

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

March 5, 2019
4:30 PM

A G E N D A

I. CALL TO ORDER

A. Introductions

II. AGENDA

A. Superintendent's Announcements

B. SEAB Report

C. Legislative Update

1. Introduction

2. Presentation

3

3. Discussion

4. Action (Acceptance of Report)

D. BFAC Recommendations

1. Introduction

2. Presentation

15

3. Discussion

4. Action (TBD)

E. December Quarterly Budget Report

1. Introduction

2. Presentation

41

3. Discussion

4. Action (TBD)

F. FY20 Budget Update

1. Introduction

2. Presentation

54

3. Discussion

4. Action (TBD)

G. Policy Update

1. Introduction

2. Presentation

3. Discussion

4. Action (TBD)

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III. ADJOURNMENT

IV. WORK SESSION



Legislative Update

Mary Gilbert Dougherty | Legislative Liaison

SPPS Committee of the Board Meeting
March 5, 2019

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**



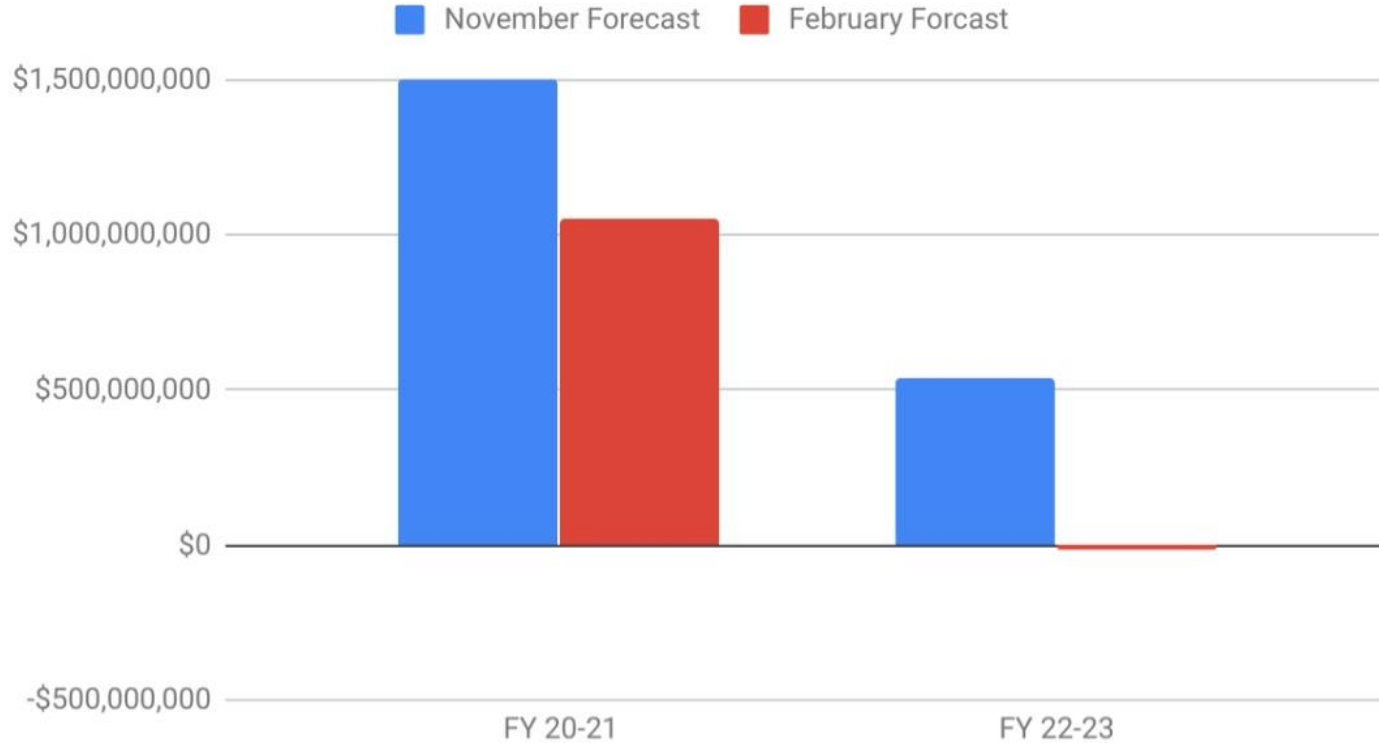
Governor's Budget Big Picture

- 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 in FY20-21 and \$32 million in FY22-23 (0.2%)

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Nov. Forecast vs. Feb. Forecast



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



Governor's Budget | \$733 million

(cont.)

- 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



Governor's Budget | Other Agencies

(cont.)

- 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

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Other Policy & 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?



Budget & Finance Advisory Committee

Committee of the Board

Owen King & Marie Schrul
Peter Hendricks & Marie Schrul
March 5, 2019

Purpose

- To present the results of the 2018-2019 charge to the Budget and Finance Advisory Committee (BFAC) to the Committee of the Board of Education

Agenda

- Welcome and Introduction of BFAC members
- Background of the committee
- The charge to the committee/subcommittees
- The Ideal School Model recommendations
- The Budget/Expenditure Line Item review and recommendations
- Discussion



Background of the Committee

- Why have a Budget and Finance Advisory Committee?
- School Year 2017-18
 - Training of the BFAC on how budgets are created
- School Year 2018-19
 - 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

²⁰**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.)



Ideal School Model

Process

- Reviewed research:
 - 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 $\approx$ 300
 - Large school $\approx$ 600
- Class size $\approx$ 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
 - Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE
- Site based and job embedded professional development



Small Elementary Model

Teaching needs

Assuming 25 students per class:

Kindergarten	2 classrooms 50 students	2 teachers
First grade	2 classrooms 50 students	2 teachers
Second grade	2 classrooms 50 students	2 teachers
Third grade	2 classrooms 50 students	2 teachers
Fourth grade	2 classrooms 50 students	2 teachers
Fifth grade	2 classrooms 50 students	2 teachers
		12 classroom teachers total
2 specialists/resource teachers		14 teachers total



Staffing

Front office: 1 Principal, 0 Assistant Principal, 1 Clerks, 1 Parent Engagement

Support staff: 1 nurse, 1 librarian, 1 coach, 1 counselor, 1 social worker, 1 behavior support,
1 interventionists, 1 additional staff



Large Elementary Model

Teaching needs

Assuming 25 students per class:

Kindergarten	4 classrooms	100 students	4 teachers
First grade	4 classrooms	100 students	4 teachers
Second grade	4 classrooms	100 students	4 teachers
Third grade	4 classrooms	100 students	4 teachers
Fourth grade	4 classrooms	100 students	4 teachers
Fifth grade	4 classrooms	100 students	4 teachers
			24 classroom teachers total
4 specialists/resource teachers			30 teachers total
2 specialists to support job embedded professional development			

Staffing

Front office: 1 Principal, 1 Assistant Principal, 2 Clerks, 1 Parent Engagement

Support staff: 1 nurse, 1 librarian, 1 coach, 1 counselor, 1 social worker, 1 behavior support,
2 interventionists, 2 additional staff



The Ideal Middle School Model

- Enrollment
 - Small school $\approx$ 450
 - Large school $\approx$ 900
- Class size $\approx$ 30
- Core teachers
- 26 ● Elective teachers
- Non-licensed staff (clerical, educational assistants, teacher assistants...)
- Principal & Assistant Principal
- School-wide
 - Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE
- Site based and job embedded professional development

Teaching needs: Middle School Model

Teaching needs

(Assuming 30 students per class, 5 class periods per teacher)

150 students per grade

300 students per grade

Core courses: math, science, social studies, ELA

Sixth Grade

4 teachers (1/subject)

8 teachers (2/subject)

Seventh Grade

4 teachers

8 teachers

Eighth Grade

4 teachers

8 teachers

Electives:

Music

1

2

Art

1

2

Health

1

2

PE

1.5

3

Tech

1

2

CTE

1

2

Foreign Lang.

2

4

20.5 teachers total

41 teachers total



Staffing: Middle School Model

Staffing

		<u>150 students per grade</u>	<u>300 students per grade</u>
Front office:	Principal	1	1
	Asst. Principals	1	2
	Clerks	2	3
	Parent Engagement	1	1
Support staff:	Nurse	1	1
	Librarian	1	1
	Coach	1	1
	Counselor (225:1)	2	4
	Social worker	1	1
	Behavior support	1	1
	Interventionists	2	2
	Additional	2	2

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The Ideal High School Model

- Enrollment $\approx$ 1400
- Class size $\approx$ 30
- Core teachers
- Elective teachers
- Non-licensed staff (clerical, educational assistants, teacher assistants...)
- Principal & Assistant Principal
- School-wide
 - Nurse, librarian, social worker, counselor, specialist (family engagement, intervention, cultural specialist), flexible FTE
- Site based and job embedded professional development

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High School Model

Teaching needs

Ideal size: 400 9th, 360 10th, 340 11th, 300 12th

Core courses: math, science, social studies, ELA

Math	10 teachers
Science	10 teachers
ELA	10 teachers
Social Studies	10 teachers
Magnet (Immersion, etc.)	4 teachers
	44 total core teachers

Electives:

Music	3	Art	3
Health	1	PE	3
CTE	4	Foreign Lang.	4
Magnet	2		
	22 teachers		



High School Model

Staffing

Front office:	Principal	1
	Clerks	5
Support staff:	Nurse	1
	Coach	1
	Social worker	1
	Interventionists	2

Asst. Principals
Parent Engagement
Librarian
Counselor (225:1)
Behavior support
Additional



Discussion & 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



Line Item Expenditures Subcommittee

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



Line Item Expenditures Subcommittee

Recommendation #1:

SPPS should start the budget process earlier in future years to engage and obtain meaningful input from the public

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- Schedule annual budget information sessions for the public to learn about the budget process, priorities and the factors that influence a school's budget
- Adopt and adhere to a budget timeline



Line Item Expenditures Subcommittee

Recommendation #2:

SPPS should invest in appropriate technology to save money, time and to improve communication with stakeholders

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- Automating payroll timecards
- Automated/enhance bus tracking system
- Implement/enhance technology in student placement process



Line Item Expenditures Subcommittee

Recommendation #3:

SPPS must seek additional revenue opportunities

- Q Comp must be a priority



Line Item Expenditures Subcommittee

Recommendation #4:

SPPS must improve the process to allow the public to make financial contributions to the District

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- Process for individual donations, particularly of appreciated stock
- Partnerships with corporate donors and individuals



Line Item Expenditures Subcommittee

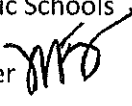
Recommendation #5:

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



Discussion & Questions

March 1, 2019

To: Board of Directors, Saint Paul Public Schools
From: Marie Schrul, Chief Financial Officer 
Subject: Quarterly Financial Report for the quarter ending December 31, 2018

Attached are the following items for discussion at the Committee of the Board meeting on Tuesday, March 5, 2019:

- Highlights of the quarterly financial report
- Quarterly financial report for the period ending December 31, 2018
- Glossary of financial terms

I look forward to our discussion on this topic at Tuesday's meeting.

COB Action Item

Recommendation: Acceptance of the quarterly financial report for the period ending December 31, 2018.

**SAINT PAUL PUBLIC SCHOOLS
QUARTERLY FINANCIAL REPORT**

FOR THE PERIOD ENDING

December 31, 2018

December, 2018 Quarterly Financial Report

The December 31, 2018 Quarterly Financial Report is an update to the Board of Education on the current fiscal year 2018-19 budget and it 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 adopted 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 7 funds. The final determination, by fund, occurs each fall, following the acceptance of the audit report.

Reminder: the Governmental Accounting Standards Board, known as GASB 54, prescribes the fund balance accounts within the General Fund. The unassigned fund balance in the General Fund is required to maintain a balance of 5% as referred to in Board policy. The fund balance in the Food Service fund is controlled by federal USDA regulations.

Highlights in the report include the following:

Page 1

The General Fund includes the five fund balance categories. Please refer to the financial definitions sheet for descriptions of fund balances.

General Fund revenue is projected to increase by \$1.8 m in the following areas: Local levy sources increasing by \$2.7 m due to levy adjustments and tax increment financing (TIF) revenue. State aid decreasing by \$4.9 m due to enrollment decline, Operating Capital revenue increasing by \$3.3 m due to the sale of the Albion property, and other revenue increasing by \$0.6 m for misc. items.

SPPS Administration is monitoring the impact of the recent 6 snow days on overall revenue. No adjustments have been made to the projections in the General Fund for snow days at this time

Expenditures are projected to increase by \$8.7 m. Areas that contribute to the projected increase include: Facilities (Operations & LTFM program budgets), the Substitute budget, and the Transportation budget which are all projected to be over the FY19 allocation amounts.

These changes result in a projected unassigned fund balance of 6.1%, which is within the 5% Board of Education policy.

Page 2

General Fund, Fully Financed: Revenue is projected to be under budget by \$8.9 m due to lower expenditures, mainly grants and Federal entitlements. Expenditures are projected to be under budget by \$9.2 m, mainly in the areas of Title I & Title II. Fund balance is projected to slightly increase by \$0.2 m.

Page 3

Revenue is projected to decrease by \$1.6 m due to a projected decrease in meals served this year due to multiple snow days and a decrease in enrollment. The Community Eligibility Provision (CEP) provides free breakfast and lunch to all enrolled students and continues in 40 sites for the current year. The Fresh Fruit and Vegetable Grant has resumed in FY19 at 23 schools.

Expenditures are projected to decrease by \$1.6 m. Projected reductions are in labor and food associated with the decrease in meals served and improvements in metrics tracking labor based on meals served per hour. Nutrition services has implemented a strict 4-week cycle menu to better control costs and inventory as well as increase variety. Breakfast to go continues to be available district wide at no charge

Fund balance is projected to slightly decrease. The projected fund balance is below the maximum allowed fund balance as defined as 3 months of average monthly expenditures.

Page 4

Revenue is projected to increase by \$0.7 m with Discovery Club and Community Education Admin having the largest revenue increases. Expenditures are projected to decrease by \$1.4 m. School Readiness, Adult Basic Education, Discovery Club, and Early Childhood/Family Education will have the largest decreases in expenditures. Fund Balance is projected to increase by about \$1.9 m. mostly in the areas of Discovery Club, School Readiness, Adult Basic Education, and Early Childhood Family Education.

Highlights of the December 31, 2018 Quarterly Financial Report (continued)

Page 5

Community Service, Fully Financed Fund: Revenue activity is projected to be lower than budget by \$0.7 m within individual Community Education fully financed grant programs, specifically 21st Century grants. Expenditures are projected to lower than budget by \$0.4 m within individual Community Education fully financed grant programs (21st Century grants). Also contributing to this projection are the non-public textbook aid budgets which are projected to be fully spent by fiscal year end. Fund Balance is projected to decrease by \$0.2 m in the restricted category for Community Service.

Page 6

Building Construction Fund: Revenue is projected to increase by \$70 m from the anticipated sale of Certificates of Participation during April 2019.

Certificate of Participation expenditures are expected to increase with the addition of Como Senior, Linwood-Monroe Upper, Linwood-Monroe Lower, American Indian Magnet and Phalen Lake projects in the FY19 plan. LTFM expenditures have been transferred to the General Fund. Capital Bond expenditures are anticipated to exceed revenue by approximately \$9.9 m.

Fund Balance is projected to decrease by \$1.3 m. Capital Bond overexpenditures added to the Capital Bond Fund Balance deficit resulting in a projected deficit of \$37.2m. Certificate of Participation Fund Balance will increase by \$8.6 m. Use of funds from the Certificates of Participation are restricted to construction approved by the Commissioner of Education in accordance with the District's Desegregation plan specific to construction at: Adams Spanish Immersion, Horace Mann, Humboldt, American Indian Magnet, Obama and Phalen Lake Hmong Studies, Como Senior and Linwood-Monroe Upper and Lower during FY19.

Page 7

Debt Service Fund: Fund balance is projected to increase by \$22 million due to the net effect of the escrow activity for bond refunding and the net change of revenue and expenditures.

Saint Paul Public Schools
General Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance				
7/1/2018		\$93,982,507		
Revenue	\$561,713,175	563,485,984	1,772,809	0.3%
Expenditures	555,963,100	564,676,845	(8,713,745)	(1.6%)
Fund Balance 6/30/19		<u>\$92,791,646</u>		

Revenue

Revenue is projected to increase overall by \$1.8 m due to net changes in the following categories: Local levy sources increasing by \$2.7 m due to levy adjustments and tax increment financing (TIF) revenue; State aid decreasing by \$4.9 m due to enrollment decline; Operating Capital revenue increasing by \$3.3 m due to the sale of the Albion property; and Other revenue increasing by \$0.6 m for misc items.

SPPS Admin is monitoring the of the recent 6 snow days and the impact to overall revenue. No adjustments have been to the projections in General Fund for snow days at this time.

Expenditures

Expenditures are projected to increase by \$8.7 m. Areas that contribute to the projected increase include: Facilities (Operations & LTFM program budgets), the Substitute budget, and the Transportation budget which are all projected to over the FY19 allocation amounts.

Fund Balance Details

	7/1/2018	6/30/2019	Increase (Decrease)
Nonspendable			
Inventory and Prepaid Expense	3,173,028	3,200,000	26,972
	<u>3,173,028</u>	<u>3,200,000</u>	<u>26,972</u>
Restricted			
Operating Capital	0	0	0
Health & Safety (old law)	310,433	0	(310,433)
Area Learning Centers (ALC)	37,077	0	(37,077)
Long Term Facilities Maintenance	0	0	0
OPEB Revocable Trust	37,797,046	38,297,046	500,000
	<u>38,144,556</u>	<u>38,297,046</u>	<u>152,490</u>
Committed			
Severance Pay	2,538,018	2,538,018	0
	<u>2,538,018</u>	<u>2,538,018</u>	<u>0</u>
Assigned			
Contractual Obligations	4,489,816	4,500,000	10,184
SSSC Initiatives, transition to SPPS Achieves	6,068,461	6,500,000	431,539
Site Based Operations	7,314,767	7,000,000	(314,767)
Intraschool Activities	3,207,872	3,200,000	(7,872)
	<u>21,080,916</u>	<u>21,200,000</u>	<u>119,084</u>
Unassigned			
Long Term Facilities Mtc (LTFM)	(9,696,173)	(9,696,173)	0
Unassigned	38,742,162	37,252,755	(1,489,407)
Total Fund Balance	<u>\$93,982,507</u>	<u>\$92,791,646</u>	<u>(\$1,190,861)</u>

- Unassigned fund balance is estimated to be \$37.6 million (includes Gen Fund Fully Financed).
- Projected UFARS General Fund expenditures for the year are \$614.1 million (includes Gen Fund Fully Financed).
- Unassigned fund balance on 06/30/19 of \$37.6 million represents 6.1% of current year expenditures which is within the limit of current Board policy.

Saint Paul Public Schools
Fully Financed General Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance 7/1/2018		\$135,083		
Revenue	58,536,908	49,617,533	(8,919,375)	(15.2%)
Expenditures	58,610,122	49,433,139	9,176,984	15.7%
Fund Balance 6/30/2019		<u>\$319,477</u>		

Revenue

Revenue is projected to be less than budgeted by approximately \$8.9 m due to less expenditures in Grants and Federal Entitlements.

Expenditures

Expenditures are projected to be less than budgeted by \$9.2 m, mainly in Title I and Title II.

Fund Balance

Fund balance is projected to slightly increase by \$0.2 m. The FY19 Federal entitlements and carry-over amounts are in the process of being finalized.

Saint Paul Public Schools
Food Service Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance 7/1/2018		\$6,638,718		
Revenue	28,941,464	27,332,736	(1,608,728)	(5.6%)
Expenditures	28,941,464	27,348,505	1,592,959	5.5%
Fund Balance 6/30/2019		\$6,622,949		

Revenue

Revenue is projected to decrease by \$1.6 m due to a projected decrease in meals served this year due to multiple snow days and a decrease in enrollment. The Community Eligibility Provision (CEP) provides free breakfast and lunch to all enrolled students and continues in 40 sites for the current year. The Fresh Fruit and Vegetable Grant has resumed in FY19 at 23 schools.

Expenditures

Expenditures are projected to decrease by \$1.6 m. Projected reductions are in labor and food associated with the decrease in meals served and improvements in metrics tracking labor based on meals served per hour. Nutrition services has implemented a strict 4-week cycle menu to better control costs and inventory as well as increase variety. Breakfast to go continues to be available district wide at no charge

Fund Balance

Fund balance is projected to slightly decrease. The projected fund balance is below the maximum allowed fund balance as defined as 3 months of average monthly expenditures.

**Saint Paul Public Schools
Community Service Fund
Results of Operations
Budget vs. Projected as of December 31, 2018**

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance 7/1/2018		\$2,692,355		
Revenue	23,187,475	23,924,078	736,603	3.2%
Expenditures	<u>23,332,957</u>	<u>21,981,906</u>	1,351,051	5.8%
Fund Balance 6/30/2019		<u><u>\$4,634,527</u></u>		

Revenue

Revenue is projected to increase by \$0.7 m with Discovery Club and Community Education Admin having the largest revenue increases.

Expenditures

Expenditures are projected to decrease by \$1.4 m. School Readiness, Adult Basic Education, Discovery Club, and Early Childhood/Family Education will have the largest decreases in expenditures.

Fund Balance

Fund Balance is projected to increase by about \$1.9 m. mostly in the areas of Discovery Club, School Readiness, Adult Basic Education, and Early Childhood Family Education.

Saint Paul Public Schools
Fully Financed Community Service Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance 7/1/2018		\$981,496		
Revenue	6,016,976	5,316,303	(700,673)	(11.6%)
Expenditures	5,958,062	5,556,030	402,032	6.7%
Fund Balance 6/30/2019		\$741,769		

Revenue

Revenue is projected to decrease by \$0.7 m within individual Community Education fully-financed grant programs, specifically 21st Century grants.

Expenditures

Expenditures are projected to decrease by \$0.4 m within individual Community Education fully-financed grant programs (21st Century grants). Also contributing to this projection are the non-public textbook aid budgets which are projected to be fully spent by fiscal year end.

Fund Balance

Fund balance is projected to decrease by \$0.2 m in the restricted category for Community Services

Saint Paul Public Schools
Building Construction Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Capital Bond Issues		(\$27,391,147)		
LTFM		0		
Certificates of Participation		68,897,851		
Fund Balance 7/1/18		41,506,704		
Capital Bond Issues	15,000,000	15,000,000	0	0.0%
LTFM		0		
Certificates of Participation		70,000,000	70,000,000	N/A
Revenue	15,000,000	85,000,000		
Capital Bond Issues	15,000,000	24,886,582	(9,886,582)	(65.9%)
LTFM		0		
Certificates of Participation	68,897,851	61,392,319	7,505,532	10.9%
Expenditures	83,897,851	86,278,901		
Capital Bond Issues		(37,277,729)		
LTFM		0		
Certificates of Participation		77,505,532		
Fund Balance 6/30/19		\$40,227,803		

Revenue

Revenue is projected to increase by \$70 m from the projected sale of Certificates of Participation during April 2019.

Expenditures

Certificate of Participation expenditures are expected to increase with the addition of Como Senior, Linwood-Monroe Upper, Linwood-Monroe Lower, American Indian Magnet and Phalen Lake projects in the FY19 plan. LTFM expenditures have been transferred to the General Fund. Capital Bond expenditures are anticipated to exceed revenue by approximately \$9.9 m.

Fund Balance

Fund Balance is projected to decrease by \$1.3 m. Capital Bond overexpenditures added to the Capital Bond Fund Balance deficit resulting in a projected deficit of \$37.2m. Certificate of Participation Fund Balance will increase by \$8.6 m. Use of funds from Certificates of Participation are restricted to construction approved by the Commissioner of Education in accordance with the District's Desegregation plan specific to construction at Adams Spanish Immersion, Horace Mann, Humboldt, American Indian Magnet, Obama and Phalen Lake Hmong Studies, Como Senior and Linwood-Monroe Upper and Lower during FY19.

Saint Paul Public Schools
Debt Service Fund
Results of Operations
Budget vs. Projected as of December 31, 2018

	Revised Budget	Projected	Budget Variance Favorable (Unfavorable)	
			Dollar	Percent
Fund Balance		\$23,799,169		
Escrow Balance		40,224,265		
Fund Balance 7/1/18		64,023,434		
Revenue	40,455,800	39,828,743	(627,057)	(1.5%)
Refunding - Escrow	0	0	0	0.0%
Revenue	40,455,800	39,828,743		
Expenditures	42,215,396	37,036,086	5,179,310	12.3%
Escrow Payments	24,785,000	24,785,000	0	0.0%
Expenditures	67,000,396	61,821,086		
Fund Balance 6/30/19		26,591,826		
Escrow Balance		15,439,265		
Fund Balance 6/30/19		\$42,031,091		

Revenue

Revenue is projected to decrease by \$0.6 m as related to levy proceeds for debt service.

Refunding - Escrow Activity

Escrow funds from the 2016B bond refunding issue were used to pay off the 2008A and 2009B as well as a principal payment on the 2016B issue.

Expenditures

Total expenditures of \$37m reflect the bond payment schedules.

Fund Balance

Fund Balance is projected to decrease by the amount of \$22 m due to the payoff of 2008A and 2009B bond issues.

Saint Paul Public Schools

Quarterly Report Financial Definitions

Reporting Funds

General Fund

- Consists of all activities that are not accounted for in a special purpose fund. The activities include all regular and special education classroom activities, student and district support services, as well as building and grounds operations and maintenance

General Fund Fully Financed

- Contains budgets with outside funding sources and specific uses. An outside funding source is either a private, state or federal grant or contract for services
- Most grants and contracts require specific financial reporting to ensure that funds are expended within the agreement's terms and conditions

Food Service Fund

- Must be established in a district that maintains a food service program for students
- Food Services are those activities which have as their purpose the preparation and serving of regular and incidental meals, lunches and snacks in connection with school activities

Community Service Fund

- Must be established in a district that provides services to residents in the areas of: Adult Basic Education, Early Childhood Family Education, School Readiness, School Age Care, Adults with Disabilities, general enrichment, youth and senior programs, recreation and other similar services

Community Service Fully Financed

- Contains budgets with outside funding sources and specific uses. An outside funding source is either a private, state or federal grant, or contract for services
- Most grants and contracts require specific financial reporting to ensure that funds are expended within the agreement's terms and conditions

Construction Fund

- Records financial activity relating to a building construction program resulting from the sale of general obligation bonds or certificates of participation by a School District
- Building Construction funds are held in trust and expended only for authorized projects
- Resources may be used for general construction, building additions, architectural and engineering costs or equipment

Debt Service Fund

- Must be established in a district that has outstanding bonded indebtedness, for building construction or operating capital
- Must record activity for initial or refunded bonds. The School Board may authorize the investment of debt funds in certain types of securities as specified by law. The earnings accrued from such investments become a part of the Debt Service Fund

Governmental Accounting Standards Board (GASB) 54 Fund Balance Designations and Definitions

Non-Spendable Fund Balance

- includes amounts not in spendable form (inventory, prepaid expenditures) or
- amounts that are legally or contractually required to be maintained intact

Restricted Fund Balance

- includes amounts that are subject to externally enforceable legal restrictions outside the control of the local government (ex: OPEB trust, ALC)

Committed Fund Balance

- includes amounts constrained for a specific purpose by a government using its highest decision-making authority (School Board). Action by the same group would be required to change the constraints placed on these resources. The action to commit fund balances must occur prior to fiscal year end (ex: Severance)

Assigned Fund Balance

- includes amounts constrained with the intent to be used for a specific purpose. Intent is expressed by the School Board or by a body (committee) or individual authorized by the governing body (ex: School Carryover, SSSC 2.0 initiatives, Contractual Obligations which are mainly encumbrances, i.e. purchase orders that are pending, but not paid by 6/30)

Unassigned Fund Balance

- includes amounts not classified as non-spendable, restricted, committed or assigned
- Board Policy sets the minimum at 5% of the annual General Fund expenditures for that fiscal year



FY 2019-20 General Fund Budget Update

Committee of the Board

Marie Schrul, Chief Financial Officer

March 5, 2019

Purpose

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



Agenda

- FY 2019-20 General Fund Budget Update
- Planning Information
- Budget 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 \$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

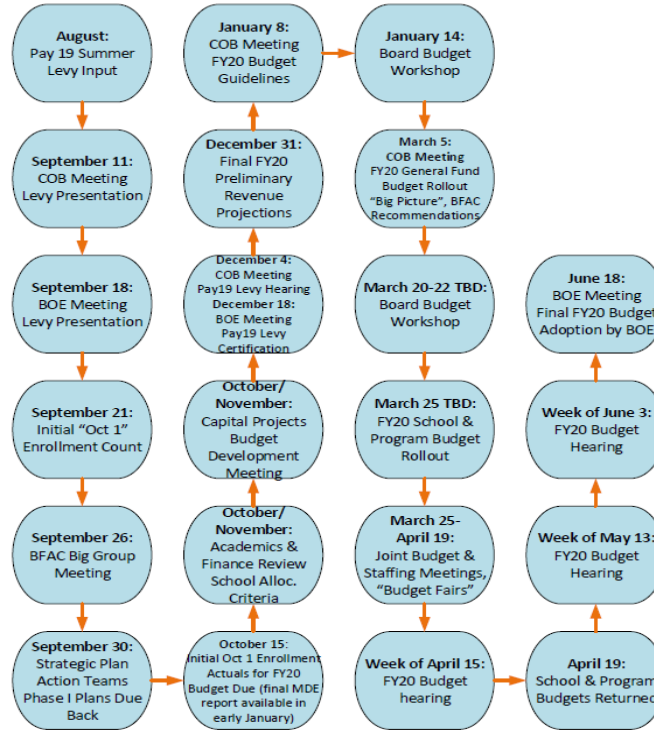


FY20 Budget Planning Information

- 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

FY2019-2020 BUDGET DEVELOPMENT TIMELINE



Questions?





Policy Update

Committee of the Board Meeting

Cedrick Baker, Chief of Staff
Will Forbes, Assistant General Counsel

March 5, 2019

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.



Questions for Board Following the Legislative Change

- **Oversight.** At what dollar value does the Board want to review contracts?

99

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



Discrimination, Harassment, Violence, and Retaliation - Policy 415.00

- 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

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

Adopted: 1974
Revised: 6/28/2005; 6/17/2008;
X/X/2019

Saint Paul Public Schools Policy

415.00

415.00 DISCRIMINATION, HARASSMENT, VIOLENCE, AND RETALIATION POLICY

I. PURPOSE

Saint Paul Public Schools (“the District”) strives to maintain a learning and working environment that is free from discrimination, harassment or violence on the basis of race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03. The District also strives to maintain a learning and working environment that is free from retaliation.

II. GENERAL STATEMENT OF POLICY

- A. This policy applies to students, teachers, administrators, and all other District personnel.
- B. The policy of the District is to maintain a learning and working environment that is free from discrimination, harassment, or violence on the basis of race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03. The District prohibits any form of discrimination, harassment, or violence on the basis of race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03.
- C. The policy of the District is to maintain a learning and working environment that is free from retaliation. The District prohibits any form of retaliation.
- D. A violation of this policy occurs when any student, teacher, administrator, or other District personnel discriminates against or harasses a student, teacher, administrator, or other District personnel or group of students, teachers, administrators, or other District personnel based on a person’s race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03.
- E. A violation of this policy occurs when any student, teacher, administrator, or other District personnel inflicts, threatens to inflict, or attempts to inflict violence upon

Commented [JJ1]: New in this section:

1. Clarifies that discrimination based on protected class is prohibited by this policy;
2. Specifically details what is prohibited by this policy and what constitutes a violation of this policy; and
3. Expands retaliation prohibition.

any student, teacher, administrator, or other District personnel or group of students, teachers, administrators, or other District personnel based on a person's race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03.

- F. A violation of this policy occurs when any student, teacher, administrator, or other District personnel engages in retaliation or threatens retaliation against any person who has or is believed to have (1) reported, asserted, or alleged a violation of this policy or any other policy, law, or regulation; (2) made a good faith report of an alleged violation of this policy or any other policy, law, or regulation; (3) acted as a witness in any investigation of a complaint alleging a violation of this policy or any other policy, law, or regulation; (4) testified, assisted, or participated in any fact-finding investigation, hearing, or proceeding regarding an alleged violation of this policy or any other policy, law, or regulation; and/or (5) assisted in formulating or implementing corrective action in response to a violation of this policy or any other policy, law, or regulation.
- G. A violation of this policy occurs when any student, teacher, administrator, or other District personnel intentionally makes a false report of discrimination, harassment, violence, or retaliation.
- H. The District will act to investigate all complaints, either formal or informal, verbal or written, of discrimination, harassment, or violence based on a person's race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03. The District will act to investigate all complaints, either formal or informal, verbal or written, of retaliation. The District will act to discipline or take appropriate action against any student, teacher, administrator, or other District personnel who is found to have violated this policy.

III. DEFINITIONS

- A. District personnel, solely for the purposes of this policy, includes Board of Education members, District employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.
- B. Harassment prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, national origin, creed, religion, marital status, familial status, sex, sexual or affectional orientation, gender identity and expression, status with respect to public assistance, age, disability, membership or activity in a local commission as defined by Minn. Stat. § 363A.03 when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. **Immediately** means as soon as possible but in no event longer than 1 business day. A business day is defined by the federal government calendar, and not by the District school calendar.

Commented [JJ2]: This is new but is similar to the MSBA policy which defines "immediately" as "as soon as possible but in no event longer than 24 hours."

D. **Protected Classifications; Definitions**

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Gender" means the socially constructed roles, behaviors, activities, and attributes that a given society attaches to femininity or masculinity.
4. "Gender Expression" means the manner in which persons represent or express gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
5. "Gender Identity" means a person's deeply held sense or knowledge of their

Commented [JJ3]: Some of these definitions are new to the policy but most of them come directly from the Minnesota Human Rights Act. The definitions of gender, gender identity, and gender expression come from the Board's Gender Inclusion policy.

own gender.

6. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 7. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
 8. “Sex” refers to a person’s biology and is generally categorized as male, female, or intersex. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 9. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
 10. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. Remedial response means a measure to stop and correct acts of discrimination, harassment, violence, or retaliation, prevent acts of discrimination, harassment, violence, or retaliation from recurring, and protect, support, and intervene on behalf of a student or employee who is the target or victim of acts of discrimination, harassment, violence, or retaliation.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or

- c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
- 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other District personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse

or a sexual act on another; or

- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Responsible Administrator

1. In a school building, the Responsible Administrator is the principal or the principal's designee.
2. In a District building or department in which there is no principal, the Responsible Administrator is the supervisor of that building or department or that supervisor's designee.

I. Materially Adverse Action

Any action that causes or threatens to cause significant injury or harm to a reporter, complainant or other covered person such that it would likely dissuade a reasonable student or District personnel from making or supporting a good-faith report of an alleged violation of this policy. Adverse action does not include an action, including employment or academic action, that would have been taken regardless of the good-faith report of misconduct.

Commented [JJ4]: This definition is new to the policy and relates to the expansion and clarification of the retaliation prohibition.

J. District Human Rights Officer

1. The District Human Rights Officer is the Director of Equal Employment Opportunity.
2. The Board of Education hereby designates the Director of Equal Opportunity as the District Human Rights Officer to receive reports or complaints of discrimination, harassment, violence, or retaliation prohibited by this policy.
3. In the event the position of the Director of Equal Employment Opportunity is vacant, the interim District Human Rights Officer is the individual designated by the superintendent.

Commented [JJ5]: This is new to the policy.

IV. REPORTING PROCEDURES

- A. Any person who believes that such person has been the target or victim of discrimination, harassment, violence, or retaliation in violation of this policy by a student, teacher, administrator, or other District personnel, or any person with knowledge or belief of conduct which may constitute discrimination, harassment, violence, or retaliation prohibited by this policy toward a student, teacher, administrator, or other District personnel or group of students, teachers, administrators, or other District personnel must report the alleged acts immediately

Commented [JJ6]: Most of these procedures are the same or similar to what the District currently has in place. The District Human Rights Officer is new so any forwarding or submitting of reports of policy violations to that person is new to this policy. In addition, new to the policy are the timeframes in which acts of discrimination, harassment, violence, or retaliation must be reported to the District (no more than 1 business day); written down by the RA, if a verbal report (no more than 1 business day); or reported to the RA and District Human Rights Officer (no more than 1 business day).

to an appropriate District official designated by this policy. A person may report conduct which may constitute discrimination, harassment, violence, or retaliation anonymously. The District, however, may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The District encourages the reporting party or complainant to use the 415.00.1 Form, but oral reports shall be considered complaints as well. All oral reports, however, must be promptly reduced to writing on the 415.00.1 Form by the Responsible Administrator.
- C. Nothing in this policy shall prevent any person from reporting discrimination, harassment, violence, or retaliation directly to the District Human Rights Officer or to the superintendent. If the complaint involves the Responsible Administrator, the complaint shall be made or filed directly with the superintendent or the District Human Rights Officer by the reporting party or complainant.
- D. At the building or department level, the Responsible Administrator is the person responsible for receiving oral or written reports of discrimination, harassment, violence, or retaliation prohibited by this policy. Any adult District personnel who receives a report of discrimination, harassment, violence, or retaliation prohibited by this policy shall inform the Responsible Administrator immediately, unless the complaint involves allegations against the Responsible Administrator. If the complaint involves allegations against the Responsible Administrator, the complaint shall be made or filed directly with the superintendent or the District Human Rights Officer immediately. The Responsible Administrator and the District Human Rights Officer shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of discrimination, harassment, violence, or retaliation. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute discrimination, harassment, violence, or retaliation shall make reasonable efforts to address and resolve the discrimination, harassment, violence, or retaliation and shall inform the Responsible Administrator immediately, unless such person knows or has reason to believe that the Responsible Administrator has engaged in the conduct prohibited by this policy. In such cases, the report should be made directly to the superintendent or District Human Rights Officer immediately. District personnel who fail to inform the Responsible Administrator of conduct that may constitute discrimination, harassment, violence, or retaliation or who fail to make reasonable efforts to address and resolve the discrimination, harassment, violence, or retaliation in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the Responsible Administrator must notify the District Human Rights Officer immediately, before screening or investigating the report.

Commented [JJ7]: This language is new; although reporting has always been required by the procedures and, as such, failure to comply could have subjected an employee to discipline.

The Responsible Administrator may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded immediately by the Responsible Administrator to the District Human Rights Officer. If the report was given verbally, the Responsible Administrator shall personally reduce it to written form within one (1) business day. Failure to forward any report or complaint of discrimination, harassment, violence, or retaliation as provided herein may result in disciplinary action against the Responsible Administrator.

Commented [JJ8]: This language is new.

- G. If a complaint of conduct prohibited by this policy involves allegations against the District Human Rights Officer, the complaint shall be immediately filed directly with the superintendent. If a complaint of conduct prohibited by this policy involves allegations against the superintendent, the report may be filed directly with the Board of Education.
- H. The District shall conspicuously post the name of the District Human Rights Officer, including mailing addresses and telephone number.
- I. Submission of a good faith complaint or report of discrimination, harassment, violence, or retaliation prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of discrimination, harassment, violence, or retaliation prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The District will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, a witness of discrimination, violence, harassment, or retaliation, or an individual involved in formulating or implementing corrective action is prohibited.
- N. False accusations or reports of discrimination, harassment, violence, or retaliation against another person are prohibited.
- O. A person who engages in an act of discrimination, harassment, violence, retaliation, or false reporting of discrimination, harassment, violence, or retaliation, or permits, condones, or tolerates discrimination, harassment, violence, or retaliation shall be subject to discipline or other remedial responses for that act in accordance with the District's policies and procedures.

V. INVESTIGATION

- A. By authority of the District, the Responsible Administrator, within three (3) business days of the receipt of a report or complaint alleging discrimination, harassment, violence, or retaliation prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by District officials or by a third party designated by the District.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents or electronic files and/or videos deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the District should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on the facts and surrounding circumstances using a preponderance of the evidence standard.
- D. In addition, the District may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other District personnel pending completion of an investigation of alleged discrimination, harassment, violence, or retaliation prohibited by this policy.
- E. The investigation will be completed within 30 business days from receipt of the complaint, unless it is impracticable to complete the investigation within this timeframe. The person completing the investigation shall document the investigation and its conclusion on the Form 415.00.1. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. Upon completion of the investigation, the Responsible Administrator shall ensure that the Form 415.00.1 and any other report of the investigation are submitted to both the District Human Rights Officer and to the following individual:
1. For an investigation involving allegations against a student, to the area assistant superintendent; or
 2. For an investigation involving allegations against District personnel, to the Executive Director of Human Resources or the Executive Director's designee.

Commented [JJ9]: This 3 day requirement is new but aligns with the bullying policy (and statute) that requires investigations into bullying be undertaken or authorized within 3 days.

VI. DISTRICT CORRECTIVE ACTION

- A. The District will take corrective action for any violation of this policy. Such corrective action will be consistent with the law and regulations, District policies, and any relevant collective bargaining agreements.
- B. Corrective action will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior.
 - 1. Corrective action for students who commit, or are a party to, prohibited acts of discrimination, violence, harassment, or retaliation, or who engage in intentional false reporting of discrimination, harassment, violence, or retaliation may include, but are not limited to, remedial responses, positive behavioral interventions, warnings, transfer, suspension, and/or expulsion.
 - 2. Corrective action for employees who permit, condone, or tolerate discrimination, harassment, violence, or retaliation, or who engage in intentional false reporting of discrimination, harassment, violence, or retaliation may include, but is not limited to, remedial responses and/or disciplinary action up to and including termination or discharge.
 - 3. Corrective action for other individuals engaging in prohibited acts of discrimination, harassment, violence, or retaliation, or who engage in intentional false reporting of discrimination, harassment, violence, or retaliation may include, but not be limited to, exclusion from District property and events and/or termination of services and/or contracts.
- C. The District may also discipline any student, employee, or other personnel of the District for derogatory statements or conduct based on the characteristics identified in Section I of this policy, which do not constitute illegal discrimination, harassment, violence, or retaliation but nonetheless are inappropriate.
- D. The District is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the District, except as permitted by law.
- E. In order to prevent or respond to acts of discrimination, harassment, violence, or retaliation committed by or directed against a child with a disability, the District shall, where determined appropriate by the child's individualized education program ("IEP") or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of discrimination, harassment, violence, or retaliation.

Commented [JJ10]: This is new language to the policy but not a new practice.

Commented [JJ11]: This is, and has been, required by the law but is new language to the policy. This language is not required to be in the policy.

VII. RETALIATION

Commented [JJ12]: This has been significantly expanded.

- A. The District unequivocally prohibits retaliation, and will discipline or take other appropriate corrective action, against any person to whom this policy applies that engages in retaliation or threatens retaliation against any person who has or is believed to have:
1. Reported, asserted, or alleged a violation of this policy or any other policy, law, or regulation;
 2. Made a good faith report of an alleged violation of this policy or any other policy, law, or regulation;
 3. Acted as a witness in any investigation of a complaint alleging a violation of this policy or any other policy, law, or regulation;
 4. Testified, assisted, or participated in any fact-finding or investigation, hearing, or proceeding regarding an alleged violation of this policy or any other policy, law, or regulation; and/or
 5. Assisted in formulating or implementing corrective action in response to a violation of this policy or any other policy, law, or regulation.
- B. Retaliation includes, **but is not limited to**, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Retaliation also means any materially adverse action or credible threat of a materially adverse action by the District, or any employee thereof, taken against any employee or student for having made a good-faith report of District misconduct. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the retaliation.

VIII. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each District building in areas accessible to students and District personnel.
- B. This policy shall be given to each District employees and independent contractors that regularly interact with students at the time of initial employment with the District.
- C. The policy shall appear in the Rights and Responsibilities Handbook.
- D. The District shall develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: Policy 101.00: Racial Equity
Policy 102.00: Equal Opportunity/Non-Discrimination
Policy 401.00: Equal Employment Opportunity
Policy 500.00: Gender Inclusion
Policy 501.00: Hazing Prohibition
Policy 505.00: Bullying Prohibition
Policy 506.00: Student Discipline
Policy 506.02: Student Discipline: Expulsion & Exclusion
Policy 506.03: Student Discipline: Suspension
Policy 520.00: Technology Usage & Safety
Policy 609.00: Religion