquist Associates, Inc. at Linwood Monroe Upper Addition and Renovation

That the Board of Education authorize the Superintendent (or Designee) to sign Change Order #19 for Shaw-Lundquist Associates, Inc. at Linwood Monroe Upper Addition and Renovation for the amount of \$156,949.54.

BF 31592 Change Order #11 for Donlar Construction Company at Linwood Monroe

That the Board of Education authorize the Superintendent (or Designee) to sign Change Order #11 for Donlar Construction Company at Linwood Monroe Lower Addition and Renovation for the amount of \$175,482.25.

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION: None

X. OLD BUSINESS

A. Policy Update

THIRD READING: Policy 505.00 – Bullying Prohibition

- Revision of the policy
- Policy changes reflect requirements of state statute:
 - Updated definitions
 - Updates to Prohibition section
 - Added three new sections
 - Investigations
 - Responses
 - Publication, Information and Training

BF 31593 THIRD READING: Policy 505.00 – Bullying Prohibition

QUESTIONS/DISCUSSION: None

MOTION: Ms. Ellis moved the Board approve the updates to Policy 505.00 – Bullying Prohibition. The motion was seconded by Ms. Vanderwert.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

FIRST READING: Policy 417.00 - Drug and Alcohol Testing for Drivers

- Propose new policy (417.00) be developed
- Rationale
 - Make an official SPPS policy because SPPS already participates in these federally mandated practices for drivers:
 - Pre-Employment Testing
 - Post-Accident Testing
 - Random Testing
 - Reasonable Suspicion Testing
 - Return-To-Duty Testing
 - Follow-Up Testing

FIRST READING: Policy 416.00 - Drug and Alcohol Testing for All Employees

- Propose new policy (416.00) be developed
- Rationale
 - Currently, SPPS has no current mechanism (for any employees other than drivers) to rule out or confirm someone is indeed under the influence of drugs or alcohol at work
 - Liability and safety issue
- Unlike proposed policy 417.00, this policy will not include:
 - Random Testing
 - Job Applicant Testing
 - During Routine Physical Examination Testing
- This policy will include:
 - Reasonable Suspicion Testing
 - Will help district in making disciplinary decisions
 - Encourages employees who truly have a problem get help
 - If an employee has one positive test, the District must give them an opportunity to participate in treatment
 - Treatment Program Testing

- Testing may be required as part of an employee's participation in any chemical dependency treatment under an employee benefit plan, or any chemical dependency treatment to which an employee has been referred by the District

QUESTION/DISCUSSION:

- It was noted that information has been sent to union representatives to receive feedback, and we are moving forward in concurrently with this policy reading.
- Will anything be added to this draft, or will it stay the way it is currently written? Response: Right now, it will remain the same as the draft. However, if we do receive information from union representatives for potential changes, those will be incorporated into this for the approval in this process.
- Director Brodrick thanked Chief Baker and the HR department and Legal department for their very conscientious work on this and preparing for this first reading. This policy is in the spirit of the good and benefit to first and foremost our students, and also for the well-being of our staff. As a former teacher in SPPS, he wanted to compliment the Board and Administration. This policy will not only benefit our students and staff, but our community as well.

FIRST READING: Policy 516.00 - Medications/Medical Procedures

- First reading of revised policy
- Last revised in 2008
- Revisions made to the policy:
 - Restructuring of sentences
 - Re-wording
 - "Designee of the school administrator" to replace "designee of the principal" (paragraph 2)
 - "Medications needed at school" to replace "medications prescribed" (paragraphs 4a, 4b)
- Additions to the policy:
 - Purpose statement
 - Paragraph 5 - overnight field trips / in original, labeled container
 - Paragraph 10 - emergency medication

QUESTION/DISCUSSION: None

XI. NEW BUSINESS

A. Centering Ethnic Studies in SPPS

SEAB's Definition of Ethnic Studies

- The centered presence of people of color in our curriculum
- Critical pedagogy:
 - An analysis of power, oppression, and organized resistance
 - Not being taught at, but learning critically

Past SEAB Presentation on Inclusivity

- Only 50% of students of color say their identity is present and accurately portrayed in the curriculum always or most of the time.

Ethnic Studies National Data

- Ethnic studies has shown to:
 - Increase attendance
 - Increase GPAs
 - Increase graduation rates
- Ethnic studies develops critical thinking and provides a more accurate world view

Existing SPPS Policy

- Policy 602.1 – sought to include (not center)

Ethnic Studies Movement

- Ethnic studies has been implemented as core curriculum in public districts, such as Los Angeles, San Francisco, Santa Barbara, Bridgeport, Philadelphia
- At the state level in Indiana, Oregon, and California
- Widely-known student battle for Ethnic Studies in Tucson

Why Are We Not There Yet?

- 12 interviews with decision makers and experts
- Overwhelmingly the answer to “why are we not there yet?” was: white supremacy
- Their advice on how to fix it was more varied

Ethnic Studies in MN

- August 2017 – MNEEP wrote a legislative brief on the importance of Ethnic Studies in MN
- Recommended all MN secondary students be required to take Ethnic Studies by 2020

Currently in SPPS

- Cultural Studies electives in some high schools
- Some teachers are doing work to center ethnic studies
- We do not have a comprehensive or centered structure of Ethnic Studies

Our Community

- 65 stakeholders participated in a collaborative session on centering Ethnic Studies in SPPS
- Petition signatures
- “Understanding our differences is vital to our growth as human beings. Providing education to leverage that understanding is even more important.”
- “Our culture is our story. It is our identity. It provides a type of grounding for us that informs our past, present, and future. We need to make sure our school system is reflecting how we want our students to show up as they live in a world...”

Recommendation 1

- Create new Ethnic Studies course that all SPPS students take in high school
- Action steps:
 - Board:
 - Update Policy 510.00.03 to replace Human Geography with comprehensive Critical Ethnic Studies as a graduation requirement
 - Administration:
 - Create a student/staff team responsible for guiding the creation of Critical Ethnic Studies
 - Create a new staff position responsible for creation and implementation
 - Support alternative licensure to get “woke” teachers

Recommendation 2

- Embed Critical Ethnic Studies into all SPPS curriculum PreK-12
- Action Steps:
 - Board
 - Update Policy 602 to include a reporting procedure that defines how student voice will be captured to ensure our goals are happening
 - Update Policy 602.01 by adding an accountability procedure
 - Administration:
 - Include critical pedagogy in Strategic Plan Objective 3
 - Include instructor and curriculum evaluation by students in Strategic Plan Objective 2a
 - Expand cultural studies electives offered in high schools and expand to middle schools
 - Fund instructional training on Critical Pedagogy
 - Utilize new Ethnic Studies position to oversee “infusion” of Ethnic Studies IB/AP/CIS social studies
 - Name Ethnic Studies as a Student Right in the Rights and Responsibilities Handbook
 - Bring community in as instructors and pay them for their expertise
 - Fund and provide support for elementary schools to critically analyze their curriculum and embed ethnic studies
 - Fund position or time for creation of student feedback process and follow through

QUESTION/DISCUSSION:

- Superintendent Gothard thanked SEAB for this presentation. This work has been illustrated in policy and strategic plan, some experiences and words through staff and students. We have taken some steps, and need to continue to deepen work together and demonstrate this commitment. There are challenges – this is policy, PD, budget, timelines, and changes that are big. We'd like to get together with the team to respond specifically to report and report back, and work with you. There are a lot of things going on to implement the strategic plan, and ensure we are working closely together now for the future. It is his commitment to SEAB to work with the team. This is real-change that is long over due.
- Director Vanderwert noted that she is very impressed with their work – there has been research both internally and externally. She is looking forward to the future with their leadership.
- Director Foster thanked SEAB, and in talking about authentic engagement in the role of SEAB, and the Superintendent and team for their work. Her commitment is to ensure this is an authentic process, and that we are really looking this and its impact in our schools and community. The work put in and pull other students, faculty - its takes work and an investment on your future and those coming behind you. Our strategic plan will highlight this area and look forward to developments and timeline, when we will have responses. Not talk about it, but be about it.
- Director Schumacher thanked SEAB. This is a comprehensive work that could only come from their voice and experience. You've done important work.
- When the feedback sessions and talked to folks, was there a sense from those in our system as to what specifically were the impediments? Response: There is data from the interviews that can be shared with the Board. A lot of it involved AP and IB classes where the curriculum isn't flexible, and that was a barrier.
 - It would be interesting if people have that desire, and it doesn't exist and not allowed to teach in that way. That would be helpful information to have.
- Director Xiong echoed the other board members and thanked SEAB for their incredible work and that it does not make sense that there isn't already ethnic studies. SPPS is one of the most diverse, and we speak more than 100 languages, and Saint Paul is serving as a model to meet the needs of a diverse population, and recounted her time in SPPS, and it is unfortunate that we are still working in a system where communities are siloed and they have come and advocate on behalf of own community. We can do better. She is excited and glad that SEAB is championing this issue. Unlike other states mentioned, we can take a stand and make this happen to ensure every student in SPPS can graduate and have taken an ethnic studies course and to make it a requirement. It makes sense that all students go through SPPS and they learn about each other. It doesn't make sense this isn't a requirement. We need it now and need it in SPPS, and we can champion that. Let's push for ethnic studies, methodologies and critical pedagogies in our school system.
- Chair Ellis noted the power of the presentation, and echoed her colleagues in thanking SEAB. This spoke to her as an Ethnic Studies major at Metro State, and this shouldn't have been the presentation they gave, but a presentation on where we were from 12-15 years ago and what we have been doing. This is an area that needs to be better for our students now, and students of the future.
- When interviewing teacher and talking to other students, did you hear from students that at any point in time during their middle, high or elementary schools experience, they were seeing themselves reflected in what they were learning in classrooms? It's happening at one elementary school. It should start the minute students walk into SPPS, and be embedded in all we do, instead of only middle and high school. Response: In one school, there are teachers who do want to do this, but don't have the support to do it. Overall, one student noted that he does not see himself reflected in the curriculum. There are moments in some AP classes, where teachers will bring up ethnic studies in a relevant sense to the problem. There are staff willing and want to, and students who see it sometimes. The majority of students don't see this because they don't have those teachers or may not be in those classes. Another SEAB student noted that in elementary she was a part of the class mentioned in the presentation, and it was the first time she saw herself reflected in her classes. Classes are there, but they may be not accessible to all students or not all perspectives may be within the class, and the leadership of the class may not align with the subject.
- Director Foster noted her experience, and history. She had teachers who brought forth real world stories, histories, and pulling information from outside the textbooks. Don't talk about it, be about it. We often talk about barriers to getting there. Now, we need to be talking about how we are going to get there, and that's our starting and ending point for actions that are measureable. She thanked SEAB for their work.

- Director Schumacher noted that the art piece is amazing, and to have it available in our schools or district office to showcase it to the public.
- We have to work together with our teachers to be creative and continue the programs and continue to get teachers to our system that reflect our student population. The state of the District was encouraging with the speakers who are excited about the program they participated in and want to become teachers. We need to continue to find way to support pathways for teachers, especially teachers of color in our district. The union and Superintendent Gothard are dedicated to working together on this, and that is a critical piece of this as well. He thanked them for identified that. There is work to do.

B. Early Childhood Family Education (ECFE) Logo Redesign

Superintendent Gothard then introduced Jackie Turner, Chief of Operations, to present on the ECFE logo re-design. Chief Turner then introduced Dr. Monica Potter, Supervisor for ECFE.

Current ECFE Logo

The current Early Childhood Family Education logo was shown and discussed. We recognize and honor the original logo from children and families, and the history of this logo through the past decades of what they felt and saw in ECFE.

Logo Work Rationale

- Feedback from Parents, Faculty and Staff
 - The old logo looks outdated
 - It doesn't represent the diversity of Saint Paul.
 - It looks scary!
 - It doesn't represent ECFE (Family).
 - Enrollment is struggling. Rebranding will refresh and attract new and diverse families.

ECFE Artwork Project Timeline

- November 5: City-wide Parent Advisory Council Meeting
- November 11: Updates Made to Selected Artwork (3 versions created)
- November 27: Updated artwork sent to Monica to review.
- November 30: Lead Teacher Meeting
- December 3: City-wide Parent Advisory Council Meeting
- December 18: Logo combinations created. Logo project awaiting approval process.
- February 15: All ECFE Staff Meeting

Phase 1: November 5 Options

- Five options brought to the November 5 meeting were shown.

Phase 2: November 11 Options

- Four updated design options that were brought to the November 11 meeting were shown.

Phase 3: December 18 Final Choice

- This is the logo that most surveyed preferred. This is also the state level logo from Minnesota Association for Family and Early Education (MNAFEE), which means it has existing brand equity.
- The final design choices were shown and discussed.

Next Steps

- February BOE Presentation
 - Survey
 - Ongoing Feedback
- Parents
- District Staff
- Targeted Partners
 - Communications Department Review

- Meeting with vendor(s)

QUESTION/DISCUSSION:

- It's so similar to the MNAFEE, and there is hesitation that people might get them confused. Response: Because ECFE programs don't have funding to do rebrand or logo, they have specifically come up with this to be used across the state. There are questions around the font and color, and still open to looking at it. It could look different or the same after polling. The entire state of MN can use this logo. The idea is to put the district with it, and MN is the only state with ECFE, so the idea is to recognize the 316 programs across the state. There is also another logo created of just adults created of the same colors, and another with just the children for PreK.
- The board noted that there should be a way to spell out ECFE as Early Childhood Family Education. It's about families, not just children, which makes the old logo obsolete. Response: There will be opportunities to spell out Early Childhood Family Education depending on the item with the logo and the space within the design standards.
- Directors noted they liked the old logo also.
- How did we get to this recommended design? Was there a secondary vote? How did that process work? Response: The designs were shared in the all-city parent advisory council, and they noted that they wanted something that showed a sense of belonging, and a circle, and also diversity of communities served. They want to show dual generational program, and the designer in Community Ed. drafted options. We then went out to staff and parents for their thoughts and back to the all-city council, and we changed and adapted them. At the December meeting, it was mentioned to go back to the ECFE logo from MNAFEE, which was their favorite.
- It was mentioned there might be a change in colors – what would they be? Response: The colors would coordinate with the logo of SPPS, so that the ECFE logo and SPPS logo can be linked to show that they are together. There are also different design standards for if the logo is printed on white versus another color, so that may vary and there will be opportunities there as well.
- At this point, there is only the final recommendation? There isn't time for further input? Response: Currently, this design is set out for final input; unless there is something drastic that has been missed. Most comments will center around if we have missed something. With this design, we have heard from the majority of families that we feel this represents the program, and will likely be retiring the old logo. However, just like with any logo, those materials will continue to be honored. As we order new and work with the vendors for letterhead and promotional materials, the new logo will be used.
- Directors also noted maybe using the blue ring from a previous design into the new logo, and also related to the SPPS lapel pin. Another idea was to use the SPPS logo within the circle of adults and children, however, the SPPS logo also has design standards which would need to be adhered to.

XII. BOARD OF EDUCATION

- A. Information Requests & Responses - None
- B. Items for Future Agendas - None
- C. Board of Education Reports/Communications

- Director Foster noted the Thinking College Early Fair, which will be held at Harding Senior High for all grades. Colleges will be there from across the state, and HBCUs. Employers will be there from the trades to healthcare to talk about pathways and classes to take. It is open to all, and is a great opportunity to have access to talk to folks and to be a part of the event. Board members will be there if families have questions or share concerns. It is from 10:30am-1:30pm at Harding on Saturday, February 23, 2019.
- Director Foster also noted the NAAPID events that happened across the District. She thanked the teams for their hard work and to families and community who gathered together for our students, to showcase their work and partners and volunteers. She thanked everyone for their work in this event.
- Chair Ellis noted that she visited Nokomis for NAAPID, and had a good time with students, and there were speakers including students from the U of M, police officers, teachers, and was amazing to see and a good selection of speakers, and a mixture of people and community in schools. It was great to see, and appreciated the event.
- Chair Ellis also recapped her time with the Learning Journey and the Bush Foundation. There was an opportunity to visit three different schools including in east Carver County to see the Arts ALC program, and was great to hear from students and speaking to what SEAB was saying, and feeling like in their

education journey that there is recognition and support for self and seeing themselves in things they are learning. They also visited the Avalon School, which is a charter for project-based learning, and knowing the SPPS is also doing that work. There were great conversations with students. They also visited AIMS and met with their student council and met with students that are interested in education and teaching careers, and was also great to see the students interested in teaching at the State of the District as well.

- Chair Ellis also that listening to students is so inspiring, including listening to our SEAB members. There are many things we can do better and need to do better, and it's great to work in partnership and collaboration, and have an opportunity to do that. There are thoughtful strategies and to be intentional about how they get to help create their educational pathways and for other students after them to also create their pathways, and ways for students to feel like they are a part of creating those and feeling like their whole selves.

XIII. FUTURE MEETING SCHEDULE

MOTION: Ms. Ellis moved the Board to cancel the October 8, 2019 Committee of the Board Meeting and reschedule it to October 15, 2019. The motion was seconded by Mr. Schumacher.

The motion was approved with the following roll call vote:

Ms. Ellis	Yes
Ms. Foster	Yes
Mr. Brodrick	Yes
Ms. Xiong	Yes
Ms. Vanderwert	Yes
Mr. Schumacher	Yes
Mr. Marchese	Absent

A. Board of Education Meetings (6:05 unless otherwise noted)

- March 19
- April 23
- May 21
- June 11 | Non-Renewals
- June 18
- July 23
- August 20

B. Committee of the Board Meetings (4:30 unless otherwise noted)

- March 5
- April 9
- May 7
- June 11
- August 7

XIV. ADJOURNMENT

MOTION: Ms. Ellis moved to adjourn, and it was seconded by Ms. Foster. It passed by acclaim.

The meeting adjourned at 8:58 p.m.

For clarity and to facilitate research, these minutes reflect the order of the original Agenda and not necessarily the time during the meeting the items were discussed.

Prepared and submitted by
Sarah Dahlke
Assistant Clerk,
St. Paul Public Schools Board of Education

**MEETING MINUTES
COMMITTEE OF THE BOARD MEETING
March 5, 2019**

PRESENT: Board of Education: S. Marchese, J. Schumacher, J. Foster, J. Brodrick, M. Vanderwert, M. Xiong, Z. Ellis

SEAB: M. Raymond

Staff: Superintendent Gothard, J. Atkins, T. Battle, H. Kilgore, K. Randall, K. Cordes-Sween, W. Forbes, L. Sayles-Adams, G. Simon, M. Doud, K. Wilcox-Harris, D. Watkins, C. Baker, J. Turner, M. Schrul, J. Williams, A. Collins, Y. Vang, H. Ott, L. Cathey, K. McVay, M. Hoerth, L. Pantoja, C. Carlstrom, K. Burns, M. Gilbert, J. Engen, S. Dahlke

Other: M. Havartt, T. Lonetree, J. Verges, J. Nathan, M. Shore, P. Hendricks, O. King

I. CALL TO ORDER

The meeting was called to order at 4:34 p.m.

II. AGENDA

A. Superintendent's Announcements

Superintendent Gothard began the meeting with a couple of updates. He provided comments on the Ethnic Studies presentation from SEAB at the February 2019 Board of Education Meeting. It was an excellent presentation that clearly showed their hard work to define ethnic studies, and what it could mean for the district and the community. Initiative 3a sets out to ensure ethnic studies is integrated into all we do. There are some models to build from and to inform our future work, and encouraged to continue to work with SEAB to define the parameters as we build this initiative, including policy changes, to have a long-lasting and real impact on students, community and staff.

Superintendent Gothard and board members also noted the Johnson Govie Leadership Forum, and they were thankful to share this experience. This event provided a space for students that was about them, and grounds us in our work. There were discussions amongst students that were complex and sensitive, and to watch students facilitate those discussions was great. It's an opportunity to embrace that type of venue more often, and showcased the power of student-led efforts and drive. He thanked Principal Michael Thompson and the Govie Leaders for their work, and noted staff and students from across the District that also attended. Board members also shared their experiences at this event from discussions in breakout sessions which were very powerful, and to see the transference of that energy in the facilitators to other students and to see the model and practice was phenomenal, as well as the impressive line-up of folks who both presented and attended the event.

B. SEAB Report

SEAB Member Raymond provided an update on SEAB. Ethnic studies has been the driving force and focus, and the group is receiving feedback from community, and presented at the Govie Leadership Summit. The petition for ethnic studies had a goal of 1000 signatures, which was met before the presentation at the previous Board of Education meeting, and the new goal is 1500, with it currently at 1200. He noted the important of timelines and moving forward with the ethnic studies efforts, and asked what is needed for the next steps to be met? Superintendent Gothard responded that it is important to define the scope, and the timeline could look different based on variables. That can help to define and shape our

future work. Administration is eager to have those conversations with SEAB and we are clear in saying this is an important piece that we want to do well and do it right. The timeline is currently premature, and more agreement on the details will help to establish the timeline.

QUESTIONS/DISCUSSION:

- What was the goal of the petition? Response: The goal was 1000 signatures to show those in support of ethnic studies in SPPS.
- The Board also noted that in the timeline and conversations, it may be helpful for SEAB to discuss how they can help to support the interest in making ethnic studies a part of all we do and how to integrate cultural relevance and to be reflective in all classrooms every day, and how we can all work together to realize that.

C. Legislative Update

Superintendent Gothard then introduced Mary Gilbert, Legislative Liaison, to provide the Legislative Update presentation. She noted that she toured Saint Paul Music Academy with a legislator, who very much enjoyed the tour.

Important Dates

- Legislature Convened (January 8), Governor's Budget Released (February 19), February Forecast Released (February 28), First Policy Committee (March 15), Second Policy Committee (March 22), Third Finance Committee (March 29), Easter/Passover Break (April 13-22), Conference Committees Appointed (May 1), Targets for Conference Committee (May 6), Conference Reports to Body Of Origin (May 13), Adjournment (May 23)

Governor's Budget Big Picture

- February forecast \$1.052 billion, which is \$492 million less than November
- \$563 million available from FY18-19 — mostly one time
- Trend of slower growth continues FY22-23
- Revenue is still up by nearly \$3 billion
- E-12 spending estimated to be down \$48 million in FY20-21 and \$32 million in FY22-23 (0.2%)

Nov. Forecast vs. Feb. Forecast

- A graph showing the November forecast and February forecast in both FY20-21 and FY22-23 was shown.

Forecast Planning

	FY21-22	FY22-23	Change	Percent Change
Forecast Revenue	\$ 47,941	\$ 50,192	\$ 2,251	2.3%
Forecast Spending	\$ 47,403	\$ 50,203	\$ 2,800	2.9%
Difference	\$ 538	(\$ 11)	(\$ 549)	
Estimated Cost of Inflation	\$ 1,097	\$ 2,694		

Governor's Budget | \$733 Million

- 3% and 3% on the formula | \$523 million
- Special Education formula changes | \$77 million | Modifies tuition billing
- Funds \$59 million | Base VPK/School Readiness Plus
- Moves \$79 million early learning scholarships to special revenue fund
- Teacher of color recruitment and retention | \$8 million
- Homeless grants supports | \$1 million
- Increases safe school revenue | Aid/levy combo \$9 aid first year, levy increase second year

- Automatic renewal of "new" referendums
- Full Service Community Schools Grants \$4 million
- Tribal school funding | \$3.6 million
- Regional center funding | \$8 million
- National Teacher Certification | \$140,000
- Shorten MCAs | removes off grade questions

Governor's Budget | Other Agencies

- **School linked mental health grants** | \$9.4 million (HHS)
- **Child Care Assistance Program (CCAP)** | \$29 million (HHS)
- **Homework Starts with Home** | \$3 million per year in Housing budget
- **Homelessness Prevention and Assistance** | \$2 million per year in Housing budget
- **Rental Assistance** | \$0.5 million per year in Housing
- Higher Education State grant expansion | \$54.16 million
- \$.25 million to provide stipends for 250 low-income students in grades 3-11 for summer school enrichment
- Comprehensive transit and transportation package that includes gas tax and other fees/local option taxes

New Mandates | Proposed

- Civics Education
- Personal Finance Education
- Dyslexia Screening
- Comprehensive Sex Education
- Opioid and Chemical Abuse Education
- Para-professional training
- Family Medical Leave (0.31% of payroll employee and employer)
- Report of all testing costs
- VPK school/charter expenditure reporting

Other Policy and Funding

- English Language Learning funding increase
- Special Education Paper Work Reduction
- ACT test funded by state — all students
- Changes to Teacher Licensing
- Labor Day Start
- School Lunch Shaming
- Referendum Renewal of Existing Referendum

QUESTIONS/DISCUSSION:

- When will there be a better idea to start shaping budget discussions? Response: By Easter break, we should have a better idea to know what the floor will be at in the House proposal and the Governor's proposal. We could make assumptions based on that, and not at zero-based budget, and have contingency plans based on the formula. There are no runs available right now. The actual bill with the recommendations hasn't been introduced yet – probably next week. It will be shared immediately as we know more.
- For the mandates, is there a sense of whether those items are jointly held as important? With the mandates, is there funding? Response: For the most part, no. There is no funding for Personal Finance Education, and we did talk about an amendment that is required to be offered as part of the curriculum for Economics, because it is now. We further suggested in social studies review, they should get stakeholder input; others will want to weigh in and input from others whether personal finance should have a greater stake in social studies review. The other aspect is that we should maybe look at all state standards, including middle school math standards, and it would be easier to deal with other things they want us to do. We can do dyslexia training with students not at grade level with FAST. We are trying to work with authors of bills if they won't provide funding, then we need to talk more and work

on it more. Some of these mandate ideas are from the community, and there may be more background steps that those authors may not have been aware of and the plans currently in place.

- For the 3% and 3% on the formula, but there is no indexing to inflation proposed? Response: The reason is to cover the tails. It's unlikely to be inflationary this year, so we could be in the same cycle as every biennium. There are other big issues including the gas tax and the health care, and there are a couple big holes in the budget.
- There was a discussion on a task force convening on the special ed. cross subsidy. Is that embedded anywhere? Response: There is that, and we really want to move ahead. The governor's budget may recommend that they reconvene the finance task force, instead of the sole focus on special education. It was from the 2012 administration, and a comprehensive look at the school funding formula. There are a lot of moving parts.
 - Is there momentum to have a conversation on the formula and the components? Response: There is a good chance that might pass to have that task force. It doesn't require legislation; the commissioner can decide to have it. It lends more weight if the Senate and House agree to it and have some ownership and a report on which they can agree.
- Is there safe schools funding too? There is a \$9 increase the first year, since we have already levied for safe school revenue. The next year, it's an increase in the levy and flexibility of \$36 every year. It's possible there is one time money, like the grants from last year.
 - One of the concerns is that now that districts have had the change to submit their grant proposals and discussing our needs and clear to the public, what do we do to now fund the needs we have identified to the public? Response: There is money left over, and some was recently spent on MNLARS. The money in that program isn't bondable because it can't be tied to any one facility, and used cash, even though it was in the bonding bill. There is interest in the Senate, and will come from different part of the budget; there could be money available for that.

D. Budget and Finance Advisory Committee (BFAC) Recommendations

Superintendent Gothard then introduced Marie Schrul, Chief Financial Officer, to present the results of the 2018-2019 charge to the Budget and Finance Advisory Committee (BFAC) to the Board of Education. She went on to introduce the co-chairs of each subcommittee of the group, Own King, co-chair of the Ideal School Model, and Peter Hendricks, co-chair of the Line Item Expenditure. She thanked the committee members, and also thanked Kim Cordes-Sween and Arleen Schilling for their work in the committee. She also introduced committee members in the audience.

Background of the Committee

- School Year 2017-2018: Training of the BFAC on how budgets are created
- School Year 2018-2019: The charge was to divide into two subcommittees where one committee would determine an ideal school model for Elementary, Middle, and High schools and the other subcommittee would analyze data on budget/expenditure line items and make recommendations to administration and present to the Committee of the Board of Education

The Charge to the BFAC

- Divide into two subcommittees – Ideal School Model and Line Item Budget & Expenditure Review
 - Appoint two co-chair persons for each subcommittee: 1 District employee (Finance Dept) and 1 Community member
- Meet separately to determine recommendations to administration and present to the Committee of the Board of Education

Ideal School Model Subcommittee

- Charge: Study on optimal school size and base allocation for Elementary, Middle and High Schools.
- In-scope: Baseline needs for all schools; Small and large school; Flexibility in funding to meet various programs or pathways
- Out-of-scope: Specialized programs or pathways; specific school capacity; demographic specifics; Pre-K; non-salary budget items; specific funding sources (Special education, English learner, referendum, etc.)

- It was also noted that there is a large spreadsheet with average costs of teachers and staff and cost per student that was the basis for these models
- Process: Reviewed research on Class/school size; safety and security; academic achievement; climate and culture; fiscal responsibility; best practices
- Considered: Experiential knowledge; school programs; facility capacity
- Factors considered: Staffing; enrollment; class size; contractual obligations; cost; research basis; meeting district, state and federal academic standards and statutes
- Elementary School Model Staffing
 - Enrollment: Small school ≈ 300; Large school ≈ 600; Class size ≈ 25
 - Classroom teachers; Specialist teachers (Visual Art, Music, Dance, Theater, PE, Science, ...); Non-licensed staff (clerical, educational assistants, teacher assistants...); Principal & Assistant Principal; School wide supports (Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE; Site based and job embedded professional development
 - Models of teaching and staffing needs were then presented for a small elementary model and large elementary model
- Ideal Middle School Model
 - Enrollment: Small school ≈ 450; Large school ≈ 900; Class size ≈ 30
 - Core teachers; Elective teachers; Non-licensed staff (clerical, educational assistants, teacher assistants...); Principal & Assistant Principal; School-wide supports (Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE; Site based and job embedded professional development
 - Models of teaching and staffing needs were then presented for a middle school model
- Ideal High School Model
 - Enrollment ≈ 1400; Class size ≈ 30
 - Core teachers; Elective teachers; Non-licensed staff (clerical, educational assistants, teacher assistants...); Principal & Assistant Principal; School-wide supports (Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE; Site based and job embedded professional development
 - Teaching needs and staffing were then presented for the high school model
- Discussion and Next Steps
 - Apply models to pathway program schools (Immersion, Montessori, Arts, Science, International Baccalaureate)
 - Replication of successful and sought after schools
 - Address out-of-scope items
 - Run models for feasibility: budget impact, facilities impact, enrollment, etc...
 - Parameters for flexible staffing within the models
 - Community impact
 - Opportunities for enrollment growth

Line Item Expenditures Subcommittee

- Charge: Analyze data on SPPS budget/expenditure line items and present findings and recommendations
- In-scope: Review SPPS budget/expenditure line item data in order to present recommendations on cost efficiencies and/or funding alignment; Listening to SPPS Department presentations on overall program & budget process
- Out-of-scope: Making decisions on budget reductions
- Process: Committee met to review budget line item/expenditure information; SPPS Departments presented information about programs and budget process (Title I, Grants Management, Transportation, Special Education); SPPS Financial statements & findings for fiscal year 2017-18 were reviewed
- Recommendation #1: SPPS should start the budget process earlier in future years to engage and obtain meaningful input from the public
- Recommendation #2: SPPS should invest in appropriate technology to save money, time and to improve communication with stakeholders

- Recommendation #3: SPPS must seek additional revenue opportunities
- Recommendation #4: SPPS must improve the process to allow the public to make financial contributions to the District
- Recommendation #5: SPPS should perform an independent audit review of contracting services and facilities budgeting to ensure that best practices are being followed and to allow for transparency

QUESTIONS/DISCUSSION:

Ideal School Model

- How does this compare to what we have? Response: Anecdotally, particularly in the elementary school, a lot of them fall between the ranges in between the two models. Some are below that, and some are above the larger size, such as Adams. There are schools outside the scope and looking at if our buildings can have more students based on the structure. There are some schools that we know cannot increase capacity based on the building and facility. There will be some restrictions outside the spreadsheet model. We have the capacity to do this, and will need to talk about facilities.
- Did the group think about longer years or longer days? Response: We did not consider any adjustments to the school year. Essentially, when looking at the middle school model it was based on the strategic plan, and a 7-class period day to make that work and the teaching team.
- In talking about the process about research and the safety and culture and climate of schools, was there input from students on ideal climate, safety, and function? Response: We did pull some data specifically about incidents on behavior at schools and seeing correlations based on the sizes of schools. It was very late in the process and didn't go heavily into the analysis. Anecdotally, there were concerns that larger schools feel less safe, but there is not data that fully supports nor denies that.
- For the middle school staffing and model, how does that map onto the middle school model from SPPS Achieves? Response: it is close in many ways – there is ideal, and there's reality in terms of budget. We will make it as ideal as we can based on the budget perspective. When the discussions started, it was based on similar research, and very closely resembles this proposal. There were also two principals of schools that have middle grades on the committee who were in agreement in the model for staffing.
- This doesn't cover the cost or how this would impact the budget? Response: In the modeling spreadsheet that is an extension of this presentation, there are numbers applied to the positions, and it can be provided to the Board.
 - Do we see that against current cost? Response: Because this is baseline and isn't school specific, we didn't apply to a specific school and were conscious to leave school information out.
 - This is helpful and appreciate the thinking. We are not looking at this against the number of dollars – this is the model in terms of staffing, and budgeting allocations and resources is to come? Response: Yes, that would be a next step. This is an ideal number and to think of our system, there is a different model of how we allocate, and those ranges can vary.
- Was there discussion around who is in the buildings and how to allocate resources with an accountability for equity concerns around students who qualify for FRL, service needs, high special education needs, high EL needs. It impacts the entirety of what's available in the building and an acknowledgement that that was outside the scope. This gets at 75% of what to talk about in elementary building. Response: That could be included in a next steps discussion as well. Anecdotally, people were saying this is more than we currently have in the schools.
 - Our Title I schools leverage different funding, and comp ed. funding, we need to think about how to allocate those resources based on the needs of our kids. These are two competing items – this is the baseline (this project), and the other is the net impact on buildings on what is delivered to students and resources available. Curious to see if or how resources shift, like money moving to different areas, and the impact of that. Response: This couldn't be taken and given to every school based on number of students, and generally most schools fall into a high FRL level.
 - The cost of educating and the needs there are different. Every students cannot be treated identical, and the needs of our kids in some buildings are far greater than in other buildings. Every child doesn't come with the same skills or have the same background. We need to consider that based on the program. Each school will look different. We need to be able to look

at that and look at our resources in an equitable way, because what it will take to teach our students are different. Response: The models are helpful, and there is a need for these indexes of how we are using resources in an adequate way to ensure every student is receiving a great education.

- This could be a step 2, in looking at who is in the room, and a fundamental equity questions about allocating resources, and this answers half the question. There is important information left out of this equation. This goes back to Administration to use this information, and a recommendation to think seriously about having a way to assess the needs of our students to ensure we are making wise choices. The amount of work done has been great, and incredible.
 - The work of this committee as the baseline, and federal education and the rules for Title 1, and those federal dollars are supplemental to ensure the needs of our high needs students.
 - For the budgets of all buildings exclusive of federal funds, looking at the General Fund budget, it would be interesting to see where money moves based on the model, as we think about it moving forward in the analysis. The economy of scale was also noted in these models, and that plans for a larger school cannot be overlaid to different schools to be achievable and an efficient model.
- The Board thanked all BFAC members for their work, including parents, grandparents, families, and staff.
 - Other next steps and could include what does the K-8 buildings look like. The charge was to look at baseline models for schools, and the team did not address non-salaries. We could add to the next steps as well. What's the baseline for schools for non-salaried items? That would also be interesting for a baseline on supplies and those items that are required to have a well-run school.
 - Throughout the models, there are additional staff that is consistent. What is an example of what that looks like, and it may be licensed and non-licensed? What does it mean to have additional staff? Response: That flexibility was built in to meet the needs of specific schools, depending on their needs (example: aerospace coordinator).
 - How was the process? Were there any "a-ha!" moments? Response: The process went great. The experience was phenomenal and did the work week after week, and started to snowball. Meetings became more frequent and went longer. The biggest "a-ha!" moment was the Montessori school plugging in their needs into the model, and realizing there was not thought or planning for the Montessori needs when it was built, and it zeroed out. These last four months meant that it was applicable to the real world.

Line Item Expenditures

- The BFAC provides a good place for conversations for a committee of the Board, and it would be helpful to take what we have learned in organizing and how to get authentic and helpful information from our community members. As a Board and a District, we need to think about these two subcommittees provided good places for conversations and how to share this with the community, such as a task force, especially in larger issues such as transportation. The school model group included what our community feels is an ideal model where they would want to send their kids. There is value in this process, and to have people in the group with anecdotal outcomes, and for others in the group to look at how we're working and how we can improve. We appreciate the folks who dedicate their time and talents to these groups. We need to think creatively along these lines to continue the conversations. One of the beauties of the strategic plan is that the structure has been laid, with the intent of continued community involvement to ensure we are doing what is necessary. This process is informative and we don't want to lose that momentum in ways to engage the community in ways that make us all better. Response: There is good momentum now, and we need to solidify the members and ensure the members are committed to the group and this work.
- A board member noted that we need to do more communication to the community around this – it was mentioned that it's more complex than thought. What are the suggestions to go to the community to do that education for folks to understand? Response: Reading the glossary of the MPS budget book should be required, and the definitions would be a good start.
- In thinking about who is there and question from a District level of what we are doing to get people there and removing the barriers if this is high-level, and how we are able to break it down. In talking

about the process and bylaws and cultural context and ramifications, including how we work together to set aside and work as a group. Based on the collective information, did it also include others throughout the process? Response: It was different people as time went on, and usually around five people. It was the knowledge presented by the content experts. This was collective inputs from a group.

- We have listened to two extensive reports from subcommittees. What should our response be to this committee, if not tonight, then very soon, so that their time is not done in vain. What should our response be?
 - Another board member noted his appreciation of their work. These are recommendations to Administration, and the creation of the budget is a responsibility of Administration. The response in part comes in part how Admin proceeds. It's important that when we ask members of the community and staff to give up their time above and beyond, and use this wisely and to be respectful of the investment made in providing input, and we have the responsibility to listen to figure out what to constructively do with that input. It would be expected to be incorporated as the budget moved forward and follow-up from Administration around the specific items seen in building models and future discussion in appropriating money. Each of these things will be operational questions. It's important for the Board to be aware, as there are budget presentations, and to look for questions based on these presentations.
- It was noted that in the future there could be more defined focus groups to look at transportation or student placement; opportunities for surveys; bringing families who decided not to send their students to SPPS and a focus group or task force and those experiences that affected their decisions.
- A board member noted ensuring the community is involved and educated on the budget process. It was noted that there will be three public hearings scheduled – one here at 360 Colborne, and the others throughout the community. To the first committee and seeing the budget, we have made a priority to allocating resources to our schools in order to allow us to give schools more resources to prioritize them as it relates to SPPS Achieves.
- A BFAC member mentioned that it would be very helpful in doing all this work and volunteer time, and the report is issued and to see a response from Superintendent Gothard to signify that it has been read, and what will be done or not be done. A response would be helpful.
- Another member noted that in regard to school safety, that was a topic at a meeting, and the group was presented with research about school size, safety and discipline. The research is strong that smaller schools have fewer discipline problems and are safer. One building does not equal one school. To the point about including more folks in the community, that calls for more translations, and meeting throughout the city. There is a series of meetings across the city with translators, and using strategies here and across the country. We hope we don't lose the recommendation of replication of successful schools; that is something that could be explored and included. Hope to not lose the audit recommendation, and there are concerns about issues. It would also be helpful to have a formal response to these recommendations to the committee.
- Director Xiong noted thanks to Mr. Hendricks and the team. What are the next steps for the Line Item Committee, and what would that look like? Response: Some ideas include a transportation and the budgetary impacts, and a survey to every department to ask questions about cost efficiencies, groups of stakeholders to look at Title 1 and transportation with separate subgroups; and staffing, including other models for substitute teacher contracts and ways to incentivize and encourage less use of substitute teachers. Having these discussions in the community with those interested is an education on all subjects to gather those interested in that specific topic. Also, research to responses instead of saying it will not work, but looking further at those processes and cost efficiencies.

E. December Quarterly Budget Report

Chief Schrul also presented the December 31, 2018 Quarterly Financial Report. It is an update to the Board of Education on the current fiscal year 2018-2019 budget and includes a projection of revenue, expenditures, and fund balance as of June 30, 2019. A budget is a living, viable document. Once the budget is accepted in June, the Board is asked 3 times during the following year to look at and approve the changes that occur in the District's revenue and expenditures in each of the seven funds. The final determination, by fund, occurs each fall, following the acceptance of the audit report. The unassigned fund balance in the General Fund is required to maintain a balance of 5% per Board policy. The fund balance

in the Food Service fund is controlled by federal USDA regulations. The full report can be found in the Board Book.

The full report was then discussed. The unassigned fund balance on 6/30/2019 is estimated to be at \$37.6M. There is \$32M in unassigned, which represents 6.1% of the current year expenditures and is within the limit of the current Board policy. It was also noted that SPPS Administration is monitoring the impact of the recent 6 snow days on overall revenue; no adjustments have been made at this time. Operating Capital revenue increased by \$3.3M due to the sale of the Albion property. We are not projecting any use of the unassigned fund balance of 6.1%, which is about 2 weeks of operations.

QUESTIONS/DISCUSSION:

- With the change of \$5M change in unassigned fund balance – what is that related to? Response: That is related to revenue and expenditures, which are outpacing revenue overall, there will be deduction from the fund balance, and spending more than revenue. That's how it impacts, and pulling in \$563M and net of expenditures is higher, and that difference.
 - It's not one single choice, it's an accumulation as a District. Overall, in the General Fund, the \$560M, that \$1M is very minimal and can change in the projections. We try to be very accurate, because any minimal off can have tails.
- We are required by law to propose a balanced budget at the end of June every year. As the year progresses, are there times when on a quarterly basis that we overspend what we have budgeted? At what point are we actually in violation of state law if that occurs at a temporary basis? Response: It's two fold. There is a board set policy – when there is a point of unassigned fund balance of 5%, that's one violation. And the Board has a set of actions that must be taken at that time to bring it above. In each and every fund itself, with a budget and actual and there's an overspent budget, there should be an action plan or a plan to mitigate that cost. At some point, if it's taking a cumulative approach and a District could go into statutory operating debt, and what leads to district to be under the State's watch, and when a District is unable to pay off the obligations as a District as a whole. In the history of Saint Paul Public Schools, we have never found ourselves in that situation. It's all about managing the budget overall. It is Administration's role to monitor the budget overall, after the Board has approved it in June. It is all of our jobs to be watchdogs – it is public dollars and we need to be good stewards of those dollars for the right purposes.
- The programs that are self-funded, are they like their own enterprise? One of the issues we will deal with in changing start times will be child care and our capacity to do that, including Discovery Club. There have been conversations about implementation, any revenue to be used to fund Discovery Club or those programs, we cannot use General Fund funding. It will need to run like its own business. Response: Correct.
- With ECFE is a part of community service fund, if we were to integrate ECFE into our other early childhood programs, is that possible and integrate the funding too? Response: Some of it is also included in the referendum source, and some is in the community service. We need to ensure whatever source of revenue or charging is appropriate for the funding source, and whatever the program is Fund 4 or referendum, in Finance, we support the mission of the program and the funding and with state guidelines on ECFE funding. It depends on the expenditures and the revenue of the program.

RECOMMENDED MOTION: Mr. Schumacher, seconded by Ms. Vanderwert, to accept the December 2018 Quarterly Budget Report as presented for the period ending December 31, 2018. The motion passed by acclaim.

F. FY20 Budget Update

Superintendent Gothard then introduced Marie Schrul, Chief Financial Officer, to provide an update on the FY19-20 General Fund budget and timeline.

FY 2019-20 General Fund Budget | Preliminary Big Picture

	FY19 Adopted (in \$M)	FY20 Preliminary (in \$M)	Difference (in \$M)

Revenue (including LTFM)	\$ 560.8	\$ 570.5	\$ 9.7
Use of Fund Balance	0	0	0
Expenditures	\$ 560.8	\$ 573.4	\$ 12.6
Projected FY20 Shortfall		\$ (2.9)	

- Projected revenue assumptions are based on a 1% increase to per pupil formula
- Projected revenue amount includes Long Term Facilities Maintenance (LTFM) sources within the General Fund prior to any State UFARS required transfers to the Building Construction Fund

FY 2019-20 General Fund Projected Revenue

Projected Revenue Changes	Amount (in \$M)
Referendum levy increase	\$ 17.3
State Aid increase (assumption of 1% increase on formula)	3.1
State Aid decrease (due to enrollment decline)	(6.9)
Compensatory Education decrease (based on 10/1/18 Free & Reduced lunch count)	(5.5)
Other revenue changes	(0.5)
Special Education	2.2
Total FY20 Projected Revenue Increase	\$ 9.7

FY20 Budget Planning Changes

- SPPS Achieves integrated within the FY20 Budget
- Additional Referendum funding – separate allocations
- Projected Enrollment (10/1 actuals from 2017 & 2018 – average for budget projection)
- Middle School Model
- College & Career Programming
- Districtwide Professional Development Planning to Support SPPS Achieves

FY20 Budget Planning Information

- Budget Rollout to Sites on March 25
- Site Budget Toolkit
- FAQs Communication guide
- Budgeting 101 Video
- Principals “Budget Fair”
- Guidance on School Community Engagement

FY 2019-20 Budget Development Timeline

- The FY 2019-2020 budget timeline was presented, with the FY20 school and program budget rollout schedules for March 25, joint budget and staffing meetings and “budget fairs” scheduled for March 25-April 19, budget hearings tentatively scheduled for the week of April 15, the week of May 13, and the week of June 3, with the final FY20 budget adoption at the June 18, 2019 regular Board of Education meeting.

QUESTIONS/DISCUSSION:

- For the scheduled budget hearings, what is the expectations that those who attend the hearings should have? Response: They will be an avenue for the community to speak about the budget and give their

input, separate from board meetings. There will be more structure around the budget with a brief presentation and update to the community, and then open it to all for the whole session on budget, and engagement around the budget and feedback. It is also an opportunity for the Board and Administration to hear from and engage with the community. Engagement is two ways; a chance to learn specific information about the current iteration of the budget, and a chance to open it to share feedback. Input and influence are different things; input is to be heard. There may be tangible things to adjust, and also think about the budget all the time, and could go into the priorities for the future.

- We've got three budget hearings within the last month and a half of the process. Is that public input going to be meaningful at this stage? Response: We'll need to ensure that is flushed out in the process and manage the expectations.
 - When a person shows up at the budget hearing, staff will make it clear to those participating on their expectations and where we are at the process.
 - Board members noted it is late in the process, and it was noted in the BFAC recommendations that the process is complex. Is it unrealistic to give people a basic understanding in a short period of time? Would it be helpful to instead call them budget information sessions and break it into three different parts of the budget, and do in-depth sessions on the parts of the budget. We want the community to understand our budget. Response: That is a good recommendation, and this is a way to get into the community to encourage more folks to be involved. We might sign up more people interested in BFAC; it's multifold in what we're trying to accomplish, in both the budget and goodwill to be good partners with the community. Education piece and modules presented are a good thought.
 - The Board noted they are assured the hearings are set up to be meaningful, and ensuring that meaningfulness is clear to those attending the meeting. Response: These were a way of exploring a different way to engage the community. We have tried information sessions with low turnout, and out at different schools with little turnout. This was a way to solidify times to do hearing, and in the hearings themselves, the dates can be changed. It's a timeline we can schedule hearings, and to be mindful of the April 15, we want to give administrators time to look at their budgets and give them the opportunity to present information to their sites.
- This is an opportunity to continue educate the community more about SPPS Achieves, and there is choice around where money is being allocated and driven by SPPS Achieves, and it is necessary to have that there.
- It's important to point out in talking about the assumptions with a \$2.9M shortfall at 1% of an increase. We know the governor has proposed a 3% increase, and about \$6.2 in additional revenue. A 3% increase would enable the District to not worry about the shortfall, and continue to move forward with momentum to build resources. It's important to note in thinking about the opportunity with the budget proposal, and talking about it in SPPS, that this would be a major help and have a significant impact on our District.

G. Policy Update

Legislative Change to Uniform Municipal Contracting Law

- Minn. Stat. § 471.345 establishes contracting requirements and dollar value thresholds that require certain procurement requirements
- Recently, the dollar value threshold increased from \$100K to \$175K
- Because SPPS Policy 713.00 references and incorporates Minn. Stat. § 471.345, it will also incorporate the increased threshold
- If Board takes no action, Policy 713.00 will automatically allow the District to not use advertised public bidding for projects under \$175K

Questions for Board Following the Legislative Change

- Procurement: Does the Board want to follow the change in the law and increase the dollar value threshold that requires advertised public bidding?
 - Option #1. Do nothing. If the Board wants to allow the increased limit of \$175K to take effect, then no policy changes are required.

- Option #2. Amend Policy 713.00. If the Board wants to require that District policy requires advertised public bidding at a lower dollar value threshold (e.g. \$100K), then the Board can amend Policy 713.00 to be more restrictive than the statute.
- Oversight: At what dollar value does the Board want to review contracts?
 - Presently, the Board reviews and approves any contract for services or the purchase of goods over \$100K. The Board may maintain that review level or increase the amount that requires Board review and approval to \$175K.

Discrimination, Harassment, Violence, and Retaliation - Policy 415.00

- Revised policy; last revised in 2008
- Board members requested that this policy be reviewed
- Provides greater clarity to sections relating to prohibited conduct, reporting, investigations, retaliation, and corrective action
- Revisions and Additions made to policy:
 - General statement of policy
 - Retaliation
 - Reporting procedures
 - Investigation and Corrective action
 - Updated definitions for district personnel, harassment, sexual harassment, sexual violence

QUESTIONS/DISCUSSION:

- It was noted that about 3% of contracts fall between \$100,000 and \$175,000. In the calendar year of 2018, there was a total of 1,976 POs for a total of 91M and of those 1,830 were below \$100,000; 63 were between \$100K-\$175K, and 83 were above \$175K; 93% are at \$100,000 or below, 3% between \$100K-\$175K, and 4% above \$175K. A fairly small percentage fall between \$100K-\$175K.
- It was also noted that the vast majority of other districts are following the state statute of \$175,000 contracts for board approval.
- Regarding the rationale, this change would allow an increasing number of small businesses to compete for those projects within the jurisdictional disparities study, and the change in the procurement method required for low-bid, and instead directly solicit would remove a barrier to contract for publishing the low bid.
- The Board approved moving the contract signature matrix to \$175,000 for board approval and moving that policy to the three-reading process. Members of the Policy Work Group noted that the rationale for this change is that each contract is approved by 2-3 teams prior before the Board. It was also noted that within the matrix, there is not any one person designated, but different levels for the Board Chair, the Superintendent, and the CFO. Superintendent Gothard also noted that if he is the last to sign, and still has questions, those are answered before it is signed, and there is a thorough process.
- It was noted that procedural questions will be able to be answered directly. Questions will involve on District corrective action, about who are the staff who will be involved in the process leading to the action, and what role will board members play in terms of signing off on corrective action. Response: There will be time for those questions.
- At the work group, the concern was the collaboration and sharing of the procedure between the responsible administrator and a problem with something like this, and the primary person responsible is that building principal, and that they will be notifying and consulting with the EEO officer, including legal advice. The administrator will need support. Want to be clear in terms of employees understanding if accused of something, who will be doing the primary investigation, and how much takes place by building staff who may or may not be more familiar with what's happening, and the District office. Fearful of taking all procedures and transferring out of the building, and having central district staff doing all the investigations. If there is a corrective action, board members are asked to approve that action. Response: The policy applies to student-to-student, and central office staff wouldn't be taking that authority away relating to that type of conduct. That's solely their purvey. It applied to employees and staff throughout the District as well, and the responsible administrator designated in Section 5 is dependent, and in consult with Mr. Cathey's staff and Ms. Shepard depending on the complaint. There is also the option for staff to go directly to the Office of Equal Employment, which is role that is carved out and a valve or an outlet for those who may not feel

comfortable in going to administration. There is an opportunity to have another outlet for reporting. Primarily to employment, it will be HR consultants in consultation with principals and folks normally tasked in assisting in those investigations. In terms of corrective action, that is boarder terms, and the District opportunity say "what went wrong here, and what do we do to improve the climate and culture, and how to build that positive building culture;" it may involve disciplinary action, and also collective bargaining units.

- There is concern that the responsible administrator, and hoping to have clear the collaboration between the district HR and those folks so that building administrator does not feel subjugated by the central office, nor the person accused feel like people working on investigation and process or restorative justice, that they are the people closest to the scene. The presence of a human rights officer at the district level is of utmost importance, but to ensure we are protecting the alleged victim and the alleged perpetrator. These are items that will be addresses in the smaller conversations with the EEO officer, and can be brought to the next Committee of the Board meeting.
- A board member also requested more information on the retaliation portion and what has been expanded from the older version.

III. ADJOURNMENT

It was motioned to adjourn the meeting at 8:32 p.m. The motion passed by acclaim.

IV. WORK SESSION

The Board then conducted a work session on professional support for the Board, as well as communications.

Respectfully submitted,
Sarah Dahlke
Assistant Clerk



SPPS Achieves Strategic Plan Update

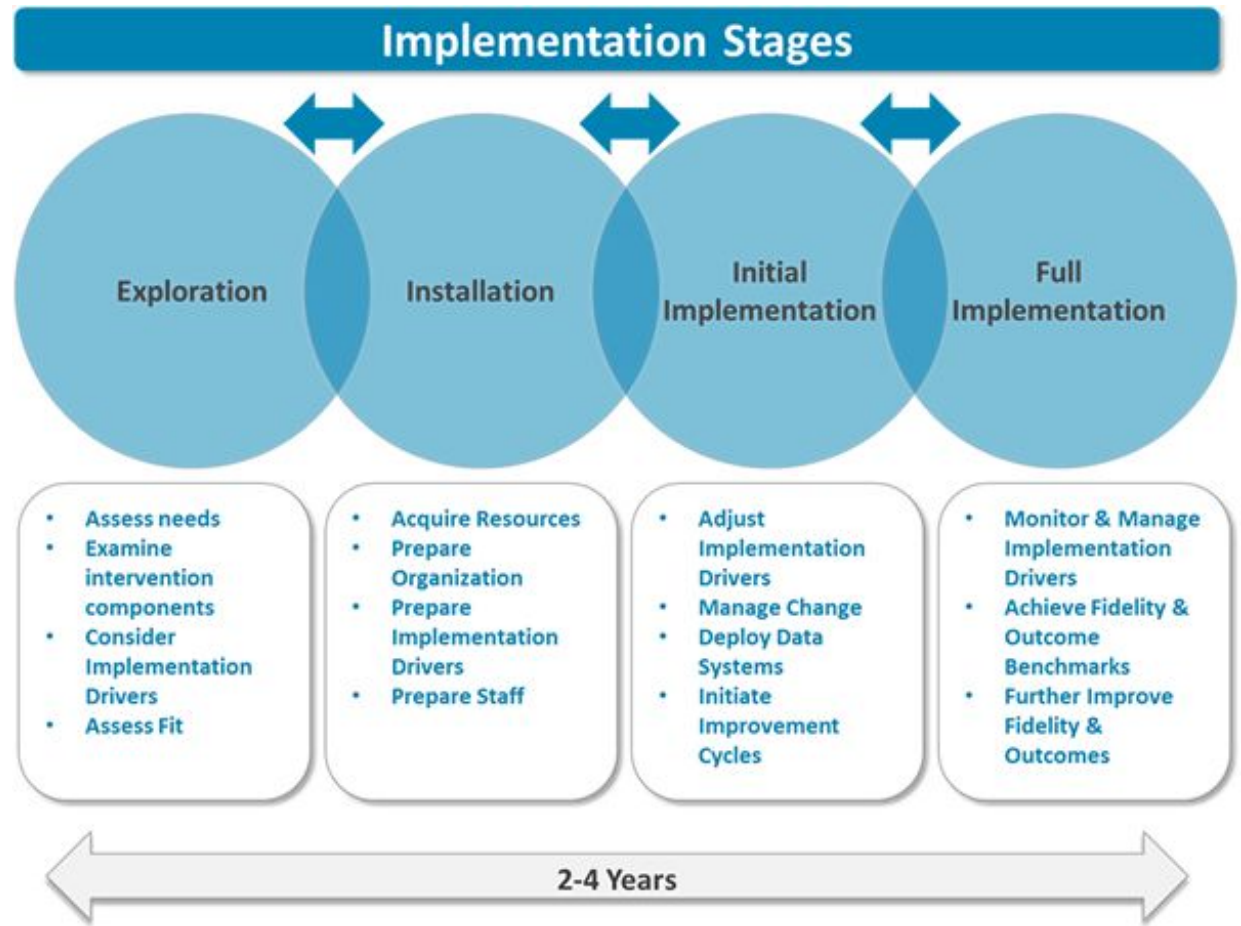
Board of Education
March 19, 2019

Phase 1 Strategic Initiatives - SPPS Achieves

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Positive School and District Culture	Effective and Culturally Relevant Instruction	Program Evaluation and Resource Allocation	College and Career Paths	Family and Community Engagement
Strategic Initiatives	Strategic Initiatives	Strategic Initiatives	Strategic Initiatives	Strategic Initiatives
1a. Implement Positive Behavioral Interventions and Supports (PBIS) at every school, integrating social-emotional learning support 2a. Improve culture by using input from students, staff and families	3a. Implement culturally relevant practices within all student learning and programming 3b. Ensure all students have access to a well-rounded education	5a. Implement a system for assessing program effectiveness 5b. Determine a districtwide middle school model	6a. Create career-related curriculum and personal learning plans for all PreK-12 students 7a. Strengthen partnerships that provide college credit, industry certification and job experience to secondary students	8a. Identify ways to engage the community in district decisions and initiatives 9a. Review and revise relationships with external organizations to better meet student needs

From Planning to Implementation



Strategic Focus Areas Budget Examples

Positive School and District Culture	Effective and Culturally Relevant Instruction	Program Evaluation and Resource Allocation	College and Career Paths	Family and Community Engagement
Professional development for paraprofessionals on social-emotional learning and PBIS	Culturally Responsive Instruction curriculum writing	Schedule to support Middle School Model	High School work based learning teachers	Community engagement resources and training



Year One Stakeholder Engagement

SPPS is committed to working with stakeholders throughout implementation of SPPS Achieves.

- Frequent public updates through communications, BOE meetings, and our community council
- Action teams have detailed engagement plans, for example:

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Date	Stakeholder Group	Action Step and Key Questions	Strategies	Partners	Responsibility
April - May 2019	Student Groups	Seek feedback on personalized learning plan (PLP) model and mode	Dynamic Survey - Students will engage in a simulated PLP and provide feedback	Office of College and Career Readiness	6a Action Team



SPPS Achieves Initiative Milestones by August 2019

Status as of March 18

Category	38 Milestones	% of total
Complete	6	16%
In progress	19	50%
Scheduled	13	35%

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Our Strategic Focus

Program Evaluation and Resource Allocation

5a. Implement a system for assessing program effectiveness

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Key Milestones by August 2019	Status
Environmental scan of existing SPPS programs and commitments completed	In progress
Collecting, analyzing, reporting program effectiveness data timelines and schedule determined	In progress
Protocols for program effectiveness data collection, analysis and reporting completed	Scheduled
Program effectiveness training plan and resources completed	Scheduled

Our Strategic Focus

Program Evaluation and Resource Allocation

5b. Determine a districtwide middle school model

Key Milestones by August 2019	Status
Vision for SPPS middle school model determined	Complete
School schedule to support middle school model determined and funded	Complete
Foundations advisory curriculum revised	In progress
6th grade double block literacy curriculum developed and professional development completed	In progress

See [Great Things Happen in Middle School](#)



SPPS Achieves

Each student. One community. Endless opportunities.

Strategic Plan 2019-23



Review of SPPS Suspension Data

Board of Education Meeting
March 19, 2019

2017-18 End of the Year Suspensions

Number of suspensions decreased by 1%

From 4069 to 4048 from SY16-17 to SY17-18



STUDENT GROUPS

American Indian	9%
Asian	7%
Hispanic	2%
Black	-1%
White	-10%
Free/Reduced Lunch	-2%
English Learners	1%
Special Education	2%
Female	6%
Male	-3%

GRADE

KG	-4%
01	-18%
02	-1%
03	-6%
04	-30%
05	-1%
06	13%
07	5%
08	15%
09	2%
10	-10%
11	-17%
12	-1%
K-5	-12%
6-8	11%
9-12	-7%

Substantial Decreases at Schools

	2016-17	2017-18	Difference
Johnson Senior High	181	93	-88
Battle Creek Middle	241	167	-74
Creative Arts Secondary	150	76	-74
Murray Middle	252	185	-67
Jackson	54	17	-37
Mississippi	50	16	-34
John A Johnson Elementary	146	116	-30



Incidents Leading to Suspensions

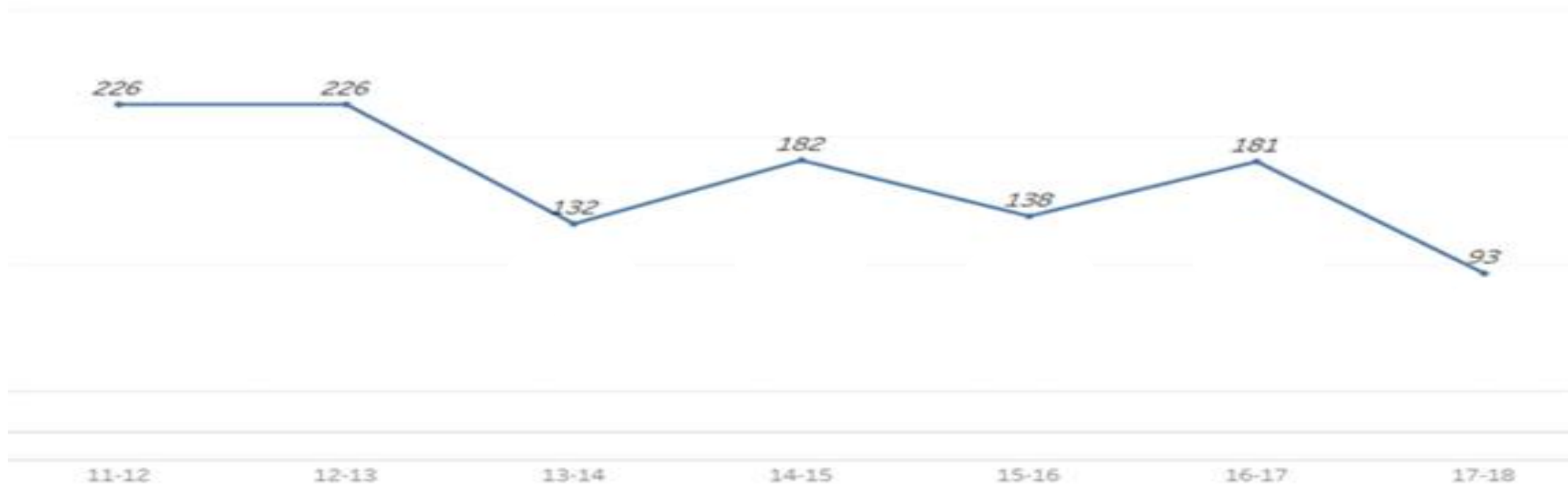
Based on the incident, site administrators review the levels of recommendation for resolutions

	Incidents Resulting in Suspension
Incidents for Which Suspension is not a Recommended Resolution	
Disruptive Behavior	49
Physical Contact, No Bodily Harm	41
Defiance of Authority	29
Absence, Chronic Truancy	13
Disruptive Behavior to/from School	8
Incidents for Which Suspension is a Possible Resolution	
Fighting	340
Physical Aggression to Staff	78
Physical Aggression, Bodily Harm	71
Disruptive Behavior, Severe	70
Drugs or Controlled Substances	45
Incidents for Which Suspension is Required**	
Poss Dangerous Weapon, not Firearm	23
Assault, Aggravated (substantial or great bodily harm)	7
Assault on Staff, Aggravated (substantial or great bodily harm)	6
Poss Other Weapon, with intent, not Dangerous	4
Firearm	2
Assault Aggravated (firearm, dangerous weapon, or other weapon)	1
Incapacitation Device, Possession, with use or intent to use	0

Disruptive Behavior

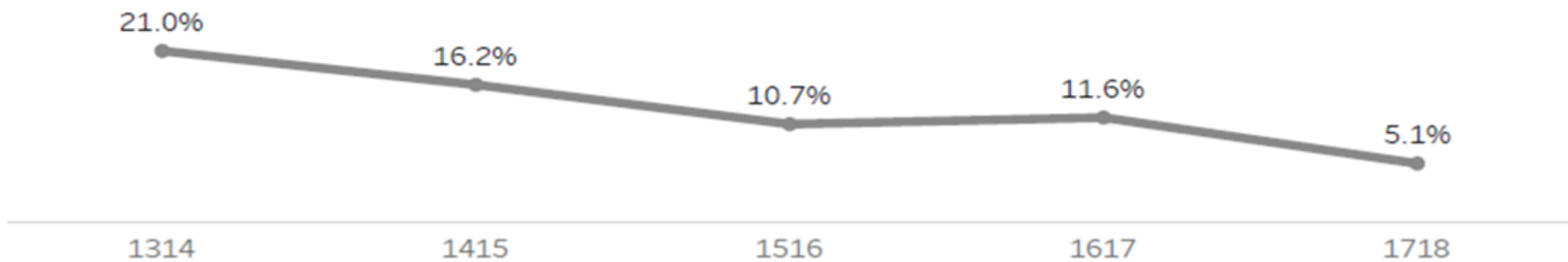
Behavior Skills Training	273
Behavior contract between teacher, s..	5
Bus Suspension	253
Conflict resolution	45
Detention	122
In School Monitoring	77
Loss of Privilege	109
Mediation	31
Parent/Guardian conference	111
Parent/Guardian contacted	1,691
Peer Mediation	22
Referral - Other	48
Referral - Student Assistance Team (..	1
Removal From Class (focus room, alt..	327
Restorative Justice Strategies (fix-it-..	90
Saturday School	12
School Bus Safety Class - Select date..	79
School community service	3
Student Conference	2,027
Warning	223

Snapshot: The Number of Suspensions at Johnson Senior High School Trend



Snapshot: The Percentage of Black Students Suspended at Highland Park Middle Trend

75



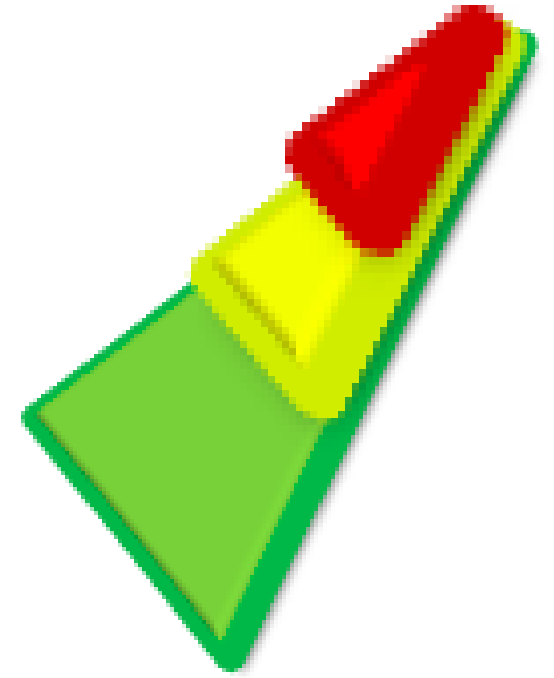


Model of School Support

Tiered Model of Support

In SPPS, we use the Positive Behavioral Interventions & Supports Framework (PBIS)

- All students receive **Universal, Tier 1** supports.
- Some students also receive **Targeted, Tier 2** supports.
- Few students also receive **Intensive, Tier 3** supports



Supports for All

- Preventative, Educational and Restorative Approach
- School Support Team
 - Counselors
 - Social Workers
 - Psychologists
- PBIS Framework
 - PBIS Team and PBIS Representative
 - Standard Behavior Data Collection System
 - School Wide Discipline Plan
 - Positive Behavior Expectations Matrix
 - Year Long Teaching Schedule for Positive Behaviors



Restorative Practice Sites



Year 3 Pilot Schools Began SY 2016-17	Year 2 Pilot Schools Began SY 2017-18	Year 1 Pilot Schools Began SY 2018-19	Implementation Sites Will Begin SY 19-20
American Indian Magnet Farnsworth Upper Johnson Senior Maxfield Murray Riverview	Eastern Heights Parkway Washington	Battle Creek Middle Central Nokomis North	TBD



How it all fits together?

- Relationships are key
- Focus on adult behavior, not only student change
- Importance of physical and emotional safety
- Whole school approach to improve culture



Going Forward

- Focus on School and District Culture
- PBIS and Social Emotional Learning (SEL)
- CASEL Engagement & Readiness Analysis





HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

NEW APPOINTMENT

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Berryhill, H. B.	Classroom Teacher	01/19/2019	\$27.18	Battle Creek Middle School
Heaton, K. N.	Classroom Teacher	02/11/2019	\$26.93	271 Belvidere Bldg
Windman, C. A.	Classroom Teacher	01/21/2019	\$21.95	Crossroads Science
Lovat, J. M.	Classroom Teacher	03/18/2019	\$53.09	RiverEast Elem/Secondary
Carroll, J. P.	Classroom Teacher	02/02/2019	\$54.09	Boys Totem Town
Hankwitz, K. N.	Classroom Teacher	02/27/2019	\$34.32	Daytons Bluff
Hout, W. M.	Classroom Teacher	01/28/2019	\$31.58	Washington Tech
Moldenhauer, B. J.	School/Community Professional	02/11/2019	\$30.02	Chelsea Heights Elementary
Gray, A. A.	Education Assistant	02/05/2019	\$18.62	Como Park Senior High
Aung, S.	Teaching Assistant	02/19/2019	\$16.00	Johnson Senior High
Bentfield, J. A.	Teaching Assistant	02/22/2019	\$16.00	Focus Beyond
Boly, H.	Teaching Assistant	02/25/2019	\$15.00	L'Etoile du Nord Upper
Brinson, T.	Teaching Assistant	02/25/2019	\$16.00	Frost Lake Elementary
Calhoun, C. R.	Teaching Assistant	02/25/2019	\$16.00	Highland Park Middle School
Churchill, E. R.	Teaching Assistant	02/15/2019	\$15.00	Linwood Monroe Arts Lower
Cowan, C. J.	Teaching Assistant	03/04/2019	\$15.00	Johnson Achievement Plus
Feliciano, K. A.	Teaching Assistant	02/25/2019	\$15.00	Mississippi Creative Arts
Foster, L. L.	Teaching Assistant	02/16/2019	\$15.00	Wellstone Elementary
Gilbert, L. E.	Teaching Assistant	02/07/2019	\$15.00	Linwood Monroe Arts Lower
Harden, E. L.	Teaching Assistant	02/11/2019	\$15.00	Wellstone Elementary
Heitkamp, S. M.	Teaching Assistant	02/25/2019	\$16.00	Battle Creek Elementary
Hendrickson, J. A.	Teaching Assistant	02/19/2019	\$15.00	Mississippi Creative Arts
Jones, R. L.	Teaching Assistant	02/06/2019	\$16.00	RiverEast Elem/Secondary
Joson, A. F.	Teaching Assistant	01/28/2019	\$15.00	Obama Service Learning
Meyers, G. T.	Teaching Assistant	02/05/2019	\$16.00	Harding Senior High
Paddock, M.	Teaching Assistant	02/19/2019	\$15.00	1780 W 7th Street

HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

NEW APPOINTMENT

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Shanafelt, C. R.	Teaching Assistant	02/02/2019	\$16.00	Washington Tech
Smith, D. N.	Teaching Assistant	01/28/2019	\$15.00	Obama Service Learning
Wilson, S. O.	Teaching Assistant	02/19/2019	\$15.00	Cherokee Heights
Thao, M.	Clerical	02/19/2019	\$25.18	Phalen Lake Hmong Studies
Moua, O.	Custodian	04/02/2019	\$16.38	Washington Tech
Bedow, K. H.	Nutrition Services	03/02/2019	\$12.13	Como Service Center
Fundakowski, C. G.	Nutrition Services	03/02/2019	\$12.13	Como Park Elementary
Ribelin, C. D.	Nutrition Services	03/02/2019	\$12.13	Farnsworth Aerospace Lwr
Thompson, T. R.	Nutrition Services	03/02/2019	\$12.13	Como Park Senior High

PROMOTION

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Jax, S. M.	Teacher on Special Assignment From: Classroom Teacher	02/01/2019	\$49.08	Colborne Admin Offices
Kennedy, A. M.	Teacher on Special Assignment From: Classroom Teacher	02/19/2019	\$50.66	Plato Admin Offices
Payton, C. E.	School/Community Professional From: Clerical	01/28/2019	\$22.50	Title I Fed Program Offices
Zan, H.	Education Assistant Career Progression	02/02/2019	\$22.85	Harding Senior High
Tomberlin, T. A.	Professional Employee From: School/Community Professional	02/19/2019	\$32.94	1780 W. 7th Street

TEMPORARY APPOINTMENT

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Johnson, L. L.	Classroom Teacher	01/28/2019	\$27.18	Humboldt Secondary School
Nelson, P.	Classroom Teacher	01/22/2019	\$28.81	Harding Senior High
Scanlan Madore, K.	Classroom Teacher	02/12/2019	\$48.37	Cherokee Heights
O'Malley, B. M.	Classroom Teacher	02/19/2019	\$54.09	Riverview School

LEAVE OF ABSENCE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Eide, D. L.	Classroom Teacher	02/19/2019	Adams Spanish Immersion
Fjetland, D.	Classroom Teacher	01/31/2019	Parkway Montessori/Middle

HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

LEAVE OF ABSENCE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Jannett, C. B.	Classroom Teacher	02/07/2019	Highland Park Elementary
Moulton, S. J.	Classroom Teacher	02/06/2019	Maxfield Elementary
Parker, J.	Classroom Teacher	02/02/2019	Farnsworth Aerospace Upr
Thanghe, D. L.	Classroom Teacher	02/18/2019	American Indian Magnet
Ly, N. X.	Classroom Teacher	02/13/2019	Nokomis Montessori South
Moua, C.	Classroom Teacher	02/16/2019	Student Placement Center
Lilja, L. A.	Classroom Teacher	02/06/2019	Maxfield Elementary
Loeschke, C. C.	Education Assistant	01/14/2019	American Indian Magnet
Randall, R. A.	Education Assistant	03/05/2019	Bridge View
Thao, L.	Education Assistant	02/13/2019	Nokomis Montessori North
Yang, C.	Education Assistant	02/07/2019	Mississippi Creative Arts
Zavala, J. G.	Education Assistant	01/30/2019	Boys Totem Town
Battaglia, S. M.	Teaching Assistant	01/25/2019	Rondo Education Center
Kindo, E. P.	Teaching Assistant	02/15/2019	Four Seasons A+
Vang, M. M.	Teaching Assistant	03/01/2019	Mississippi Creative Arts
Wright, T. D.	Teaching Assistant	01/28/2019	Harding Senior High
Flaherty, E. R.	Clerical	01/22/2019	Como Service Center
Price, L. M.	Clerical	01/10/2019	Eastern Heights Elementary
McShea, S. C.	Electrician	02/04/2019	Como Service Center

ADMINISTRATIVE LEAVE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>
B., A. M.	Classroom Teacher	01/24/2019
M., M. Q.	Classroom Teacher	02/13/2019
S., M. J.	Classroom Teacher	02/22/2019
W., J. S.	Teaching Assistant	02/13/2019

REHIRE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Guentzel, A. R.	Teaching Assistant	02/11/2019	\$15.00	Daytons Bluff
Yang, M.	Teaching Assistant	01/28/2019	\$15.00	Jackson Preparatory

HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

REHIRE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Green, L. D.	Nutrition Services	03/02/2019	\$12.13	Bruce F Vento Elementary

REINSTATEMENT FROM LEAVE OF ABSENCE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Boe, P.	Classroom Teacher	01/28/2019	Highland Park Senior High
Brash, T. M.	Classroom Teacher	02/04/2019	Washington Tech
Leepalao, M.	Classroom Teacher	02/21/2019	Phalen Lake Hmong Studies
Shetka, K.	Classroom Teacher	02/05/2019	Chelsea Heights Elementary
Wang, Y.	Classroom Teacher	02/11/2019	Jie Ming Mandarin Immr
Woodward, B. H.	Classroom Teacher	01/25/2019	Washington Tech
Springer, S. J.	Classroom Teacher	02/13/2019	American Indian Magnet
Mikel, E. A.	Classroom Teacher	01/28/2019	Daytons Bluff
Yang, C.	Education Assistant	02/27/2019	Mississippi Creative Arts
Price, L. M.	Clerical	02/11/2019	Eastern Heights Elementary
Peterson, R. O.	Custodian	02/04/2019	Como Service Center
Devaney, M. A.	Nutrition Services	01/28/2019	Daytons Bluff

VOLUNTARY REDUCTION IN TITLE

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Pay Rate</u>	<u>Location</u>
Nins, K. R.	Education Assistant	01/19/2019	\$19.06	Linwood Monroe Arts Lower
Jones, A. M.	Nutrition Services	01/21/2019	\$17.50	Horace Mann School
Noel, A.	Plumber	01/05/2019	\$47.27	Como Service Center

SUSPENSION WITHOUT PAY

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>
A., R.	Classroom Teacher	01/25/2019
A., K.	Classroom Teacher	04/01/2019
P., J. E.	Classroom Teacher	03/22/2019
P., J. E.	Classroom Teacher	04/15/2019
P., J. E.	Classroom Teacher	04/16/2019
C., S. B.	Classroom Teacher	02/13/2019
C., S. B.	Classroom Teacher	03/13/2019
H., K. M.	Classroom Teacher	03/21/2019

HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

SUSPENSION WITHOUT PAY

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>
M., J. S.	Classroom Teacher	04/01/2019
M., J. S.	Classroom Teacher	05/27/2019
M., J. S.	Classroom Teacher	06/10/2019
O., J. H.	Classroom Teacher	04/19/2019
W., S. E.	Classroom Teacher	04/01/2019
W., S. E.	Classroom Teacher	05/27/2019
C., D.	Education Assistant	02/14/2019
C., D.	Education Assistant	02/18/2019

RETIREMENT

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Carty, C. M.	Principal	08/31/2019	Crossroads Montessori
McCollor, F. M.	Principal	06/28/2019	Washington Tech
McCollor, M. M.	Principal	06/28/2019	Nokomis Montessori North
Olson, K. M.	Classroom Teacher	02/16/2019	Mississippi Creative Arts

RESIGNATION

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Fuentes, M. N.	Classroom Teacher	02/09/2019	Cherokee Heights
Gardner, A. M.	Classroom Teacher	03/02/2019	Jackson Preparatory
Harvang, M.	Classroom Teacher	03/08/2019	Mississippi Creative Arts
Richardson, T.	Classroom Teacher	02/01/2019	Capitol Hill
Slifka, M. A.	Classroom Teacher	02/13/2019	Benjamin Mays/Museum
Johnson, B. L.	Classroom Teacher	03/02/2019	Parkway Montessori/Middle
Klajbor, T. M.	School/Community Professional	02/12/2019	Chelsea Heights Elementary
Ryan, D. K.	Education Assistant	02/15/2019	1780 W 7th Street
Avery, J. L.	Teaching Assistant	02/02/2019	Linwood Monroe Arts Upper
Danish, A. K.	Teaching Assistant	02/16/2019	Mississippi Creative Arts
Diarra, S. M.	Teaching Assistant	02/16/2019	L'Etoile du Nord Upper
Hadley, K. E.	Teaching Assistant	02/09/2019	Johnson Achievement Plus

HUMAN RESOURCE TRANSACTIONS
February 1, 2019 through February 28, 2019
March 19, 2019

RESIGNATION

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Holt, T. L.	Teaching Assistant	02/07/2019	Humboldt Secondary School
Moos, K. L.	Teaching Assistant	03/05/2019	Nokomis Montessori South
O'Berry, D. J.	Teaching Assistant	02/09/2019	Johnson Achievement Plus
Spradling, A. G.	Teaching Assistant	02/16/2019	Como Park Senior High
Xiong, S.	Teaching Assistant	02/08/2019	St. Paul Music Academy
Yang, K.	Teaching Assistant	02/16/2019	Linwood Monroe Arts Lower
Gladis, H. H.	Nutrition Services	02/02/2019	Groveland Park Elementary
Lachowitz, S.	Nutrition Services	01/26/2019	Washington Tech

TERMINATION

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>
B., N. A.	Teaching Assistant	02/07/2019
B., J. D.	Teaching Assistant	01/25/2019
D., G. A.	Teaching Assistant	02/27/2019
L., A. S.	Teaching Assistant	02/26/2019
R., B. M.	Supervisory	02/20/2019

TERMINATION OF TEMPORARY EMPLOYMENT

<u>Name</u>	<u>Job Category</u>	<u>Eff Date</u>	<u>Location</u>
Nadeau, M. P.	Classroom Teacher	02/05/2019	Chelsea Heights Elementary

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Accept a Gift of Picture Books

A. PERTINENT FACTS:

1. Saint Paul Public Schools Office of Teaching and Learning has received a donation of new picture books from Kelsey Johnson-Kaiser.
2. Books will be distributed to multiple school libraries under the supervision of Dawn French, Library Services TOSA.
3. The value of this gift is \$10,000.
4. This project will meet the District strategic plan focus area of Effective and Culturally Relevant Instruction.
5. This item is submitted by Rebekah Doyle, Grants Management Coordinator; Hans Ott, Assistant Superintendent, Office of Teaching and Learning; Kate Wilcox-Harris, Chief Academic Officer; and Marie Schrul, Chief Financial Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept a gift of new picture books to be distributed to multiple school libraries.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Accept a Grant from the Ecolab Foundation

A. PERTINENT FACTS:

1. The Ecolab Foundation provides funds for projects that support youth and education programs.
2. Saint Paul Public Schools has been awarded a grant to implement the Ecolab Teacher Grants Program. The goal of this program is to encourage and reward individual educators' creativity and innovation in classroom learning by providing opportunities that will motivate and challenge students intellectually, raise student achievement, as well as increase student understanding of academic content and the connection between school and life. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$250,000. Teachers and students throughout the district will be impacted by this project.
4. This grant will fund projects that meet all five of the District strategic plan focus areas.
5. This is a recurring grant-funded project and is in its second year. For school year 2018-2019 the Ecolab Teacher Grants Program funded 58 projects at 34 schools and programs, impacting 143 staff and 23,733 students.
6. This item is submitted by Rebekah Doyle, Grants Management Coordinator and Marie Schrul, Chief Financial Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept a grant from the Ecolab Foundation for funds to support the Ecolab Teacher Grants Program; to accept funds; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Accept a Grant from the National Science Teachers Association

A. PERTINENT FACTS:

1. The National Science Teachers Association's Shell Science Lab Challenge grant program funds projects that recognizes outstanding middle and high schools for their exemplary approaches to science lab instruction utilizing limited school and laboratory resources.
2. Saint Paul Public Schools Washington Technology Magnet School received a grant to fund supplies for the Chemistry Laboratory. The goal of this project is to allow students to use their iPads to collect and analyze scientific data in real time. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$3,000.
4. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction by strengthening the school's STEM offerings.
5. This is a new grant-funded project.
6. This item is submitted by Mike McCollor, Principal, Washington Technology Magnet School; Theresa Battle, Assistant Superintendent; and Dave Watkin, Chief of Schools.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) accept a grant from the National Science Teachers Association for the funds to upgrade Chemistry Laboratory supplies at Washington Technology Magnet School; to accept funds, and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Accept a Grant from the Society for Science and the Public

A. PERTINENT FACTS:

1. Society for Science & the Public's STEM Research Grants are awarded to high school or middle school teachers to enhance student science research programs.
2. Saint Paul Public Schools Washington Technology Magnet School prepared an application and received a grant for funds to support summer STEM research opportunities for SPPS students in collaboration with the University of Minnesota's Department of Bioproducts and Biosystems Engineering. The goal of this project is for students to conduct research that can be used as Science Fair Projects to present at the Minnesota State Fair.
3. Saint Paul Public Schools will serve as fiscal agent for this project. This grant is for approximately \$4,000. Up to 15 Washington Technology Magnet students will be impacted by this project.
4. This project will meet the District strategic plan focus area of College and Career Paths by exposing students to academic research staff and facilities at the University of Minnesota.
5. This is a new grant-funded project.
6. This item is submitted by Rebekah Doyle, Grants Management Coordinator; Mike McCollor, Principal, Washington Technology Magnet School; Theresa Battle, Assistant Superintendent; Dave Watkins, Chief of Schools; and Marie Schrul, Chief Financial Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept funds from the Society for Science & the Public to support summer STEM research opportunities for students; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Accept a Grant from the University of Minnesota
Monarch Lab

A. PERTINENT FACTS:

1. The University of Minnesota Monarch Lab offers Schoolyard Garden grants to support conservation by helping to cultivate a generation of students who will care about nature and promoting schoolyard gardens, which help in the creation of habitat for important pollinators.
2. Saint Paul Public Schools Belwin Outdoor Science Center prepared an application and received a grant to install a new pollinator enhancement garden. The goal of this project is to enhance citizen scientist observations and processes. Staff at this program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$1,000.
4. This project will meet the District strategic plan focus area of Effective and Culturally Relevant Instruction by providing new hands-on educational experiences for students.
5. This is a new grant funded project.
6. This item is submitted by Rebekah Doyle, Grants Management Coordinator and Marie Schrul, Chief Financial Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept a grant from the University of Minnesota Monarch Lab to install a new pollinator enhancement garden at Belwin Outdoor Science Center; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant to the McKnight Foundation

A. PERTINENT FACTS:

1. The McKnight Foundation is currently accepting grant applications for projects that advances equitable, sustainable systems change in education by building pipelines of diverse, effective educators and engaging families
2. Saint Paul Public Schools Office of College and Career Readiness has prepared an application for funds to hire a project coordinator. The goal of this project is to implement an education career pathway at each high school over the next several years. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$200,000. The project will affect up to seven schools.
4. This project aligns with the District strategic plan focus area of College and Career Paths by providing career-focused, hands-on opportunities for high school students to learn about education careers.
5. This is a new grant-funded project. The project duration is two years.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Darren Ginther, Assistant Director, Office of College and Career Readiness; Dr. Kate Wilcox-Harris, Chief Academic Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant to the McKnight Foundation for the funds to hire a project coordinator; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant to the Minnesota Department of Education – Library Services and Technology Act

A. PERTINENT FACTS:

1. The Minnesota Department of Education is currently accepting grant applications for projects that reduce barriers to access, contribute to the World's Best Workforce, promote equity, and advance digital literacy for residents in Minnesota.
2. Saint Paul Public Schools Office of Teaching and Learning has prepared an application for funds to strengthen the partnership with Saint Paul Public Library. The goals of this project is increase school and public library usage among elementary students. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$100,000. The project will impact all K-5 students.
4. This project aligns with the District strategic plan focus area of effective and culturally relevant instruction by ensuring all students have access to a well-rounded education.
5. This is a new grant-funded project. The project period is one year. SPPS has received multiple LSTA grants in the past, but each award is for a unique project.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Dawn French, Library Services TOSA; Hans Ott, Assistant Superintendent, Teaching and Learning; Kate Wilcox-Harris, Chief Academic Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant to the Minnesota Department of Education for the funds to strengthen the partnership with Saint Paul Public Library and increase library usage among elementary students; to accept funds, if awarded; and to implement the project as specified in the award documents.

INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant Application to the Minnesota Department of Education – Turnaround Arts

A. PERTINENT FACTS:

1. The Minnesota Department of Education is currently accepting applications for schools interested in participating in the Turnaround Arts program, which assists school reform through high quality and integrated arts education.
2. Saint Paul Public Schools Office of Teaching and Learning has prepared an application to participate in the program. The goal of this project is to support school reform through arts education. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. If selected to participate, the Turnaround Arts program would provide several smaller grants and gifts to the participating site. The project would affect all students and staff at selected schools; three schools are applying to participate.
4. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction by ensuring all students have access to a well-rounded education.
5. This is a new grant-funded project. The project period is three years. Participating schools in other districts have demonstrated increased academic achievement, increased student and family engagement, and improved school culture and climate.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Hans Ott, Assistant Superintendent, Teaching and Learning; Andrew Collins, Assistant Superintendent; David Watkins, Chief of Schools; Dr. Kate Wilcox-Harris, Chief Academic Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant application to the Minnesota Department of Education to participate in the Turnaround Arts program; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant to the National Foundation for Governors' Fitness Councils

A. PERTINENT FACTS:

1. The National Foundation for Governors' Fitness Councils is currently accepting grant applications for its DON'T QUIT! Campaign, which will award three schools in the state of Minnesota with state-of-the-art fitness centers.
2. Saint Paul Public Schools Grants Office has prepared applications for Battle Creek Middle School, ESTEM Middle School, Hazel Park Preparatory Academy and Murray Middle School. The goal of this project is to demonstrate leadership in getting and keeping students fit. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for a prize package valued at approximately \$100,000. If selected to receive a prize package, the project would affect all students at one middle school site.
4. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction by ensuring all students have access to a well-rounded education.
5. This is a new grant-funded project. If selected to receive a prize package, installation would take place over Summer 2019.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Tom Parent, Director, Facilities; Lisa Sayles-Adams, Assistant Superintendent, Middle Schools; David Watkins, Chief of Schools; Jackie Turner, Chief Operations Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit applications to the National Foundation for Governors' Fitness Councils for the DON'T QUIT! Campaign; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant to the NoVo Foundation and Education First

A. PERTINENT FACTS:

1. The NoVo Foundation and Education First are currently accepting grant applications for projects that foster social and emotional skills in students in grades PK-12.
2. Saint Paul Public Schools Office of School Support has prepared an application for funds to expand implementation of Zones of Regulation. The goals of this project is increase the number of schools using Zones of Regulation school-wide. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$50,000. The project will affect up to six elementary schools, which have expressed interest in adopting school wide Zones of Regulation practices.
4. This project aligns with the District strategic plan focus area of Positive School and District Culture by creating inclusive school cultures that integrate social-emotional learning support.
5. This is a new grant-funded project. The project period is 2 year. The district has received SEL grants from this organization before but each award is for a unique project.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Kathy Lombardi Kimani, Assistant Director, School Support; Dr. Kate Wilcox-Harris, Chief Academic Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant to the NoVo Foundation and Education First for the funds to expand implementation of Zones of Regulation; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant to the Travelers Foundation

A. PERTINENT FACTS:

1. The Travelers Foundation is currently accepting grant applications for projects that improve academic and career success for underrepresented youth, specifically targeting public school children in grades 5 through 12, students in transition to post-secondary education, and students in post-secondary learning environments.
2. Saint Paul Public Schools Office of College and Career Readiness has prepared an application for funds to support the Academy of Finance at Como Park Senior High School. The goal of this project is to continue implementing Academy of Finance. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$70,000. The project will affect approximately 360 students participating in the Academy of Finance.
4. This project aligns with the District strategic plan focus area of College and Career Paths by strengthening partnerships that provide job experience to secondary students.
5. This is a recurring grant-funded project. The project period is one year. Travelers has supported Academy of Finance since 2013. During this time, the Academy of Finance has grown to provide 360 students with career-focused, hands-on opportunities to explore the financial services industry. AOF has also built a strong partnership with Travelers to provide students with job shadowing and mentorship. Finally, the grant has helped increase connections between AOF and local post-secondary Travelers EDGE Scholar Program partners.
6. This item is submitted by Megan Garrido, Fund Development Coordinator; Kathy Kittel, Supervisor, Career and Technical Education; Darren Ginther, Assistant Director, Office of College and Career Readiness; Dr. Kate Wilcox-Harris, Chief Academic Officer; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant to the Travelers Foundation for the funds to implement Academy of Finance; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant Application to the Minnesota Department of Education – 21st Century Community Learning Center, Cohort 8 Grant

A. PERTINENT FACTS:

1. The Minnesota Department of Education is currently accepting grant applications for the 21st Century Community Learning Center Grant Program. The purpose of these learning centers is to provide students, particularly those who attend high-poverty and low-performing schools, with high quality programs for supporting the whole child, primarily during non-school hours, including before school, after school, evenings, school release days and summer.
2. Saint Paul Public Schools Community Education, in partnership with the Office of Alternative Education and SPPS middle schools, has prepared an application for funds to continue Flipside Afterschool programming for students in grades 6-8. The goal of this project is to provide access to and opportunity for middle school youth to participate in high quality afterschool and non-school day activities that will extend learning, reduce summer learning loss, and improve school day attendance and academic achievement. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$3 million over three years.
4. This project will meet the District strategic plan focus area of Effective and Culturally Relevant Instruction by ensuring all students have access to a well-rounded education.
5. This is a recurring grant funded project. The current funding request will continue supporting existing Flipside programs at Battle Creek Middle School, Hazel Park Preparatory Academy, Highland Park Middle School, Linwood Monroe Arts Plus Upper, and Parkway Community Montessori Middle School. The project period is three years.
6. This item is submitted by Deb Campobasso, Program Manager, Flipside; and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant to the Minnesota Department of Education for funds for cohort 8 of the 21st Century Community Learning Centers Grant Program; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant Application to Steelcase

A. PERTINENT FACTS:

1. Steelcase Education accepts grant applications for projects that create effective, rewarding and inspiring active learning environments.
2. Saint Paul Public Schools Murray Middle School has prepared a grant application to update the school's media center with a Steelcase Education Active Learning Classroom. The goal of this project is to provide the school with professional design review, furniture installation, onsite training and a Learning Environment Evaluation measurement too. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant has an approximate value of \$67,000. Staff and students at Murray Middle School will be impacted by this project.
4. This project aligns with the District strategic plan focus area of Positive School and District Culture by providing students with an updated learning environment.
5. This is a new grant-funded project.
6. This item is submitted by Jamin McKenzie, Principal, Murray Middle School; Lisa Sayles-Adams, Assistant Superintendent; Dave Watkins, Chief of Schools; Tom Parent, Director, Facilities; and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant application to Steelcase Education to support a new active learning classroom at Murray Middle School; to accept the grant, if awarded; and to implement the project as specified in the award documents.

INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant Application and Memorandum of Understanding to the US Soccer Foundation

A. PERTINENT FACTS:

1. The US Soccer Foundation is currently accepting grant applications for projects that enhance, assist and grow the sport of soccer in the United States, with a special emphasis on underserved communities.
2. Saint Paul Public Schools Facilities Department has prepared an application and Memorandum of Understanding to the US Soccer Foundation for the in-kind installation of one or more mini-pitches in the district. A mini-pitch is a small, customized hard court space suited for soccer programs. The goal of this project is to improve playing surfaces throughout the district and provide increased access to soccer programs. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This in-kind award has a value of approximately \$60,000 per mini-pitch.
4. This grant does not align with a strategic focus area but provides essential operational support that creates a foundation for strategic projects to build upon.
5. This is a new grant-funded project.
6. This item is submitted by Tom Parent, Facilities Director and Jackie Turner, Chief Operations Officer

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant application and Memorandum of Understanding to the US Soccer Foundation for the in-kind installation of one or more mini-pitches (customized hard-surface courts suited for soccer programs) in Saint Paul Public Schools; to accept the in-kind gift, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Submit a Grant Application to the Office of VSA and Accessibility at the John F. Kennedy Center for the Performing Arts

A. PERTINENT FACTS:

1. The Office of VSA and Accessibility at the John F. Kennedy Center for the Performing Arts is currently seeking school districts from around the country to participate in a unique and new professional development program to train special education teachers in Arts-Based Creative Teaching Strategies.
2. Saint Paul Public Schools Office of Specialized Services has prepared an application to participate in a professional development opportunity from the Office of VSA and Accessibility in partnership with MINDPOP, a non-profit consultancy that designs and implements creative learning systems nationwide. The goal of this project is to train SPPS Special Education staff in the use of Creative Teaching, an arts-based instructional approach to education. Staff at the program researched this grant opportunity.
3. Saint Paul Public Schools will serve as fiscal agent for the project. This grant is for approximately \$10,000. All SPPS special education teachers will be impacted by this project.
4. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction.
5. This is a new grant-funded project.
6. This item is submitted by Marcy Doud, Assistant Superintendent of Specialized Services and Kate Wilcox-Harris, Chief Academic Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to submit a grant application to the Office of VSA and Accessibility at the John F. Kennedy Center for the Performing Arts for the funds to participate in a professional development program to train special education teachers in Arts-Based Creative Teaching Strategies; to accept funds, if awarded; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Proposal (RFP) – No. A216003-A Internet and Fiber WAN Services

A. PERTINENT FACTS:

1. The District's contract for Districtwide Internet Services and Fiber Wide Area Network connectivity ends June 30, 2019. The Request for Proposal A216003-A requested proposers to submit Internet and Connectivity services solutions that align with District's goals, needs and expectations; multiple terms, configurations, pricing options. Two (2) of the seven (7) responders were eliminated from further consideration based on the evaluation team's conclusion that leased lit fiber services from a single vendor and a 3-year term contract best served the District's needs and fiscal responsibility.

The following proposals were received, the 3-year costs are noted below:

Arvig	\$4,100,496
CenturyLink	\$3,909,852
Comcast	\$4,293,390
UPN	\$9,950,560
Zayo Group	\$6,463,740

2. The new contract allows for substantial increases in network capacity throughout the District, at costs comparable to the current lower network bandwidths.
3. Three (3) year term with optional two (2) one-year renewals.
4. The most responsive proposer, CenturyLink, offers the most comprehensive and reliable three (3) year solution at a total cost of \$3,909,852. Eighty (80) percent, \$3,127,882 will be reimbursed from E-Rate funds. CenturyLink scored highest in the evaluation of the proposals which included the following areas:
 - Ability to support requirements of RFP A-216003A.
 - Proposed contract terms and conditions
 - Service reliability and dedicated Infrastructure
 - Provider experience, qualifications and references
5. This project meets the District Strategic Plan focus area of Program Evaluation and Resource Allocation
6. This item is submitted by Idrissa Davis, Deputy Chief, Technology Services.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to authorize award of RFP No. A216003-A to CenturyLink, for the purchase of Internet and Fiber Wide Area Network Connectivity services in the amount of \$3,909,852.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: K-2 Phonics Curriculum Materials Contract with Heinemann for Fountas & Pinnell Phonics, Spelling and Word Study System

A. PERTINENT FACTS:

1. Saint Paul Public Schools is engaging in a multi-year curriculum review process for Literacy. Based on an analysis of our literacy data, K-2 phonics review is Year 1 of the process. The Literacy Adoption committee examined current phonics research, identified adoption criteria and reviewed multiple phonics materials as part of the curriculum review process.
2. The goal of phonics is to provide children with key knowledge and skills and to ensure that they learn how to apply that knowledge to their reading and writing. The Fountas & Pinnell Phonics, Spelling and Word Study System contains explicit lessons for whole-group instruction and small-group application that help students attend to, learn about, and efficiently use sounds, letters, and words.
3. K-2 teachers will begin using the Fountas & Pinnell Phonics, Spelling and Word Study System curriculum materials during the 2019-20 year.
4. This will be funded through Title I and supplemental funds from the 2018-19 budget. Total cost of the contract not to exceed \$800,000.00
5. This purchase aligns with the SPPS Achieves Long-term Student Outcome of increase academic growth in reading for all students: deepen the instruction of phonics skills to further develop reading skills for students in grades K-5.
6. This item is submitted by: Susan Braithwaite, Supervisor of PreK-12 Literacy; Megan Dols Klingel, Assistant Director, Office of Teaching and Learning; Hans Ott, Assistant Superintendent, Office of Teaching and Learning; Dr. Kate Wilcox-Harris, Chief Academic Officer.

B. RECOMMENDATION:

That the Board of Education authorizes the Superintendent (designee) to enter into a contract with Heinemann to purchase the Fountas & Pinnell Phonics, Spelling and Word Study System.

INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS

DATE: March 19, 2019

TOPIC: Letter of Agreement between Metro State University and Saint Paul Public Schools for Use of Metro State University's Mobile Geo Dome

A. PERTINENT FACTS:

1. This is a letter of agreement between Saint Paul Public Schools and Metro State University for the use of Metro State University's mobile Geo Dome. The Geo Dome is a portable planetarium that can be set up at a school to provide students the experience of a planetarium without having to leave the school. This agreement will allow middle schools the option of using the Geo Dome at their site as an alternative to attending the Como Planetarium. Planetarium staff will conduct the same class at the school as is taught at the Como Planetarium.
2. The mobile Geo Dome was successfully piloted with two schools in 2017-18. This agreement will expand the use of the Geo Dome to any Saint Paul Public Schools middle school that chooses it as an option.
3. The agreement is for the 2018-19 school year.
4. Metro State University will maintain, deliver and pick up the Geo Dome. The only cost to Saint Paul Public Schools is mileage for the Como Planetarium staff providing the class.
5. This agreement aligns with the SPPS Achieves strategic focus area of Effective and Culturally Relevant Instruction, Initiative 3b: Ensure all students have access to a well-rounded education.
4. This item is submitted by: Megan Dols Klingel, Assistant Director, Office of Teaching and Learning; William Forbes, Assistant General Counsel; Hans Ott, Assistant Superintendent, Office of Teaching and Learning; Dr. Kate Wilcox-Harris, Chief Academic Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to sign the letter of agreement with Metro State University.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Library Collection Materials for E-STEM Middle School

A. PERTINENT FACTS:

1. E-STEM Middle School is opening in the former Crosswinds Building at 600 Weir Drive in Woodbury, MN. This is a new and additional middle school for Saint Paul Public Schools. In support of the SPPS Achieves Strategic Plan Goals 1 and 3, the new middle school requires the acquisition of a library collection. The desired outcome is to have in place, on the 2019-20 opening school day a library collection with an emphasis on titles that reflects our student diversity and supports the curriculum of SPPS schools as well as the STEM focus at E-STEM Middle School.
2. SPPS Office of Teaching and Learning Library Services and E-STEM Middle School seek to enter into a contract with a library vendor (to be determined by an open RFP bid process) for E-STEM Middle School library materials.
3. To enter into this service agreement we will meet the District strategic goals 1 and 3 to create an inclusive school culture where students are supported to show up as their full selves and thrive as individual learners in a global society and Increase our capacity to meet the instructional needs of each learner.
4. The proposal was reviewed by the Division of Academics and will be funded through new school funding. The total cost of this purchase is approximately \$200,000.
5. This project meets the District Strategic Plan focus area of Effective and Culturally Relevant Instruction.
6. This item is submitted by: Dawn French, TOSA for District Library Services; Jocelyn Sims, E-STEM Middle School Principal; Hans Ott, Assistant Superintendent, Office of Teaching and Learning; and Kate Wilcox-Harris, Chief Academic Officer

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent to enter into a contract with the library vendor that is selected through an open RFP bid process. The total cost for the materials is \$200,000 and will be paid from the instructional services budget for the 2018-2019 school year.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for Permission to Enter into an Agreement with
AdoptAClassroom.org

A. PERTINENT FACTS:

1. AdoptAClassroom.org is a national 501(C)3 online fundraising platform for K-12 teachers and schools. Schools can raise funds for the purchase of classroom supplies, materials and resources. Since 1998, AdoptAClassroom.org has raised more than \$36 million and benefited 4.5 million students in more than 200,000 classrooms across the US.
2. AdoptAClassroom.org requires schools to receive district approval in order to register fundraising pages.
3. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction by providing funds that increase the capacity for teachers to meet the instructional needs of each learner.
4. This item is submitted by Megan Garrido, Fund Development Coordinator; Heather Kilgore, Director, Family and Community Engagement; and Cedrick Baker, Chief of Staff.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to enter into an agreement approving schools to fundraise for classroom supplies, materials and resources on AdoptAClassroom.org's online fundraising platform.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Lease Agreement with the Minnesota Pollution Control Agency

A. PERTINENT FACTS:

1. The Minnesota Pollution Control Agency (MPCA) desires to lease the use of light poles located in parking lots from the District. The MPCA will be installing ambient air monitors throughout the cities of Minneapolis and St. Paul for the purpose of air monitoring, and requests the monitors to be installed at the following District sites:

<u>Site</u>	<u>Street Address</u>
District Service Facility	1930 Como Ave.
Central High School	275 Lexington Pkwy. N.
Adams Spanish Immersion	615 S. Chatsworth Street
Wellstone Elementary	1041 Marion Street
Jackson Elementary	437 Edmund Ave. W.
Highland Park Middle School	975 Snelling Ave. S.
Humboldt High School	30 Baker Street E.
Bruce Vento Elementary	409 Case Ave. E.
Dayton's Bluff Elementary	2621 Bates Ave.
Battle Creek Middle School	2121 N. Park Dr.
Harding High School	1540 East 6 th Street

2. The administration is agreeable to lease space to the Minnesota Pollution Control Agency.
4. Terms and conditions of the Lease Agreement include the following:
 - a. The lease term will be thirty-four (34) months commencing March 1, 2019 and terminating December 31, 2021.
 - b. This agreement is mutually beneficial and does not involve any monetary exchange or payment for access to the property.
 - c. The District will provide the Minnesota Pollution Control Agency with access to the property to service and operate the monitoring equipment.
5. This lease agreement meets the District Strategic Plan focus area of Program Evaluation and Resource Allocation
6. This item is submitted by Tom Parent, Director of Facilities, and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATIONS:

That the Board of Education authorize the Superintendent to execute a Lease Agreement between the District and the Minnesota Pollution Control Agency to lease the use of light poles at several District sites the term March 1, 2019 through December 31, 2021.

INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS

DATE: March 19, 2019

TOPIC: Request for Permission to Partner with Twin Cities Public Television and
Accept Grant Funds

A. PERTINENT FACTS:

1. Twin Cities Public Television (TPT) has received federal funding from the Department of Education in support of the project *Superhero School: Harnessing the Power of Science, Literacy, and Media*; an educational media initiative produced by TPT.
2. Saint Paul Public Schools Department of Alternative Education would like to enter into a partnership agreement with TPT to be a *Hero Elementary* Partner Organization; performing outreach activities during Freedom Schools Summer Program as part of this project. The goal of this project is to engage children ages 5 to 8 from low-income families in building key science and literacy skills. Staff at the program researched this partnership opportunity.
3. As a *Hero Elementary* Partner Organization SPPS will receive a grant of approximately \$5,000 from TPT. Saint Paul Public Schools will serve as fiscal agent for the project.
4. This project aligns with the District strategic plan focus area of Effective and Culturally Relevant Instruction by providing SPPS with well-researched resources for equitable teaching, including new digital games and fun hands-on STEM activities.
5. This is a new grant-funded project.
6. This item is submitted by Rebekah Doyle, Grants Management Coordinator; Elizabeth Putnam, Assistant Director, Department of Alternative Learning Programs; Han Ott, Assistant Superintendent, Office of Teaching and Learning; Kate Wilcox-Harris, Chief Academic Officer; and Marie Schrul, Chief Financial Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept a grant from Twin Cities Public Television for the funds to support participation as a *Hero Elementary* Partner Organization; to accept funds; and to implement the project as specified in the award documents.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Monthly Operating Authority

A. PERTINENT FACTS:

1. The Board of Education must authorize and approve all expenditures of the District.
2. The Board of Education must ratify any changes in collateral that have been previously approved by the Assistant Treasurer.
3. This item meets the District strategic plan focus area of Program Evaluation and Resource Allocation.
4. This item is submitted by Marie Schrul, Chief Financial Officer.

B. RECOMMENDATIONS:

1. That the Board of Education approve and ratify the following checks and wire transfers for the period January 1 – January 31, 2019.

(a) General Account	#705060-706372	\$87,105,887.33
	#0003217-0003272	
	#7003123-7003160	
	#0003159-0003248	
(b) Debt Service	-0-	<u>\$0.00</u>
(c) Construction	-0-	<u>\$3,542,800.57</u>
		<u>\$90,648,687.90</u>

Included in the above disbursements are two payrolls in the amount of \$38,077,183.24 and overtime of \$133,188.17 or 0.35% of payroll.

(d) Collateral Changes

Released:

None

Additions:

None

2. That the Board of Education further authorize payment of properly certified cash disbursements including payrolls, overtime schedules, compensation claims, and claims under the Workers' Compensation Law falling within the period ending June 30, 2019.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Recommendations for Exclusion of Students in Non-Compliance with Minnesota Statute 123.70 Health Standards: Immunizations

A. PERTINENT FACTS:

1. There are students in the district who are not in compliance with M.S. 123.70 Health Standards for Immunizations. The students' parents/guardians have been informed of needed immunizations, provided a copy of the law, and given information about community immunization clinics. A contact is made to verify the parents/guardians know that the child is non-compliant, understand the law, and are aware of the possible exemptions to the law. All parents/guardians have had a minimum of 30 days to comply with the law after they are informed that their child is non-compliant.
2. A list of the students is under separate cover.
3. This item will meet the requirements of the Minnesota State Statute 123.70 Health Standards for Immunizations.
4. Requested by Mary Yackley, Supervisor, Student Health and Wellness; Marcy Doud, Assistant Superintendent of Specialized Services; Dr. Kate Wilcox-Harris, Chief Academic Officer.

B. RECOMMENDATION:

That the Board of Education excludes the named students from school effective March 28, 2019, should they not comply with Minnesota State Health Standards for Immunizations on or before this date.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Naming the Central Senior High School Auditorium in Honor of Mary Mackbee

A. PERTINENT FACTS:

1. Mary Mackbee has served the Saint Paul Public School District for 50 years and has been the principal for Central Senior High School for 25 years. In those years, she has been a mentor and a friend to the entire Central Senior High School community.
2. Mary Mackbee has shown enthusiasm and support for music and the arts at Central Senior High School, and has attended almost every Band, Orchestra and Choir Concert since she became principal at Central Senior High School.
3. Naming Central's Auditorium 'Mary Mackbee Auditorium' honors her, her achievements and her legacy to Central Senior High School students past, present and future.
4. This item is submitted by Dr. Theresa Battle, Assistant Superintendent.

B. RECOMMENDATION:

That the Board of Education approves the request to name the Central Senior High School auditorium in honor of Mary Mackbee.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request for the Creative Arts Secondary School Vocal Music Trip to New York City

A. PERTINENT FACTS:

1. The Creative Arts Vocal Music program has almost doubled in size over the last three years and is looking to expand their arts education through an Immersive experience in New York City.
2. This is the first time Creative Arts is having students travel for an arts-focused purpose. As our arts programs continue to grow, students should be allowed the opportunity to expand their arts experiences.
3. From March 28, 2019 through March 31, 2019, Siri Keller, Creative Arts Music Teacher is bringing 20 students who have participated in her vocal music program over the last two years and three parent chaperones.
4. The initial cost per student will be (and has already been) paid for by families and students. The total cost includes airfare, public transportation, show tickets, a workshop, tour guide, and some meals.
5. This project will meet the District strategic plan focus areas of College and Career Paths and Effective and Culturally Relevant Instruction.
6. This item is submitted by Kristen Lynch, Creative Arts Principal; and Dr. Theresa Battle, Assistant Superintendent.

B. RECOMMENDATION:

That the Board of Education approves the travel request for the Creative Arts Vocal Music students to travel to New York City March 28-March 31, 2019.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Request to Sign Early/Middle College Program Identification Application

A. PERTINENT FACTS:

1. Request to Sign the Early/Middle College Program Identification Application to the Minnesota Department of Education.
2. Gateway to College ALC has been an identified Early/Middle College Program since 2015. This is our third application for that designation. Since 2015, Gateway to College ALC students have earned 3,363 college credits at Saint Paul College. Gateway to College ALC is an opportunity for students facing difficult educational journeys to find college opportunity while in high school.
3. This application was approved in 2015 and 2016. The duration of the program identification was extended to three years in 2016; this application request will be made again for SY 2022.
4. There are no fees associated with this request.
5. This project will meet the District strategic plan focus area of College and Career Paths.
6. This item is submitted by Adam Kunz, Program Manager Gateway to College ALC; Darren Ginther, Assistant Director Office of College and Career Readiness; and Kate Wilcox-Harris, Chief Academic Officer.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to Sign the Early/Middle College Program Identification Application to the Minnesota Department of Education for SY 2019-2021.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Saint Paul Public Schools 2018 Wellness Policy Annual Report

A. PERTINENT FACTS:

1. The National School Lunch Program requires that participating schools have a district wellness policy. Saint Paul Public Schools Wellness Policy 533.00 was revised and approved and by the Saint Paul Board of Education (BOE) in December 2017.
2. As part of the policy, the District Wellness Team (DWT), consisting of SPPS staff, community partners, students, and families, is required to submit an annual report to the Superintendent and/or the Saint Paul Board of Education, as an update on implementation efforts.
3. This report is to be submitted annually.
4. There are no costs associated with this report.
5. This project will meet the District strategic plan focus area(s) of Positive School and District Culture and Effective and Culturally Relevant Instruction.
6. This item is submitted by Mary Yackley, Supervisor, Student Health and Wellness, and Marcy Doud, Assistant Superintendent, Office of Specialized Services.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to accept this report and continue to support wellness promotion to Saint Paul Public Schools students, staff, and families through physical activity, healthy eating, and mental well-being.

District Wellness Team

2018 Report on Wellness Policy, 533.00

Purpose of Policy:

- To promote student, families and employee wellness through a focus on healthy eating habits and increased physical activity and
- To ensure that meals and other foods and beverages available during the school day meet USDA National Lunch Program requirements.

The Board of Education revised the Wellness Policy in 2017-18 and it is now available in Hmong, Karen, Somali and Spanish languages.

2018 Highlights:

Physical Activity

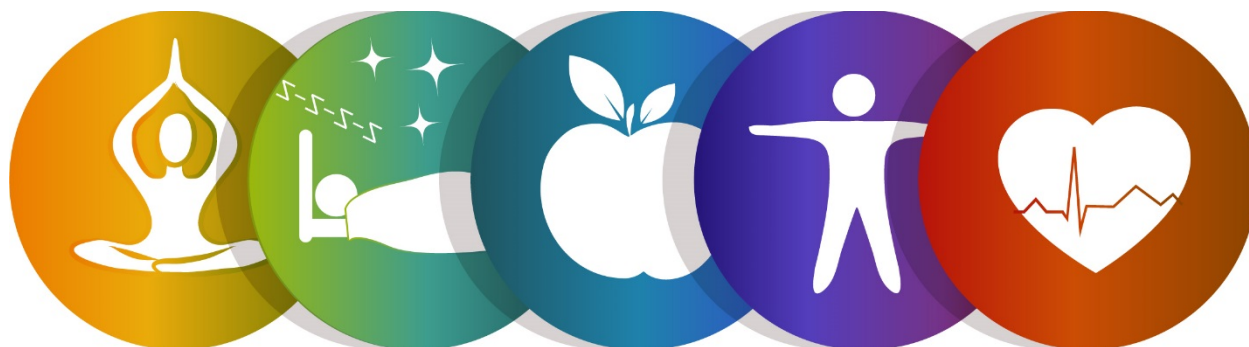
3 high schools joined the 13 SPPS schools and programs that have participated in MovingMindfully residencies. This integrative approach to wellness promotes physical activity, self-regulation, focus, and community connection.

Health Education

Training for Educators: 68 educators and support staff attended an Allina Health Change to Chill training, focused on mental health and stress reduction for teens

Physical Education

Use of SPPS' mobile bicycle fleet continues to grow. The fleet has been used for PE units, Discovery Club, and Community Education camps. Memorable quotes include, "This was the best school day ever!" Over **600** students have ridden SPPS bikes over the last year.



Healthy Eating

Taste Test Expansion and Exciting New Grant Opportunity through Cargill Foundation are some of the highlights in the area of Healthy Eating. **11** schools participated in TASTEMASTERS in November 2018. Nutrition Services will continue to grow its school gardens program through a \$200,000 Cargill grant. **8** Family & Consumer Science teachers attended a Farm-to-Table training, provided by the Good Acre, a local hub connecting farmers and communities through food.

Staff Wellness

Staff continue to seek support for their own wellness. School Wellness Champions apply to HealthPartners to fund initiatives such as staff yoga, wellness seminars, and building challenges in areas such as weight loss and physical activity.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Facilities Department FY19 Purchases over \$100,000 - Adjustment

A. PERTINENT FACTS:

1. In the normal course of work, the Facilities Department must establish purchases with vendors that may incur costs in excess of \$100,000 throughout the fiscal year. On occasion, anticipated expenditure amounts need to be adjusted mid-year to reflect actual costs.
2. The following list indicates said purchases:

Vendor	Description	Amount	State Contract ID Or Bid Number
Becker	Snow Removal – Hazel Park & Mississippi	Original PO: \$50,000 Increase by \$107,000 New PO Amount: \$157,000	Bid #U12345-A
Green Guardian	Snow Removal – Harding, Johnson, RiverEast	Original PO: \$75,000 Increase by \$340,000 New PO Amount: \$415,000	Bid #U12345-A
Iceman	Snow Removal – Washington Tech, Central, Como Sr, Como Elementary	Original PO: \$90,000 (BOE Approved 6/19/2018) Increase by \$366,000 New PO Amount: \$456,000	Bid #A207899-A
Prescription	Snow Removal – Admin, Bus Garage, E-STEM, Highland Complex	Original PO: \$90,000 Increase by \$300,000 New PO Amount: \$390,000	Bid #U12345-A
Prescription	Snow Removal – Rondo & Crossroads	Original PO: \$50,000 Increase by \$100,000 New PO Amount: \$150,000	Bid #U12345-A
RAK	Fire Marshal Order Corrections	Original PO: \$1,500,000 (BOE Approved 6/19/2018) Increase by \$600,000 New PO Amount: \$2,100,000	MN02D-121614-RAK
Egan	Fire Alarm System Inspections & Maintenance	Original PO: \$1,250,000 (BOE Approved 6/19/2018) Increase by \$600,000 New PO Amount: \$1,850,000	F-547(5)

3. The purchases have been approved by Jamie Atkins, Purchasing Manager.
4. Funding will be provided from the approved Facilities Department Fiscal Year 2019 budget.
5. The purchases meet the District Strategic Plan focus area of Program Evaluation and Resource Allocation.
6. This item is submitted by Tom Parent, Director of Facilities, and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the purchases listed for the Facilities Department anticipated to be over the \$100,000.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Contract Signature Authority Matrix

A. PERTINENT FACTS:

1. As part of internal procedures, SPPS has designated certain positions to have authority to sign contracts at certain dollar amounts. The current contract signature authority matrix designates certain positions to sign contracts for goods and services over \$100,000.
2. The current \$100,000 threshold was established for contract signatures because it aligned with the state statute dollar amount threshold that requires public bidding when procuring goods. Because the state statute threshold was raised to \$175,000, we are requesting that the threshold to sign contracts for certain positions also increases to \$175,000.
3. If approved, the Contract Signature Authority Matrix will be in effect until changes are required or requested.
4. See attachment for the proposed Contract Signature Authority Matrix.
5. This item will meet the District's strategic plan focus area of Program Evaluation and Resource Allocation.
6. This item is submitted by Cedrick Baker, Chief of Staff; Jamie Atkins, Purchasing Manager; Will Forbes, Assistant General Counsel; Jada Wollenzien, Program Manager.

B. RECOMMENDATION:

That the Board of Education authorize the Superintendent (designee) to approve the updated Contract Authority Signature Matrix.

Contract Signature Authority Matrix

Dollar Amount	Authorized to Bind District	Requires Board Agenda Item?
All Grants, Partnerships, Joint Partnerships, Collaborations and Gifts (over \$5,000) require Board Approval.	Board Chair or Superintendent (or as designated on Board Agenda Item)	YES
0-\$3,499.99 for Schools	Principal or Budget Administrator	No, see exception above
0 - \$4,999.99 for District Departments or Programs (except when Federal Funds are involved then only to \$3,499.99)	Department Manager or Administrator	No, see exception above
From \$3,500 for Schools and \$5,000 for Departments/Programs to \$174,999.99	Superintendent, Chief Financial Officer, Controller or Purchasing Manager (or as expressly designated by these individuals listed)	No, see exception above
Over \$175,000	Board Chair, Superintendent, Chief Financial Officer, Controller or Purchasing Manager (or as designated on Board Agenda Item)	YES

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Settlement of Outstanding Judgment

A. PERTINENT FACTS:

1. On January 3, 2011, a judgment was entered in favor of Saint Paul Public Schools (the **"District"**) in the amount of \$620.00 against a judgment debtor. On March 3, 2011, the District docketed the judgment in Ramsey County District Court, Court File No. 62-CV-10-6582.
2. On August 31, 2011 a judgment was entered in favor of the District in the amount of \$720.00 against the same judgment debtor. On September 16, 2011, the District docketed the judgment in Ramsey County District Court, Court File No. 62-CV-11-2186.
3. Based on the above entered docketed judgments, judgment debtor owed the District a total outstanding balance of \$1,340.00.
4. Judgment debtor's attorney contacted the District to obtain a release to sell certain property located in Ramsey County and resolve the outstanding judgment balance against her client.
5. Judgment debtor offered the District \$450.00 in exchange for the District's execution of the following documents: Satisfaction of Judgment for Court File No. 62-CV-10-6585, Satisfaction of Judgment for Court File No. 62-CV-11-2186, Release of Land from Judgment Lien for Court File No. 62-CV-10-6585, and Release of Land from Judgment Lien for Court File No. 62-CV-11-2186 (the **"Settlement Documents"**).
6. This settlement supports the District's target area goals of alignment and resource allocation by avoiding the time, expense, and uncertainty of any further collection efforts.
7. This item is submitted by William Forbes, Assistant General Counsel and Charles Long, General Counsel.

B. RECOMMENDATION:

That the Board of Education approve the settlement and resolution in the above referenced matter; authorize its Superintendent, or the Superintendent's designee, to sign the Settlement Documents; and authorize the District administration to accept a check from judgment debtor in the amount of \$450.00 to settle and resolve judgment debtor's outstanding balance.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Bid No. A216523-A 271 Belvidere Boiler Replacement

A. PERTINENT FACTS:

1. This project provides all labor, materials, equipment and services for the Boiler Replacement at 271 Belvidere.
2. The following bids were received for the lump sum base bid 'A' plus alternate '1':

	<u>Lump Sum Base Bid</u>
Pioneer Power.....	\$205,060
Boiler Services, Inc.....	\$210,300
NAC	\$221,000
Nasseff Mechanical.	\$227,275
Area Mechanical.....	\$238,000
Cool Air Mechanical.	\$307,000

3. This is an advertised bid and accordingly, contract documents for this project were made available for examination at the Architect's office, on the District's online platform and at the following:

Builders Exchange of St. Paul
MEDA Construction Connection
Minneapolis Builders Exchange
Dodge McGraw Hill Construction Plan Room
Reed Construction Data Plan Room
iSqFt/AGC of MN Plan Room
4. Bids have been reviewed by Jamie Atkins, Purchasing Manager.
5. Funding will be provided from Long-Term Facility Maintenance.
6. This project meets the District Strategic Plan goals by aligning resource allocation to District priorities.
7. This item is submitted by Tom Parent, Director of Facilities, and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the award of Bid No. A216523-A 271 Belvidere Boiler Replacement to Pioneer Power for a lump sum base bid \$205,060.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Bid No. A216679-A E-STEM (formerly Crosswinds) Middle School Renovation

A. PERTINENT FACTS:

1. This project provides all labor, materials, equipment and services for the Middle School Renovation at E-STEM (formerly Crosswinds).
2. The following bids were received for the lump sum base bid:

	Lump Sum Base Bid
Muska Companies.....	\$505,043
Parallel Technologies Inc	\$674,000

3. Bids were received in accordance with Ramsey County contract #RC-000013.
4. Bids have been reviewed by Jamie Atkins, Purchasing Manager.
5. Funding will be provided from Capital Levy.
6. This project meets the District Strategic Plan focus area of Program Evaluation and Resource Allocation.
7. This item is submitted by Tom Parent, Director of Facilities, and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the award of Bid No. A216679-A E-STEM (formerly Crosswinds) Middle School Renovation to Muska Companies for a lump sum base bid of \$505,043.

**INDEPENDENT SCHOOL DISTRICT NO. 625
BOARD OF EDUCATION
SAINT PAUL PUBLIC SCHOOLS**

DATE: March 19, 2019

TOPIC: Bid No. A216545-A Murray Middle School and L'Etoile du Nord Upper Improvements

A. PERTINENT FACTS:

1. This project provides all labor, materials, equipment and services for the improvements at Murray Middle School & L'Etoile du Nord Upper.
2. The following bids were received for the lump sum base bid:

	Lump Sum Base Bid <u>With Alternates 1 & 2</u>
Construction Results Corp..	\$1,883,400
Schreiber Mullaney Construction	\$1,991,432
AVM Construction	\$2,004,000
JPMI Construction	\$2,044,000
RAK Construction, Inc.	\$2,124,939

3. This is an advertised bid and accordingly, contract documents for this project were made available for examination at the Architect's office, on the District's online platform and at the following:

Builders Exchange of St. Paul
MEDA Construction Connection
Minneapolis Builders Exchange
Dodge McGraw Hill Construction Plan Room
Reed Construction Data Plan Room
iSqFt/AGC of MN Plan Room
4. Bids have been reviewed by Jamie Atkins, Purchasing Manager.
5. Funding will be provided from Long-Term Facilities Maintenance.
6. This project meets the District Strategic Plan focus area of Program Evaluation and Resource Allocation.
7. This item is submitted by Tom Parent, Director of Facilities, and Jackie Turner, Chief Operations Officer.

B. RECOMMENDATION:

That the Board of Education authorize the award of Bid No. A216545-A Murray Middle School & L'Etoile du Nord Upper Improvements to Construction Results Corp. for a lump sum base bid with Alternates 1 & 2 of \$1,883,400.



Policy Update

Cedrick Baker, Chief of Staff
Jada Wollenzien, Program Manager

Board of Education Meeting
March 19, 2019

Drug and Alcohol Testing for Drivers – Second Reading

- Propose new policy (417.00) be developed
- Rationale
 - Make an official SPPS policy because SPPS already participates in these federally mandated practices for drivers:
 - Pre-Employment Testing
 - Post-Accident Testing
 - Random Testing
 - Reasonable Suspicion Testing
 - Return-To-Duty Testing
 - Follow-Up Testing



Drug and Alcohol Testing for All Employees – Second Reading

- Propose new policy (416.00) be developed
- Rationale
 - Currently, SPPS has no current mechanism (for any employees other than drivers) to rule out or confirm someone is indeed under the influence of drugs or alcohol at work
 - Liability and safety issue
- Unlike proposed policy 417.00, this policy will not include:
 - Random Testing
 - Job Applicant Testing
 - During Routine Physical Examination Testing



Drug and Alcohol Testing for All Employees – Second Reading

- This policy will include:
 - **Reasonable Suspicion Testing**
 - Will help district in making disciplinary decisions
 - Encourages employees who truly have a problem get help
 - If an employee has one positive test, the District must give them an opportunity to participate in treatment
 - **Treatment Program Testing**
 - Testing may be required as part of an employee's participation in any chemical dependency treatment under an employee benefit plan, or any chemical dependency treatment to which an employee has been referred by the District



516.00 Medications/Medical Procedures – Second Reading

- Last revised in 2008
- Revisions made to the policy:
 - Restructuring of sentences
 - Re-wording
 - “Designee of the school administrator” to replace “designee of the principal” (paragraph 2)
 - “Medications needed at school” to replace “ medications prescribed” (paragraphs 4a, 4b)
- Additions to the policy:
 - Purpose statement
 - Paragraph 5 - overnight field trips / in original, labeled container
 - Paragraph 10 - emergency medication





Questions

**INDEPENDENT SCHOOL DISTRICT NO. 625
Saint Paul, Minnesota
360 Colborne Street**

Proposed Policy:

417.00 DRUG AND ALCOHOL TESTING FOR DRIVERS

Proposed Policy Revision:

First Reading **February 19, 2019**

Second Reading **March 19, 2019**

Third Reading _____

COMMENTS:

**Saint Paul Public Schools
360 Colborne Street
Saint Paul, Minnesota 55102
651-767-8149**

Adopted: _____

Saint Paul Public Schools Policy 417.00

Revised: _____

417 DRUG AND ALCOHOL TESTING FOR DRIVERS

I. PURPOSE

- A. Saint Paul Public Schools (SPPS) recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. SPPS further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The purpose of this policy is to outline SPPS's implementation of the drug and alcohol testing that is required by federal law for all job applicants and employees whose positions require a commercial driver's license .

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. SPPS also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of Board Policy 416.00 and as provided in Minn. Stat. §§ 181.950-181.957.
.
- B. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.
- C. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

- D. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR DRIVERS

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means a designated school district representative authorized to take immediate action to remove employees from safety-sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers,

and independent owner-operator contractors.

8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.
11. “Safety-sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles,

servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.

12. “Screening Test Technician” (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. “Stand Down” means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.
14. “Substance Abuse Professional” (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.

2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and

procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policy of the school district.

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.

H. Testing Requirements

1. Pre-Employment Testing

- a. A driver applicant shall undergo testing for alcohol and controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.
- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests),

within the preceding two (2) years.

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.
- b. The school district shall test for alcohol at a minimum annual

percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.

- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for

not administering the test.

- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.

6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing

will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.
- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual

notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.

- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor's inability to provide a breath

sample is genuine or constitutes a refusal to test.

- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

- 1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver's or driver applicant's expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.
- 2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be Concentra, Inc., 570 Asbury Street, Suite 101, Saint Paul, Minnesota, (651) 888-6540, which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13. Any information concerning the individual’s test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

Consistent with federal regulations, the District must report the following information to the Commercial Driver’s License Drug and Alcohol Clearinghouse: (i) a verified positive, adulterated, or substituted drug test result; (ii) an alcohol confirmation test with a concentration of 0.04 or higher; (iii) a refusal to submit to any test required by 49 CFR § 382, subpart C; (iv) the District’s actual knowledge on duty alcohol use, pre-duty alcohol use, alcohol use following an accident, and controlled substance use; (v) a SAP report of the successful completion of the return-to-duty process; (vi) a negative return-to-duty test; and (vii) the District’s report of completion of follow-up testing.

M. Recordkeeping Requirements and Retention of Records

- 1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.
- 2. The required records shall be retained for the following minimum periods:

Basic records	5 years
“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.	
Information obtained from previous employers	3 years
Collection records	2 years
Negative and cancelled drug tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

N. Training

The school district shall ensure all persons designated to supervise drivers receive

training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.
2. Referral, Evaluation, and Treatment
 - a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
 - b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.
 - c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
 - d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.
3. Disciplinary Action
 - a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
 - b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate

discharge.

- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of Board policy 416.00 and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Board Policy 416.00.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References:

304	Records: Data Management
413	Drug-Free Workplace
413.01	Chemical Use and Abuse
414	Tobacco-Free Environment
405	Records: Personnel Records

Adopted: _____

Saint Paul Public Schools Policy 4176.00

Revised: _____

4176 DRUG AND ALCOHOL TESTING FOR DRIVERS

I. PURPOSE

- A. Saint Paul Public Schools (SPPS) recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. SPPS further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. ~~SPPS believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, t~~The purpose of this policy is to ~~provide authority outline~~ SPPS's implementation of the drug and alcohol testing that is required by federal law so that SPPS may require all employees for all job applicants and employees whose positions require a commercial driver's license and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. SPPS also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of ~~this policy~~ Board Policy 416.00 and as provided in Minn. Stat. §§ 181.950-181.957.
- ~~B. The school district may request or require that any SPPS employee, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.~~
- ~~C.B.~~ The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically

prescribed are prohibited from entering or remaining on school district property.

DC. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

ED. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means a designated school

district representative authorized to take immediate action to remove employees from safety-sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.

6. “Department of Transportation” (DOT) means United States Department of Transportation.
7. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test

result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

11. “Safety-sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
12. “Screening Test Technician” (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. “Stand Down” means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.
14. “Substance Abuse Professional” (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the

driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled

substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policy of the school district.

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.

H. Testing Requirements

1. Pre-Employment Testing

- a. A driver applicant shall undergo testing for alcohol and controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.
- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign

an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to

administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.
- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal

effects of controlled substances.

- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
 - d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.
- 5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.
- 6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.
- 7. Refusal to Submit and Attendant Consequences
 - a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
 - b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
 - c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.

- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense.

No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can

be used for confirmation tests.

- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

- 1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.
- 2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be Concentra, Inc., 570 Asbury Street, Suite 101, Saint Paul, Minnesota, (651) 888-6540, which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

Consistent with federal regulations, the District must report the following information to the Commercial Driver's License Drug and Alcohol Clearinghouse: (i) a verified positive, adulterated, or substituted drug test result; (ii) an alcohol confirmation test with a concentration of 0.04 or higher; (iii) a refusal to submit to any test required by 49 CFR § 382, subpart C; (iv) the District's actual knowledge on duty alcohol use, pre-duty alcohol use, alcohol use following an accident, and controlled substance use; (v) a SAP report of the successful completion of the return-to-duty process; (vi) a negative return-to-duty test; and (vii) the District's report of completion of follow-up testing.

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.
2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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"Basic records" includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Collection records	2 years
Negative and cancelled drug tests	1 year

Alcohol tests with less than 0.02 concentration
Education and training records

1 year
indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.
2. Referral, Evaluation, and Treatment
 - a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
 - b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP’s evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.
 - c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
 - d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.
3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of ~~this Board~~ policy 416.00 and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by ~~Section IV. of this policy~~ Board Policy 416.00.

~~IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES~~

~~The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.~~

~~A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:~~

~~1. General Limitations~~

- ~~a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done~~

pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

- b. ~~The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.~~

4. ~~Reasonable Suspicion Testing~~

~~The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:~~

- a. ~~is under the influence of drugs or alcohol;~~
- b. ~~has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;~~
- c. ~~has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or~~
- d. ~~has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.~~

5. ~~Treatment Program Testing~~

~~Testing may be required as part of an employee's participation in any chemical dependency treatment under an employee benefit plan, or any chemical dependency treatment to which an employee has been referred by the District.~~

B. ~~No Legal Duty to Test~~

~~The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.~~

~~C. Definitions~~

- ~~1. “Drug” means a controlled substance as defined in Minnesota Statute 152.01, subd. 4.~~
- ~~2. “Drug and alcohol testing,” “drug or alcohol testing,” and “drug or alcohol test” mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.~~
- ~~3. “Other Employees” means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver’s license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver’s license are primarily governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver’s license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of “other employees.”~~
- ~~5. “Positive test result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.~~
- ~~6.~~
- ~~7. “Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.~~

~~D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal~~

~~1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing~~

~~Any employee or job applicant whose position does not require a commercial driver’s license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of this Section D.~~

~~2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing~~

~~Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.~~

~~E. Reliability and Fairness Safeguards~~

~~1. Pretest Notice~~

~~Before requesting an employee whose position does not require a commercial driver's license to undergo drug or alcohol testing, the school district shall provide the employee with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee has received the school district's drug and alcohol testing policy.~~

~~2. Notice of Test Results~~

~~Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.~~

~~3. Notice of and Right to Test Result Report~~

~~Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee who has undergone drug or alcohol testing of the employee's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.~~

~~4. Notice of and Right to Explain Positive Test Result~~

~~a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.~~

~~b. The school district may request that the employee indicate any over-the-counter or prescription medication that the individual is~~

~~currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.~~

~~c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.~~

~~d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee may submit information (in addition to any information already submitted) to the school district to explain that result.~~

~~5. Notice of and Right to Request Confirmatory Retests~~

~~a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.~~

~~b. An employee may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee.~~

~~6. If an employee has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform him or her of other rights provided under Sections F. or G., below, whichever is applicable.~~

~~Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.~~

~~F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License~~

- ~~1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.~~
- ~~2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.~~
- ~~3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:~~
 - ~~a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and~~
 - ~~b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.~~
- ~~4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.~~
- ~~5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.~~

~~6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.~~

~~7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.~~

~~H. Chain of Custody Procedures~~

~~The school district has established its own reliable chain of custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:~~

- ~~1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;~~
- ~~2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;~~
- ~~3. A sample must be accompanied by a written chain of custody record; and~~
- ~~4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain of custody record at the time of transfer.~~

~~I. Privacy, Confidentiality and Privilege Safeguards~~

~~1. Privacy Limitations~~

~~A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.~~

~~2. Confidentiality Limitations~~

~~With respect to employees, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not be~~

~~disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee tested.~~

~~3. Exceptions to Privacy and Confidentiality Disclosure Limitations~~

~~Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.~~

~~4. Privilege~~

~~Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee tested.~~

~~J. Notice of Testing Policy to Affected Employees~~

~~The school district shall provide written notice of this drug and alcohol testing policy to all affected employees upon adoption of the policy and to a previously non-affected employee upon transfer to an affected position under the policy. Affected employees will acknowledge receipt of this written notice in the form of Attachment G to this policy.~~

~~V. POSTING~~

~~The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees in its personnel office or other suitable locations.~~

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)

49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)

49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)

49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References:

304	Records: Data Management
413	Drug-Free Workplace
413.01	Chemical Use and Abuse
414	Tobacco-Free Environment
405	Records: Personnel Records

**INDEPENDENT SCHOOL DISTRICT NO. 625
Saint Paul, Minnesota
360 Colborne Street**

Proposed Policy:

416.00 DRUG AND ALCOHOL TESTING FOR ALL EMPLOYEES

Proposed Policy Revision:

First Reading **February 19, 2019**

Second Reading **March 19, 2019**

Third Reading _____

COMMENTS:

**Saint Paul Public Schools
360 Colborne Street
Saint Paul, Minnesota 55102
651-767-8149**

Adopted: _____

Saint Paul Public Schools Policy 416.00

Revised: _____

416 DRUG AND ALCOHOL TESTING FOR ALL EMPLOYEES

I. PURPOSE

- A. Saint Paul Public Schools (SPPS) recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. SPPS further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. SPPS believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that SPPS may require all employees to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. The school district may request or require that any SPPS employee, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. Employees and applicants whose positions require a commercial driver's license will be tested in accordance with federal law and Board Policy 417.00.
- B. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.
- C. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work

day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

- D. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. DRUG AND ALCOHOL TESTING FOR ALL EMPLOYEES

The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers or other drivers of CMVs who are subject to federally mandated testing. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in Board policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Board Policy 417.00.) If a driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Board Policy 416.00 will be applicable to such testing.

A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:

1. General Limitations

- a. The school district will not request or require an employee whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
- b. The school district will not request or require an employee whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school

district's premises or operating the school district's vehicles, machinery, or equipment;

- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

3. Treatment Program Testing

Testing may be required as part of an employee's participation in any chemical dependency treatment under an employee benefit plan, or any chemical dependency treatment to which an employee has been referred by the District.

B. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

- 1. "Drug" means a controlled substance as defined in Minnesota Statute 152.01, subd. 4.
- 2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
- 3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."

5. “Positive test result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
6. “Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee to Refuse Drug and Alcohol Testing

Any employee whose position does not require a commercial driver’s license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of this Section D.

2. Consequences of an Employee’s Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver’s license who refuses to undergo drug and alcohol testing in the circumstances set out in the Reasonable Suspicion Testing and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee whose position does not require a commercial driver’s license to undergo drug or alcohol testing, the school district shall provide the employee with a Pretest Notice in the form of Attachment 1 to this policy on which to acknowledge that the employee has received the school district’s drug and alcohol testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee who has undergone drug or alcohol testing of a negative test result on an

initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee who has undergone drug or alcohol testing of the employee's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The school district may request that the employee indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
- b. An employee may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the

employee has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee .

6. If an employee has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform him or her of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments 2 and 3 to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the

program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.

4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the

sample;

3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing

policy to all affected employees upon adoption of the policy and to a previously non-affected employee upon transfer to an affected position under the policy. Affected employees will acknowledge receipt of this written notice in the form of Attachment 4 to this policy.

V. POSTING

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees in its personnel office or other suitable locations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References:

304	Records: Data Management
413	Drug-Free Workplace
413.01	Chemical Use and Abuse
414	Tobacco-Free Environment
405	Records: Personnel Records

Adopted: _____

Saint Paul Public Schools Policy 416.00

Revised: _____

416 DRUG AND ALCOHOL TESTING FOR ALL EMPLOYEES

I. PURPOSE

- A. Saint Paul Public Schools (SPPS) recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. SPPS further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. SPPS believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that SPPS may require all employees ~~and/or job applicants~~ to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in ~~federal law and~~ Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- ~~A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. SPPS also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.~~
- BA. The school district may request or require that any SPPS employee, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. Employees and applicants whose positions require a commercial driver's license will be tested in accordance with federal law and Board Policy 417.00.
- CB. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

~~DC.~~ The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

~~ED.~~ Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

~~III. — FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS~~

~~A. — General Statement of Policy~~

~~All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.~~

~~B. — Definitions~~

- ~~1. — "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.~~
- ~~2. — "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.~~
- ~~3. — "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.~~
- ~~4. — "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.~~
- ~~5. — "Designated Employer Representative" (DER) means a designated school district representative authorized to take immediate action to remove~~

~~employees from safety sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.~~

- ~~6. “Department of Transportation” (DOT) means United States Department of Transportation.~~
- ~~7. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.~~
- ~~8. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.~~
- ~~9. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.~~
- ~~10. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who~~

~~leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.~~

- ~~11. “Safety sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.~~
- ~~12. “Screening Test Technician” (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.~~
- ~~13. “Stand Down” means to temporarily remove an employee from performing safety sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.~~
- ~~14. “Substance Abuse Professional” (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.~~

~~C. Policy and Educational Materials~~

- ~~1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.~~
- ~~2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.~~
- ~~3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.~~
- ~~4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.~~

~~D. — Alcohol and Controlled Substances Testing Program Manager~~

- ~~1. — The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.~~
- ~~2. — The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.~~

~~E. — Specific Prohibitions for Drivers~~

- ~~1. — Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.~~
- ~~2. — Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.~~
- ~~3. — On Duty Use. No driver shall use alcohol while performing safety sensitive functions.~~
- ~~4. — Pre Duty Use. No driver shall perform safety sensitive functions within four (4) hours after using alcohol.~~
- ~~5. — Use Following an Accident. No driver required to take a post accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post accident alcohol test, whichever occurs first.~~
- ~~6. — Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post accident, random, reasonable suspicion, return to duty, or follow up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.~~
- ~~7. — Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is~~

~~enrolled in the state registry program.~~

- ~~8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.~~
- ~~9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.~~

~~F. Other Alcohol Related Conduct~~

~~No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policy of the school district.~~

~~G. Prescription Drugs~~

~~A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.~~

~~H. Testing Requirements~~

~~1. Pre-Employment Testing~~

- ~~a. A driver applicant shall undergo testing for alcohol and controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.~~
- ~~b. Tests shall be conducted only after the applicant has received a conditional offer of employment.~~
- ~~c. In order to be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing~~

~~former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.~~

- ~~d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety sensitive transportation work covered by DOT testing rules.~~

~~2. Post Accident Testing~~

- ~~a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.~~
- ~~b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.~~
- ~~c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty two (32) hours after the accident.~~
- ~~d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.~~
- ~~e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.~~
- ~~f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating~~

~~the reasons for not administering the test.~~

~~3. Random Testing~~

- ~~a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.~~
- ~~b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.~~
- ~~c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.~~
- ~~d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.~~
- ~~e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.~~

~~4. Reasonable Suspicion Testing~~

- ~~a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.~~
- ~~b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.~~

- ~~c. — Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.~~
 - ~~d. — The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.~~
- ~~5. — Return To Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return to duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.~~
- ~~6. — Follow Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.~~
- ~~7. — Refusal to Submit and Attendant Consequences~~
 - ~~a. — A driver or driver applicant may refuse to submit to drug and alcohol testing.~~
 - ~~b. — Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. § 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.~~
 - ~~c. — A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.~~

- d. ~~An employee who refuses to submit to testing shall not be permitted to perform safety sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety sensitive duty, the employee will be evaluated by an SAP and must submit to a return to duty test prior to being considered for reassignment to safety sensitive functions.~~
- e. ~~Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.~~

I. ~~Testing Procedures~~

1. ~~Drug Testing~~

- a. ~~Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.~~
- b. ~~If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.~~
- c. ~~Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.~~

- d. ~~If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services—SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.~~
- e. ~~If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety sensitive functions.~~
- f. ~~The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:~~
- ~~(1) The donor expressly declines the opportunity to discuss the test results;~~
 - ~~(2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or~~
 - ~~(3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.~~

~~2. Alcohol Testing~~

- a. ~~The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.~~

- ~~b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.~~
- ~~c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.~~
- ~~d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.~~
- ~~e. Alcohol tests are reported directly to the DER.~~

~~J. Driver/Driver Applicant Rights~~

- ~~1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.~~
- ~~2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:~~
 - ~~a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and~~
 - ~~b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.~~
 - ~~c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.~~

~~K. — Testing Laboratory~~

~~The testing laboratory for controlled substances will be Concentra, Inc., 570 Asbury Street, Suite 101, Saint Paul, Minnesota, (651) 888-6540, which is a laboratory certified by the Department of Health and Human Services — SAMHSA to perform controlled substances testing pursuant to federal regulations.~~

~~L. — Confidentiality of Test Results~~

~~All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minn. Stat. Ch. 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.~~

~~Consistent with federal regulations, the District must report the following information to the Commercial Driver's License Drug and Alcohol Clearinghouse: (i) a verified positive, adulterated, or substituted drug test result; (ii) an alcohol confirmation test with a concentration of 0.04 or higher; (iii) a refusal to submit to any test required by 49 CFR § 382, subpart C; (iv) the District's actual knowledge on duty alcohol use, pre-duty alcohol use, alcohol use following an accident, and controlled substance use; (v) a SAP report of the successful completion of the return-to-duty process; (vi) a negative return-to-duty test; and (vii) the District's report of completion of follow-up testing.~~

~~M. — Recordkeeping Requirements and Retention of Records~~

- ~~1. — The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.~~
- ~~2. — The required records shall be retained for the following minimum periods:~~

~~Basic records ————— 5 years~~

~~“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.~~

~~Information obtained from previous employers ————— 3 years~~

~~Collection records ————— 2 years~~

~~Negative and cancelled drug tests ————— 1 year~~

~~Alcohol tests with less than 0.02 concentration ————— 1 year~~

~~Education and training records~~ ~~indefinite~~

~~“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.~~

~~N. Training~~

~~The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.~~

~~O. Consequences of Prohibited Conduct and Enforcement~~

~~1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety sensitive functions. A driver shall not be permitted to return to safety sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.~~

~~2. Referral, Evaluation, and Treatment~~

~~a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.~~

~~b. If the school district offers a driver an opportunity to return to a DOT safety sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP’s evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.~~

~~c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.~~

~~d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.~~

~~3. Disciplinary Action~~

~~a. Any driver who refuses to submit to post accident, random,~~

~~reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.~~

~~b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.~~

~~c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.~~

~~P. Other Testing~~

~~The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.~~

III.V. DRUG AND ALCOHOL TESTING FOR ~~OTHER~~ ALL EMPLOYEES

The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers or other drivers of CMVs who are subject to federally mandated testing. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in ~~this Board~~ policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See ~~Section III. of this Board Policy 417.00~~.) If a ~~school bus~~ driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of ~~Section IV. of this Board Policy 416.00~~ will be applicable to such testing.

A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:

1. General Limitations

a. The school district will not request or require an employee ~~or job applicant~~ whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done

pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

- b. The school district will not request or require an employee ~~or job applicant~~ whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

24. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

35. Treatment Program Testing

Testing may be required as part of an employee's participation in any chemical dependency treatment under an employee benefit plan, or any chemical dependency treatment to which an employee has been referred by the District.

B. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

1. “Drug” means a controlled substance as defined in Minnesota Statute 152.01, subd. 4.
2. “Drug and alcohol testing,” “drug or alcohol testing,” and “drug or alcohol test” mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. “Other Employees” means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver’s license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver’s license are primarily governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver’s license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of “other employees.”
5. “Positive test result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
6. ~~67.~~ “Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee ~~or Job Applicant~~ to Refuse Drug and Alcohol Testing

Any employee ~~or job applicant~~ whose position does not require a commercial driver’s license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of this Section D.

2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the ~~Random Testing~~, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee whose position does not require a commercial driver's license to undergo drug or alcohol testing, the school district shall provide the employee with a Pretest Notice in the form of Attachment ~~1D~~ to this policy on which to acknowledge that the employee has received the school district's drug and alcohol testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee who has undergone drug or alcohol testing of the employee's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The school district may request that the employee indicate any over-the-counter or prescription medication that the individual is

currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee has a positive test result on a confirmatory test, the school district shall, within three (3) working days, provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
- b. An employee may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee .

- 6. If an employee has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform him or her of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments ~~2E~~ and ~~3F~~ to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.

6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn. Stat. Ch. 13, and may not be

disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing policy to all affected employees upon adoption of the policy and to a previously non-affected employee upon transfer to an affected position under the policy. Affected employees will acknowledge receipt of this written notice in the form of Attachment ~~4G~~ to this policy.

V. POSTING

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees in its personnel office or other suitable locations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)

49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)

49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)

49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References:

304	Records: Data Management
413	Drug-Free Workplace
413.01	Chemical Use and Abuse
414	Tobacco-Free Environment
405	Records: Personnel Records

Proposed Policy:

Proposed Policy Revision:

Third Reading

203

Adopted: 8/10/1976
Revised: 2/1/1994; 6/17/2008

Saint Paul Public Schools Policy

516.00

516.00 STUDENTS: MEDICATIONS/ MEDICAL PROCEDURES

PURPOSE

In order to remove health related barriers to learning, students may require medication and medical procedures that allow students access to education. Individual plans, including individual health plans, emergency care plans, Section 504 plans, and individualized education plans (IEPs) guide the care of students with health conditions and disabilities.

1. The following provisions shall be followed when administering medications or medical procedures to students at school.
2. Medications and medical procedures that must be administered during the school day in order for a student to attend school shall be administered by the school nurse or by a designee of the school administrator whom the school nurse has trained and delegated the function of medication administration or provision of medical procedures.
3. The parent or guardian will supply the medications to school in the original, labeled container. The nurse or designee will administer the medication according to the label.
4. The parent or guardian will notify the school nurse or designee when medication must be administered during the school day.
 - a. For medication needed at school for a period of two weeks or longer, a written order signed by a prescribing health professional and the custodial parent or guardian is required. Such orders shall be renewed annually and whenever medication, dosage, or administration changes.
 - b. For medication needed at school for a period of less than two weeks, a written request for administration signed by the custodial parent or guardian is required.
5. Medications that must be administered during an overnight field trip or outside of the school day must be in the original, labeled container with a written request from a custodial parent or guardian.
6. A student may be allowed to self-administer and/or self-carry medication upon written recommendation of the prescribing health professional and custodial parent or guardian and consultation of the school nurse.
7. A secondary student may possess and use nonprescription pain relief medication in a manner consistent with the labeling if the school nurse has received a written authorization from the custodial parent or guardian permitting the student to self-administer and self-carry the medication. Such authorizations must be renewed annually. A student's privilege to possess and use nonprescription pain relievers may be revoked if it is determined the student is abusing the privilege.
8. Medications and medical procedures that can be administered to the student appropriately before or after school will be the responsibility of the parent(s) or guardian.
9. Controlled substances prescribed to students must always be kept in a locked cabinet and shall never be carried by a student or self-administered.
10. Emergency medication will be provided to students when provided by the family and ordered by the student's health care provider, as part of the student's Emergency Care Plan. Emergency medication may also be made

available to students for specific conditions following a protocol developed with a medical director or advanced practice registered nurse.

LEGAL REFERENCES:

Minn. Stats. §§ 121A.22 to 121A.222

CROSS REFERENCES:

Minnesota Guidelines for Medication Administration in Schools

Revised June 2015, Division of Community and Family Health, Minnesota Department of Health.

Written in collaboration with:

Minnesota Board of Nursing

Minnesota Department of Education

Minnesota Department of Human Services

Student Health and Wellness documents

Components of Asthma Management in the School

Components of Diabetes Management in the School

Components of Anaphylaxis Management in the School

Components of ADHD Management in the School (Tara and Jennifer are updating)

Authorization for the Administration of Medication/Treatment H-25

Authorization for the Administration of Medication/Treatment Asthma,

Anaphylaxis, Diabetes, Seizure H-25 AADS

Self Carry/Self Administer Medication Agreement H-76

516.00 STUDENTS: MEDICATIONS/ MEDICAL PROCEDURES

PURPOSE

In order to remove health related barriers to learning, students may require medication and medical procedures that allow students access to education. Individual plans, including individual health plans, emergency care plans, Section 504 plans, and individualized education plans (IEPs) guide the care of students with health conditions and disabilities.

1. The following provisions shall be followed when administering medications or medical procedures to students at school.
2. Medications and medical procedures that must be administered during the school day in order for a student to attend school shall be administered by the school nurse or by a designee of the school administrator of the principal whom the school nurse has trained and delegated the function of medication administration or provision of medical procedures.
3. The parent or guardian will supply the medications ~~Medications must be supplied by the parent or guardian and brought to school in the original, labeled container. The nurse or designee will administer the medication according to the label.~~
4. The parent or guardian will notify the school nurse or designee ~~school nurse shall be notified in writing by the parent or guardian~~ when medication must be administered during the school day.
 - a. For medication prescribed-needed at school for a period of two weeks or longer, a written order signed by a prescribing health professional and the custodial parent or guardian is required. Such orders shall be renewed annually and whenever medication, dosage, or administration changes.
 - b. For medication prescribed-needed at school for a period of less than two weeks, a written request for administration signed by the custodial parent or guardian is required.
5. Medications that must be administered during an overnight field trip or outside of the school day must be in the original, labeled container with a written request from a custodial parent or guardian.
6. A student may be allowed to self-administer and/or self-carry medication ~~Upon-upon~~ written recommendation of the prescribing health professional and custodial parent or guardian and consultation of the school nurse, ~~a student may be allowed to self-administer and/or self-carry medication.~~
7. A secondary student may possess and use nonprescription pain relief medication in a manner consistent with the labeling if the school nurse has received a written authorization from the custodial parent or guardian permitting the student to self-administer and self-carry the medication. Such authorizations must be renewed annually. A student's privilege to possess and use nonprescription pain relievers may be revoked if it is determined the student is abusing the privilege.
8. Medications and medical procedures that can be administered to the student appropriately before or after school will be the responsibility of the parent(s) or guardian.

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LEGAL REFERENCES:

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CROSS REFERENCES:

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Components of ADHD Management in the School (Tara and Jennifer are updating)
Authorization for the Administration of Medication/Treatment H-25
Authorization for the Administration of Medication/Treatment Asthma, Anaphylaxis, Diabetes, Seizure H-25 AADS
Self Carry/Self Administer Medication Agreement H-76



FY 2019-20 General Fund Budget Update

Board of Education

Marie Schrul, Chief Financial Officer

March 19, 2019

Purpose

To provide an update on the FY 2019-20 budget and timeline to the Board of Education



Agenda

- FY 2019-20 General Fund Budget Update
- Planning Information
- Budget Timeline – (Key Dates for March-April)

FY 2019-20 General Fund Budget

Preliminary Big Picture

	FY19 Adopted (in \$M)	FY20 Preliminary (in \$M)	Difference (in \$M)
Revenue (including LTFM)	\$560.8	\$570.5	\$9.7
Use of Fund Balance	0	0	0
Expenditures	\$560.8	\$573.4	\$12.6
Projected FY20 Shortfall		(\$2.9)	

Projected revenue assumptions are based on a 1% increase to per pupil formula

Projected revenue amount includes Long Term Facilities Maintenance (LTFM) sources within the General Fund prior to any State UFARS required transfers to the Building Construction Fund



FY 2019-20 General Fund Projected Revenue

Projected Revenue Changes:	Amount \$M
Referendum levy increase	\$17.3
State Aid increase (assumption of 1% increase on formula)	3.1
State Aid decrease (due to enrollment decline)	(6.9)
Compensatory Education decrease (based on 10/1/18 Free & Reduced lunch count)	(5.5)
Other revenue changes	(0.5)
Special Education	2.2
Total FY20 Projected Revenue Increase	\$9.7



FY20 Budget Planning Changes

- SPPS Achieves integrated within the FY20 Budget
 - Schedule to Support the Middle School Model
 - College & Career Programming
 - Professional Development for paraprofessionals on social-emotional learning and PBIS
 - Culturally Responsive Instruction curriculum writing
- Projected Enrollment (10/1 actuals from 2017 & 2018 – average for budget projection)
- Additional Referendum funding - separate allocations



March 25:
FY20 School Budget
Rollout

**March 25-
April 19:**
Joint Budget &
Staffing Meetings,
“Budget Fairs”

March 27:
FY20 “Budget Fair”

April 19:
FY20 School
Budgets Due

FY20 School Budget Timeline

- Budget Rollout to Sites on March 25
- Site Budget Toolkit
- FAQs Communication guide
- Budgeting 101 Video
- Principals “Budget Fair”
- Guidance on School Community Engagement

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FY20 Program Budget Timeline

April 1 TBD:
FY20 Program
Budget Rollout

April 26 TBD:
FY20 Program
Budgets Returned

- Budget Rollout to Programs on April 1
- Joint Meetings with Leadership, Program Administrators, and Accounting Staff
- Budget FAQs Communication guide

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Questions?

BOARD OF EDUCATION | 2018-2020SY MEETING DATES

	COB	BOE
TIME	4:30pm (unless otherwise noted)	Public Comment 5:30 Board of Education Meeting 6:05pm
2018-2019SY		
JAN	1/8/2019 4:30 pm	1/8/2019 6:00 pm Annual Meeting
		1/22/2019
FEB	2/5/2019	2/19/2019
MAR	3/5/2019	3/19/2019
APR	4/9/2019	4/23/2019
MAY	5/7/2019	5/21/2019
JUNE	6/11/2019	6/11/2019 Special Non-Renewals
		6/18/2019
JULY		7/23/2019
AUG	Wed. 8/7/2019 Rescheduled to Wed. – NNO	8/20/2019

2019-2020SY		
SEPT	9/10/2019	9/17/2019
OCT	10/15/2019	10/22/2019
NOV	11/12/2019	11/19/2019
DEC	12/3/2019	12/17/2019
JAN	1/7/2020 4:30 pm	1/7/2020 6:45 pm Annual Meeting
		1/21/2020
FEB	2/11/2020	2/18/2020
MAR	3/10/2020	3/24/2020

APR	4/7/2020	4/21/2020
MAY	5/5/2020	5/19/2020
JUNE	6/9/2020	6/9/2020 Special Non-Renewals
		6/23/2020
JULY		7/21/2020
AUG	Wed. 8/5/2020 Wed. – NNO	8/18/2020