

Regular School Board Meeting

Monday, January 3, 2022 7:00 PM

LS-H MS/HS Media Center & Online (if unable to attend in person), 901 Ferry St., Le Sueur, MN 56058

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. MISSION AND VISION STATEMENTS

4. STRATEGIC PLAN REVIEW

5. APPROVAL OF AGENDA

6. OPEN FORUM

7. LE SUEUR-HENDERSON SCHOOL DISTRICT RECOGNIZES

7.1. Donations & Grants Received

7.2. 2021-2022 MSBA Directors' Award - Brigid Tuck & Gretchen Rehm

8. REPORTS

8.1. Committee Reports

8.1.1. Finance **Presenter:** Director Matt Hathaway

8.1.2. Negotiations **Presenter:** Director Joe Roby

8.1.3. MVED **Presenter:** Director Steve Cross

8.1.4. Human Resource **Presenter:** Director Kelsey Schwartz

8.1.5. Policy **Presenter:** Director Gretchen Rehm

8.1.6. Facility Steering **Presenter:** Director Matt Hathaway

8.1.7. Community Ed Council **Presenter:** Director Brigid Tuck

8.2. Superintendent Report

8.2.1. COVID Policies

9. CONSENT AGENDA

9.1. Approval of District Office Consent Items

9.1.1. Minutes of the Regular School Board Meeting held 12.6.21.

9.1.2. Minutes of Special School Board Meeting held on 12.20.21.

9.2. Approval of Business Office Consent Items

9.3. Approval of Personnel Consent Items

9.3.1. Hirings

9.3.1.1. Technology Director - Bruce Grunzke

9.3.1.2. Business Manager - Bonnie Barnhardt

9.3.2. Resignations

9.3.3. Requests

9.3.4. Retirements

10. **PURCHASES ABOVE \$5,000**

10.1. Resurface and Paint Gym Floors at Hilltop, Middle School and High School

11. **OLD BUSINESS**

12. **NEW BUSINESS**

12.1. Closed Session as permitted by Minnesota Statute, section 13D.05, subdivision 3(a), for the mid-year evaluation of the Superintendent.

12.2. Re-open Regular Board Meeting

12.3. Summary of Closed Session

13. **BOARD MEMBER COMMUNICATIONS / IDEAS EXCHANGE**

14. **NEXT MEETING INFORMATION**

14.1. Schedule of Upcoming Meetings

15. **ADJOURN**

**RESOLUTION TO ACCEPT GRANTS AND DONATIONS
TO THE LE SUEUR-HENDERSON SCHOOL DISTRICT**

WHEREAS, the Le Sueur-Henderson School District Board encourages the support of the district's educational programs through the funding and support of grant opportunities and donations that meet the goals and objectives of the school district;

WHEREAS, the school district will control and maintain all grants and donations to ensure that the interests of all students are met;

WHEREAS, the grants and donations listed below have been reviewed and approved by the administration of the Le Sueur-Henderson School District;

THEREFORE, BE IT RESOLVED, by the School Board of Independent School District No. 2397, to accept the following grants and donations for the purposes intended:

- Le Sueur Knights of Columbus - \$3,000 for Middle School/High School distracted driving and bullying presentation by Higher Power Sports,
- Le Sueur Lions Club - \$300 for Hilltop Kindness Retreat,
- United Fund of Le Sueur - \$500 for 7-Mindsets curriculum and professional development.

Adopted this _____ day of _____, 20_____.

Signed:

School Board Chair, Brigid Tuck

Attest:

School Board Clerk, Kelsey Schwartz

Adopted: _____

MSBA/MASA Model Policy 490
Orig. 2021

Revised:

490 - MANDATORY COVID-19 VACCINATIONS

[Note: School districts are required by federal and state regulations to have a policy addressing these issues. The federal Occupational Safety and Health Administration ("OSHA") implemented the Emergency Temporary Standard on Vaccination and Testing ("ETS"). These regulations then were adopted by the Minnesota Occupational Safety and Health Administration ("MNOSHA") requiring employers, including school districts, to "establish, implement, and enforce" one of two policies: (1) a mandatory vaccination policy, or (2) a mandatory vaccination or testing and masking policy. Note that under the first policy, testing and masking still may be implemented if an employee is granted a reasonable accommodation, whereas under the second policy employees may test and mask even if they do not have a disability or religious belief that prevents them from being vaccinated. This model policy is for option 1, the mandatory vaccination policy.]

I. PURPOSE

The purpose of this policy is to comply with federal and state legal requirements related to the health and safety of school district students, staff and visitors due to the COVID-19 pandemic. The school district's intent is that this policy meet, and should be read consistent with, the procedures mandated by the Occupational Safety and Health Administration's ("OSHA's") Emergency Temporary Standard on Vaccination and Testing ("ETS") (see 29 C.F.R. § 1910.501) as adopted by the Minnesota Occupational Safety and Health Administration ("MNOSHA"), to the extent these regulations are adopted and enforceable. This policy shall be governed by the laws of, and applicable to, the State of Minnesota. If any part of this policy is construed to be in violation of any law, it shall not be enforced, but portions remaining valid shall remain in full force and effect.

II. SCOPE

This policy applies to all employees of the school district, both full and part-time. For purposes of this policy, the term "employees" includes all part-time employees, student employees, and temporary or seasonal employees, but does not apply to volunteers, independent contractors, employees who are employed through a staffing agency, or employees who do not report to a workplace where other employees or students are present, except as modified by law.

III. DEFINITIONS

- A. "Authorized telehealth proctor" means someone who is trained to observe sample collection and provide instructions and result interpretation assistance to individuals taking the test.
- B. "COVID-19 antigen test" means an in vitro diagnostic test used to detect active SARS-CoV-2 infection approved or authorized for emergency use by the U.S. Food and Drug Administration ("FDA").
- C. "COVID-19 nucleic acid amplification test ("NAAT")" means a molecular test that detects the ribonucleic acid ("RNA") sequences that compromise the genetic material of the virus approved or authorized for emergency use by the FDA.

IV. OVERVIEW AND GENERAL INFORMATION

- A. All school district employees must be fully vaccinated no later than January 10, 2022.
- B. Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. Employees will be considered partially vaccinated if they have received only one dose of a two-dose vaccine. This policy does not require booster vaccinations.
- C. Employees are responsible for scheduling their own vaccination appointments through their medical provider or pharmacy. The school district may hold vaccine clinics that the employee may attend, but the availability of a vaccine clinic does not shift the responsibility of obtaining a vaccination from the employee.
- D. An employee who does not comply with this policy will be subject to disciplinary action as set forth in school district policy and the employee's collective bargaining agreement ("CBA") or employment contract or other agreement, to the extent applicable.

V. VACCINATION STATUS AND ACCEPTABLE FORMS OF PROOF OF VACCINATION

- A. All vaccinated employees are required to provide proof of full COVID-19 vaccination, regardless of where they are vaccinated, and even if employees received a vaccination through a school district sponsored clinic. Proof must be provided before January 10, 2022. If the school district does not receive proof of full vaccination from an employee by January 10, 2022, that employee will be considered unvaccinated until such proof is received.
- B. Proof of vaccination must be submitted to *[insert name of school official]*. Acceptable submissions include emailing a copy of the proof of vaccination, providing a physical copy of the proof of vaccination, or bringing the proof of vaccination for the *[insert name of school official]* to copy.
- C. Acceptable Proof of Vaccination Status

The following forms of proof of vaccination status will be accepted:

- 1. The record of immunization from a healthcare provider or pharmacy;
 - 2. A copy of the COVID-19 vaccination Record Card;
 - 3. A copy of medical records documenting the vaccination;
 - 4. A copy of immunization records from a public health, state, or tribal immunization information system; or
 - 5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).
- D. Proof of vaccination must include the employee's name and should include the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site. In those circumstances the school district will accept the state immunization record as acceptable proof of vaccination.

- E. If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to his/her vaccination status (fully vaccinated or partially vaccinated); attesting that the employee lost and is otherwise unable to produce one of the other forms of acceptable proof; and including the following language:

“I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties.”

Employees who attest to their vaccination status in this manner shall, to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of the administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

- F. To satisfy this policy, the COVID-19 vaccine must be approved or authorized for emergency use by the Food and Drug Administration (“FDA”), or listed for emergency use by the World Health Organization (“WHO”).

VI. SUPPORTING COVID-19 VACCINATION

- A. An employee may take up to four hours of paid leave per dose to travel to the vaccination site, receive a COVID-19 vaccination, and return to work. A maximum of eight hours of paid leave will be provided for employees receiving two primary doses. Paid leave provided for obtaining a COVID-19 vaccination will not affect or reduce any accrued leave time (e.g., vacation or sick leave). If an employee does not require the full use of four or eight hours to obtain the vaccine, only the necessary amount of duty time will be granted. Employees who take longer than four or eight hours to obtain the vaccine must send their supervisor an email documenting the reason for the additional time. Any additional time requested will be granted, if reasonable, but will not be paid by the school district. An employee may elect, however, to substitute accrued paid leave in lieu of unpaid leave. Employees vaccinated outside of their approved work hours will not be compensated unless previously agreed to in writing by the school district.
- B. Employees may utilize up to two workdays of accrued paid sick leave immediately following receipt of each primary dose if they experience side effects from the COVID-19 vaccination that prevent them from working. Employees who have no accrued sick leave will be granted up to two days of additional paid sick leave immediately following each primary dose, if necessary, upon written approval by the school district.
- C. Employees are to follow school district procedures in requesting sick leave for duty time missed to obtain the COVID-19 vaccine or sick leave to recover from side effects.
- D. Paid leave will not be provided by the school district for booster shots for employees who have been fully vaccinated.
- E. Nothing in this policy should be construed to create a right to paid leave for any vaccination other than the one or two primary COVID-19 vaccination doses.

VII. ACCOMMODATION REQUESTS

Employees may request an accommodation from this mandatory vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination.

Employees also may be legally entitled to a reasonable accommodation if they cannot be vaccinated, test for COVID-19, and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for reasonable accommodations must be initiated by the employees by submitting a written request to *[insert name of school official]*. All such requests will be handled in accordance with applicable laws and regulations.

VIII. COVID-19 TESTING

- A. If an employee covered by this policy was granted a reasonable accommodation to not be fully vaccinated, the accommodated employee will be required to comply with Sections VIII. and IX. of this policy beginning on February 9, 2022.
- B. Employees who report to the workplace at least once every seven days:
 - 1. Must be tested for COVID-19 at least once every seven days; and
 - 2. Must provide documentation of the most recent COVID-19 test result to *[insert name of school official]* no later than the seventh day following the date on which the employee last provided a test result.
- C. An employee who does not report to the workplace during a period of seven or more days (e.g., teleworking or on vacation for two weeks):
 - 1. Must be tested for COVID-19 within seven days prior to returning to the workplace; and
 - 2. Must provide documentation of that test result to *[insert name of school official]* upon return to the workplace.
- D. Employees who do not provide documentation of a COVID-19 test result as required by this policy will be removed from the workplace until a test result is provided.
- E. Employees who received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis. Employees must provide proof of the positive test result or diagnosis to *[insert name of school official]*.
- F. Approved COVID-19 Tests
Approved COVID-19 tests are tests for SARS-CoV-2 that are:
 - 1. Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the FDA to detect current infection with the SARS-CoV-2 virus;
 - 2. Administered in accordance with the authorized instructions; and
 - 3. Not both self-administered and self-read unless observed by the school district or an authorized telehealth proctor.
- G. Employees may test during the paid workday and the costs of the tests will be paid by the school district. Employees electing this option must work with *[insert name of school official]* to establish a scheduled time and procedure for weekly testing.

IX. FACE COVERINGS

- A. Employees covered by this policy who are not fully vaccinated because they were granted a reasonable accommodation by the school district will be required to wear a face covering. Face coverings must (1) completely cover the nose and mouth; (2) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (3) be secured to the head with ties, ear loops, or elastic bands that go behind the head; (4) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (5) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and that may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively. If gaiters are worn, they should have two layers of fabric or be folded to make two layers.
- B. Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes.
- C. Face coverings will be provided by the school district if the employee has been granted a reasonable accommodation under this policy.
- D. The following are exceptions to the school district's requirements for face coverings required by this policy:
 - 1. When an employee is alone in a room with floor-to-ceiling walls and a closed door.
 - 2. For a limited time, while an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
 - 3. When an employee is wearing a respirator or facemask, as those terms are defined by 29 C.F.R. § 1910.501(c) or other applicable OSHA/MNOSHA regulation.
 - 4. Where the school district has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to the employee's job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death to the employee).
- E. The face covering requirements are applicable regardless of any other school district policy, resolution, regulation or administrative directives regarding face coverings.

X. EMPLOYEE NOTIFICATION OF COVID-19 AND REMOVAL FROM THE WORKPLACE

- A. The school district will require employees to promptly notify *[insert name of school official]* when they test positive for COVID-19 or are diagnosed with COVID-19 by a licensed healthcare provider.

[Insert a description as to how employees will communicate with the school district if they are sick or experiencing symptoms while at home or at work.]

[Insert a description of any leave policies specific to this policy that the school district will implement for employees who test positive or are diagnosed with COVID-19.]

B. Medical Removal from the Workplace

The school district also implemented a policy for keeping COVID-19 positive employees from the workplace in certain circumstances. The school district will immediately remove employees from the workplace if they received a positive COVID-19 test or are diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate).

[Insert a description of the school district's policies for removing employees from the workplace and any relevant procedures for working remotely or in isolation.]

C. Return to Work Criteria

1. For employees removed because they are COVID-19 positive, the school district will keep them removed from the workplace until the employees receive a negative result on a COVID-19 nucleic acid amplification test ("NAAT") following a positive result on a COVID-19 antigen test if the employees choose to seek a NAAT test for confirmatory testing; meet the return to work criteria in the "Isolation Guidance" of the Centers for Disease Control and Prevention ("CDC"); or receive a recommendation to return to work from a licensed healthcare provider.
2. Under the CDC's "Isolation Guidance," asymptomatic employees may return to work once 10 days have passed since a positive test, and symptomatic employees may return to work after all the following are true:
 - a. At least 10 days have passed since symptoms first appeared, and
 - b. At least 24 hours have passed with no fever without fever-reducing medication; and
 - c. Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, the school district will follow the guidance of a licensed healthcare provider regarding return to work.

3. *[Insert description of any additional school district policies for employees returning to work following removal from the workplace due to COVID-19.]*

XI. NEW HIRES

All new employees are required to be in compliance with this policy before arriving at the workplace as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

XII. CONFIDENTIALITY AND PRIVACY

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 182 (Occupational Safety and Health)
Minn. Stat. § 363A.20 (Exemption Based on Employment)

Minn. R. Pt. 5205.0010, subp. 2, QQ (Adoption of Federal Occupational Health and Safety Standards by Reference)
29 C.F.R. § 1910.501 (Emergency Temporary Standard on Vaccination and Testing)
42 U.S.C. § 2000-e, et seq. (Equal Employment Opportunity)
42 U.S.C. § 12101, et seq. (Americans with Disabilities Act)
29 C.F.R. § 1630.14(d)(4) (Medical Examinations and Inquiries Specifically Permitted)

Cross References: MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 412 (Expense Reimbursement)
MSBA/MASA Model Policy 807 (Health and Safety)
Centers for Disease Control's "Isolation Guidance" found at:
<https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>.

491 - MANDATORY COVID-19 VACCINATION OR TESTING AND FACE COVERINGS

[Note: School districts are required by federal and state regulations to have a policy addressing these issues. The federal Occupational Safety and Health Administration ("OSHA") implemented the Emergency Temporary Standard on Vaccination and Testing ("ETS"). These regulations then were adopted by the Minnesota Occupational Safety and Health Administration ("MNOSHA") requiring employers, including school districts, to "establish, implement, and enforce" one of two policies: (1) a mandatory vaccination policy, or (2) a mandatory vaccination or testing and masking policy. Note that under the first policy, testing and masking still may be implemented if an employee is granted a reasonable accommodation, whereas under the second policy employees may test and mask even if they do not have a disability or religious belief that prevents them from being vaccinated. This model policy is for option 2, the mandatory vaccination or testing and face covering policy.]

I. PURPOSE

The purpose of this policy is to comply with federal and state legal requirements related to the health and safety of school district students, staff and visitors due to the COVID-19 pandemic. The school district's intent is that this policy meet, and should be read consistent with, the procedures mandated by the Occupational Safety and Health Administration's ("OSHA's") Emergency Temporary Standard on Vaccination and Testing ("ETS") (see 29 C.F.R. § 1910.501) as adopted by the Minnesota Occupational Safety and Health Administration ("MNOSHA"), to the extent these regulations are adopted and enforceable. This policy shall be governed by the laws of, and applicable to, the State of Minnesota. If any part of this policy is construed to be in violation of any law, it shall not be enforced, but portions remaining valid shall remain in full force and effect.

II. SCOPE

This policy applies to all employees of the school district, both full and part-time. For purposes of this policy, the term "employees" includes all part-time employees, student employees, and temporary or seasonal employees, but does not apply to volunteers, independent contractors, employees who are employed through a staffing agency, or employees who do not report to a workplace where other employees or students are present, except as modified by law.

III. DEFINITIONS

- A. "Authorized telehealth proctor" means someone who is trained to observe sample collection and provide instructions and result interpretation assistance to individuals taking a COVID-19 test.
- B. "COVID-19 antigen test" means an in vitro diagnostic test used to detect active SARS-CoV-2 infection approved or authorized for emergency use by the U.S. Food and Drug Administration ("FDA").
- C. "COVID-19 nucleic acid amplification test ("NAAT")" means a molecular test that detects the ribonucleic acid ("RNA") sequences that compromise the genetic material of the virus approved or authorized for emergency use by the FDA.

IV. OVERVIEW AND GENERAL INFORMATION

- A. Any employee that chooses to be vaccinated against COVID-19 must be fully vaccinated no later than January 10, 2022. Any employee not fully vaccinated by January 10, 2022, will be subject to the regular testing and face covering requirements of this policy until fully vaccinated.
- B. Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. Employees will be considered partially vaccinated if they received only one dose of a two-dose vaccine. This policy does not require booster vaccinations.
- C. Employees are responsible for scheduling their own vaccination appointments through their medical provider or pharmacy. The school district may hold vaccine clinics that the employee may attend, but the availability of a vaccine clinic does not shift the responsibility of obtaining a vaccination from the employee.
- D. An employee who does not comply with this policy will be subject to disciplinary action as set forth in School District policy and the employee's collective bargaining agreement ("CBA") or employment contract or other agreement, to the extent applicable.

V. VACCINATION STATUS AND ACCEPTABLE FORMS OF PROOF OF VACCINATION

- A. All vaccinated employees are required to provide proof of full COVID-19 vaccination, regardless of where they are vaccinated, and even if employees received a vaccination through a school district sponsored clinic. Proof must be provided before January 10, 2022. If the school district does not receive proof of full vaccination from an employee by January 10, 2022, that employee will be considered unvaccinated until such proof is received.
- B. Proof of vaccination must be submitted to *[insert name of school official]*. Acceptable submissions include emailing a copy of the proof of vaccination, providing a physical copy of the proof of vaccination, or bringing the proof of vaccination for the *[insert name of school official]* to copy.
- C. Acceptable Proof of Vaccination Status

The following forms of proof of vaccination status will be accepted:
 - 1. The record of immunization from a healthcare provider or pharmacy;
 - 2. A copy of the COVID-19 vaccination Record Card;
 - 3. A copy of medical records documenting the vaccination;
 - 4. A copy of immunization records from a public health, state, or tribal immunization information system; or
 - 5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).
- D. Proof of vaccination must include the employee's name and should include the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site. In those circumstances the school district will accept the state immunization record

as acceptable proof of vaccination.

- E. If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to his/her vaccination status (fully vaccinated or partially vaccinated); attesting that the employee lost and is otherwise unable to produce one of the other forms of acceptable proof; and including the following language:

“I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties.”

Employees who attest to their vaccination status in this manner shall, to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of the administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

- F. To satisfy this policy, the COVID-19 vaccine must be approved or authorized for emergency use by the Federal Food and Drug Administration (“FDA”), or listed for emergency use by the World Health Organization (“WHO”).

VI. SUPPORTING COVID-19 VACCINATION

- A. An employee may take up to four hours of paid leave per dose to travel to the vaccination site, receive a COVID-19 vaccination, and return to work. A maximum of eight hours of paid leave will be provided for employees receiving two primary doses. Paid leave provided for obtaining a COVID-19 vaccination will not affect or reduce any accrued leave time (e.g., vacation or sick leave). If an employee does not require the full use of four or eight hours to obtain the vaccine, only the necessary amount of duty time will be granted. Employees who take longer than four or eight hours to obtain the vaccine must send their supervisor an email documenting the reason for the additional time. Any additional time requested will be granted, if reasonable, but will not be paid by the school district. An employee may elect, however, to substitute accrued paid leave in lieu of unpaid leave. Employees vaccinated outside of their approved work hours will not be compensated unless previously agreed to in writing by the school district.
- B. Employees may utilize up to two workdays of accrued paid sick leave immediately following receipt of each primary dose if they experience side effects from the COVID-19 vaccination that prevent them from working. Employees who have no accrued sick leave will be granted up to two days of additional paid sick leave immediately following each primary dose, if necessary, upon written approval by the school district.
- C. Employees are to follow the school district procedures in requesting sick leave for duty time missed to obtain the COVID-19 vaccine or sick leave to recover from side effects.
- D. Paid leave will not be provided by the school district for booster shots for employees who have been fully vaccinated.
- E. Nothing in this policy should be construed to create a right to paid leave for any vaccination other than the one or two primary COVID-19 vaccination doses.

VII. ACCOMMODATION REQUESTS

Employees may request an accommodation from this vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Employees also may be legally entitled to a reasonable accommodation if they cannot be vaccinated, test for COVID-19, and/or wear a face covering (as otherwise required by this policy) because of a disability, or if the provisions in this policy for vaccination, and/or testing for COVID-19, and/or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for reasonable accommodations must be initiated by the employees by submitting a written request to *[insert name of school official]*. All such requests will be handled in accordance with applicable laws and regulations.

VIII. COVID-19 TESTING

- A. Effective January 10, 2022, all employees who are not fully vaccinated and who have not received a reasonable accommodation pursuant to Section VII. of this policy will be required to comply with Sections VIII. and IX. of this policy.
- B. Effective February 9, 2022, employees who report to the workplace at least once every seven days:
 - 1. Must be tested for COVID-19 at least once every seven days; and
 - 2. Must provide documentation of the most recent COVID-19 test result to *[insert name of school official]* no later than the seventh day following the date on which the employee last provided a test result.
- C. An employee who does not report to the workplace during a period of seven or more days (e.g., teleworking or on vacation for two weeks):
 - 1. Must be tested for COVID-19 within seven days prior to returning to the workplace; and
 - 2. Must provide documentation of that test result to *[insert name of school official]* upon return to the workplace.
- D. Employees who do not provide documentation of a COVID-19 test result as required by this policy, will be removed from the workplace until a test result is provided.
- E. Employees who received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis. Employees must provide proof of the positive test result or diagnosis to *[insert name of school official]*.
- F. Approved COVID-19 Tests
Approved COVID-19 tests are tests for SARS-CoV-2 that are:
 - 1. Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the FDA to detect current infection with the SARS-CoV-2 virus;
 - 2. Administered in accordance with the authorized instructions; and
 - 3. Not both self-administered and self-read unless observed by the school district or an authorized telehealth proctor.
- G. Employees who elect to complete weekly testing in lieu of getting fully vaccinated may test during the regular workday. Employees must abide by the following testing

procedures:

[Insert a description of the school district's testing procedures.]

Employees may be responsible for paying the cost of testing depending on the employee's CBA or contract with the school district.

IX. FACE COVERINGS

- A. Employees covered by this policy who are not fully vaccinated will be required to wear a face covering. Face coverings must (1) completely cover the nose and mouth; (2) be made with two or more layers of a breathable fabric that is tightly woven (i.e. fabrics that do not let light pass through when held up to a light source); (3) be secured to the head with ties, ear loops, or elastic bands that go behind the head; (4) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (5) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively. If gaiters are worn, they should have two layers of fabric or be folded to make two layers.
- B. Employees who are not fully vaccinated must wear face coverings over the nose and mouth when indoors and when occupying a vehicle with another person for work purposes.
- C. Employees who choose to remain unvaccinated are responsible for providing their own face covering that complies with this policy.
- D. The following are exceptions to the school district's requirements for face coverings required by this policy:
 - 1. When an employee is alone in a room with floor-to-ceiling walls and a closed door.
 - 2. For a limited time, while an employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
 - 3. When an employee is wearing a respirator or facemask, as those terms are defined by 29 C.F.R. § 1910.501(c) or other applicable OSHA/MNOSHA regulation.
 - 4. Where the school district has determined that the use of face coverings is infeasible or creates a greater hazard (e.g., when it is important to see the employee's mouth for reasons related to the employee's job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death to the employee).
- E. The face covering requirements are applicable regardless of any other school district policy, resolution, regulation or administrative directives regarding face coverings.

X. EMPLOYEE NOTIFICATION OF COVID-19 AND REMOVAL FROM THE WORKPLACE

- A. The school district will require employees to promptly notify *[insert name of school*

official] when they test positive for COVID-19 or are diagnosed with COVID-19 by a licensed healthcare provider.

[Insert a description as to how employees will communicate with the school district if they are sick or experiencing symptoms while at home or at work.]

[Insert a description of any leave policies specific to this policy that the school district will implement for employees who test positive or are diagnosed with COVID-19.]

B. Medical Removal from the Workplace

The school district also implemented a policy for keeping COVID-19 positive employees from the workplace in certain circumstances. The school district will immediately remove employees from the workplace if they received a positive COVID-19 test or are diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate).

[Insert a description of the school district's policies for removing employees from the workplace and any relevant procedures for working remotely or in isolation.]

C. Return to Work Criteria

1. For employees removed because they are COVID-19 positive, the school district will keep them removed from the workplace until the employees receive a negative result on a COVID-19 nucleic acid amplification test ("NAAT") following a positive result on a COVID-19 antigen test if the employees choose to seek a NAAT test for confirmatory testing; meet the return to work criteria in the "Isolation Guidance" of the Centers for Disease Control and Prevention ("CDC"); or receive a recommendation to return to work from a licensed healthcare provider.
2. Under the CDC's "Isolation Guidance," asymptomatic employees may return to work once 10 days have passed since a positive test, and symptomatic employees may return to work after all the following are true:
 - a. At least 10 days have passed since symptoms first appeared, and
 - b. At least 24 hours have passed with no fever without fever-reducing medication, and
 - c. Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, the school district will follow the guidance of a licensed healthcare provider regarding return to work.

3. *[Insert description of any additional school district policies for employees returning to work following removal from the workplace due to COVID-19.]*

XI. NEW HIRES

All new employees are required to be in compliance with this policy before arriving at the workplace as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

XII. CONFIDENTIALITY AND PRIVACY

All medical information collected from individuals, including vaccination information, test results,

and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 182 (Occupational Safety and Health)
Minn. Stat. § 363A.20 (Exemption Based on Employment)
Minn. R. Pt. 5205.0010, subp. 2, QQ (Adoption of Federal Occupational Health and Safety Standards by Reference)
29 C.F.R. § 1910.501 (Emergency Temporary Standard on Vaccination and Testing)
42 U.S.C. § 2000-e, et seq. (Equal Employment Opportunity)
42 U.S.C. § 12101, et seq. (Americans with Disabilities Act)
29 C.F.R. § 1630.14(d)(4) (Medical Examinations and Inquiries Specifically Permitted)

Cross References: MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 412 (Expense Reimbursement)
MSBA/MASA Model Policy 807 (Health and Safety)
Centers for Disease Control's "Isolation Guidance" found at:
<https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>.

BOARD OF EDUCATION
INDEPENDENT SCHOOL DISTRICT 2397
LE SUEUR-HENDERSON PUBLIC SCHOOLS
MINUTES OF REGULAR SCHOOL BOARD MEETING
MS/HS MEDIA CENTER
December 6, 2021

Item 1.0 **Call to Order:** The regular meeting of the Le Sueur-Henderson Board of Education was called to order at 6:51 PM. Board members in attendance were Gretchen Rehm, Steve Cross, Brian Sorenson, Matt Hathaway, Brigid Tuck, Joe Roby
Members Absent: Kelsey Schwartz

Also in attendance: Superintendent, Jim Wagner; Rachel, Henderson Independent

Item 2.0 **Pledge of Allegiance:** The pledge was recited.

Item 3.0 **Mission and Vision Statements**

Item 4.0 **Strategic Plan Review**

Item 5.0 **Approval of Agenda:** Motion by Sorenson, second by Rehm, carried 6-0, to approve the meeting agenda.

Item 6.0 **Open Forum:**

Item 7.0 **Le Sueur-Henderson School District Recognizes:**

Item 7.1 A resolution was presented to accept grants and donations to the Le Sueur - Henderson Public School District. Said resolution is attached hereto and made a part of these minutes. Motion made by Board Member Roby and upon being seconded by Board Member Cross said the resolution was duly adopted by the following roll call vote, carried 6-0.

Rehm:	Yes	Cross:	Yes
Hathaway:	Yes	Roby:	Yes
Tuck:	Yes	Sorenson:	Yes

Item 7.2 LSH Fall Sports All-Conference & Honorable Mention

Item 7.3 Students of the Month

Item 8.0 **Reports:**

Item 8.1 Committee Reports

Item 8.1.1 Finance

Item 8.1.2 Negotiations

Item 8.1.3 MVED

Item 8.1.4 Human Resources

Item 8.1.5 Policy

Item 8.1.6 Facility Steering

Item 8.1.7 Community Ed Council

Item 8.2 Superintendent Report

Item 8.2.1 Administrative Team Reports

Item 9.0 **Consent Agenda:** Motion by Rehm, second by Roby, carried 6-0, to approve the following consent items:

Item 9.1 District Office Consent Items:

Item 9.1.1 Minutes of November 8, 2021, Special School Board Meeting

Item 9.1.2 Minutes of November 15, 2021, School Board Work Session

Item 9.2 Business Office Consent Items:

Item 9.3 Personnel Consent Items:

Item 9.3.1 Hirings

Item 9.3.1.1 Custodian - Jeff Jensen

Item 9.3.1.2 Social Studies LT Sub-Kyle O'Brien

Item 9.3.1.3 Title I Teacher-Madeline Saucier

Item 9.3.1.4 B Squad Boys Basketball Coach-Eric Lewis

Item 9.3.1.5 Interim Business Manager-Jennifer Vrklan

Item 9.3.2 Resignations

Item 9.3.2.1 Business Manager- Ky Battern

Item 9.3.2.2 Park & Hilltop Library Media-Breanne Nelsen

Item 9.3.2.3 Track Assist.-Ann Zeiher

Item 9.3.2.4 Director of Technology-James Keltgen

Item 9.3.2.5 HS Social Studies Teacher, Robert Steiger
(resignation/agreement effective January 9, 2022)

Item 9.3.2.6 B Squad Softball Asst Coach-Klaire Hudson

Item 9.3.2.7 B Squad Softball Asst Coach-Kaitlyn Braun

Item 9.3.3 Requests:

Item 9.3.4 Retirements:

Item 10.0 **Purchases Above \$5,000**

Item 11.0 **Old Business**

Item 12.0 **New Business**

Item 12.1 Resolution was presented to adopt the final 2021 Payable 2022

Property Tax Levy in the amount of \$3,139,049.49. Said Resolution is attached hereto and made a part of these minutes. Motion made by

Board Member Cross and upon being seconded by Board Member Tuck, said resolution was duly adopted by the following roll call vote 6-0:

Rehm:	Yes	Cross:	Yes
Hathaway:	Yes	Roby:	Yes
Tuck:	Yes	Sorenson:	Yes

Item 12.2 Policies

Item 12.2.1 Motion by Roby, second by Hathaway, carried 6-0, to approve the first reading of the following Policies:

Item 12.2.1.1 Policy 406 Public and Private Personnel Data.

Item 12.2.1.2 Policy 416 Drug and Alcohol Testing.

Item 12.2.1.3 Policy 420 Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases.

Item 12.2.1.4 Policy 421 Gifts to Employees and School Board Members.

Item 12.2.1.5 Policy 425 Staff Development.

Item 12.2.1.6 Policy 501 School Weapons.

Item 12.2.1.7 Policy 507 Corporal Punishment.

Item 12.3 Motion by Sorenson, second by Tuck, carried 6-0, to approve the FFA position.

Item 12.4 Motion by Roby, second by Cross, carried 6-0, to approve the Nurse position.

Item 13.0 **Board Member Communications/Ideas Exchange:**

Item 14.0 **Next Meeting Information:**

Item 14.1 Schedule of Upcoming Meetings

Item 15.0 **Adjourn:** Motion by Hathaway, second by Rem, carried 6-0 to adjourn the meeting at 7:46 PM.

BOARD OF EDUCATION
INDEPENDENT SCHOOL DISTRICT 2397
LE SUEUR-HENDERSON PUBLIC SCHOOLS
MINUTES OF SPECIAL SCHOOL BOARD MEETING
MS/HS MEDIA CENTER AND ZOOM
December 20, 2021

Item 1.0 **Call to Order:** The special meeting of the Le Sueur-Henderson Board of Education was called to order at 6:30 PM. Board members in attendance were Brigid Tuck, Matt Hathaway, Steve Cross, Brian Sorenson
Zoom: Kelsey Schwartz, Gretchen Rehm
Members Absent: Joe Roby

Also in attendance: Superintendent, Jim Wagner; Tom Olinger, Abdo; Rachel Miller, Henderson Independent; Le Sueur County Newspaper

Item 2.0 **Pledge of Allegiance:** The pledge was recited.

Item 3.0 **Approval of Agenda:** Motion by Sorenson, second by Hathaway, carried 5-0, to approve the meeting agenda.

Item 4.0 **Consent Agenda:** Motion by Cross, second by Sorenson, carried 5-0, to approve the following consent items:

Item 4.1 Personnel Consent Items:

Item 4.1.1 Hirings

Item 4.1.1.1 Elementary Library/Media Specialist-Marcia Ranft

Item 5.0 **New Business**

Item 5.1 Presentation of FY 2021 Audit

Item 5.1.1 Motion by Cross, second by Sorenson, carried 5-0, to approve the FY 2021 Audit.

Item 5.2 A resolution was adopted to establish combined polling places for 2022 for elections not held on general election day. Said Resolution is attached hereto and made a part of these minutes. Motion by Tuck, seconded by Hathaway, said resolution was duly adopted by the following roll call vote: 5-0

Tuck	Yes	Hathaway	Yes
Cross	Yes	Schwarz	Yes
Sorenson	Yes		

Item 5.3 A resolution was approved to support Form A grant application to MSHSL Foundation to offset student activity fees. Said Resolution is attached hereto and made a part of these minutes. Motion made by Board Member Cross and upon being seconded by Board Member Sorenson, said resolution was duly adopted by the following roll call vote: 5-0

Tuck	Yes	Hathaway	Yes
Cross	Yes	Schwarz	Yes
Sorenson	Yes		

Item 6.0 **Adjourn:** Motion by Sorenson, second by Tuck, carried 5-0, to adjourn the meeting at 7:02 PM.

Peterson Floor Surfacing

16117 hwy 107 Grasston Mn 55030

651 238 2017

Henderson Public School

Sand and seal with 2 coats polyurethane sealer 7776 sq ft

(due to excessive finish, sanding will be considerable)

Buff, clean and Paint lines to existing

then apply 1st coat of finish

apply final coat of finish

We thank you very much for the opportunity to bid your project.

www.petersonfloor.com

Total cost - \$14,812.00

Todd Vrklan 612-756-2314

Peterson Floor Surfacing

16117 hwy 107 Grasston Mn 55030

651 238 2017

Le Sueur Henderson - Middle School

Sand and seal with 2 coats polyurethane sealer 7644 sq ft

(due to age and type of flooring, sanding will be considerable)

Buff, clean and Paint lines to existing

then apply 1st coat of finish

apply final coat of finish

We thank you very much for the opportunity to bid your project.

www.petersonfloor.com

Total cost - \$13,801.00

Todd Vrklan 612-756-2314

Peterson Floor Surfacing

16117 hwy 107 Grasston Mn 55030

651 238 2017

Le Sueur Henderson Public Schools - High School

Sand and seal with 2 coats polyurethane sealer 11,210 sq ft

(due to water damage, sanding will be considerable)

Buff, clean and Paint lines to existing

lettering on ends - **Le Sueur - Henderson (27inch) lettering in painted boarder**

lettering on sides to be - GIANTS

then apply 1st coat of finish

apply final coat of finish

We thank you very much for the opportunity to bid your project.

www.petersonfloor.com

Total cost - \$23,612.00

Todd Vrklan 612-756-2314