

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
 NORTH BRANCH AREA EDUCATION CENTER
 38705 GRAND AVENUE
 NORTH BRANCH, MN 55056
 REGULAR SCHOOL BOARD MEETING
 SEPTEMBER 8, 2022
 5:30 PM**

AGENDA

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. Superintendent’s Report 4
- VI. Removal of Consent Items for Discussion
- VII. Approval of Consent Items
 - A. Minutes of August 11, 2022 Policy Committee Meeting 26
 - B. Minutes of August 11, 2022 Regular School Board Meeting 27
 - C. Minutes of August 25, 2022 Special School Board Meeting 35
 - D. Authorization of Payments, Transfers, and Investment Activity 42
 - E. Personnel
 - 1. Crystal Paulson, resignation effective August 12, 2022, as Schoolkeeper at North Branch Area Public Schools
 - 2. Ashley Robinette, resignation effective August 18, 2022, as SPED Assistant at North Branch Area High School
 - 3. Elana Umland, resignation effective August 21, 2022, as Office Clerk at North Branch Area High School
 - 4. Deborah Reed, resignation effective August 23, 2022, as Health Office Clerk at Sunrise River Elementary School
 - 5. Ashley Klofstad, resignation effective August 26, 2022, as SPED Assistant and Lunchroom/Playground Assistant at North Branch Area Education Center
 - 6. Tessa Strain, leave request effective for twelve weeks beginning approximately December 26, 2022, as ALC/DLA Teacher at North Branch Area Public Schools
 - 7. Cheryl Bjerke, BA, Step 8, one-year contract for 2022-23 for a Tier 1 License for 0.5 FTE Health Teacher at North Branch Area High School
 - 8. David Kaiser, BA/BS, Step 13, one-year contract for 2022-23 for a Tier 1 License for Industrial Tech/Tech Ed Teacher at North Branch Area High School
 - 9. Katelyn Moore, MA, Step 7, beginning with the 2022-23 school year, as Elementary Teacher at North Branch Area Education Center
 - 10. Kennedy Osterhues, BAS, Step 1, beginning with the 2022-23 school year, as Elementary Teacher at Sunrise River Elementary School

11. Marcee Schramm, BS+45, Step 4, beginning with the 2022-23 school year, as Science Teacher at North Branch Area High School
 12. Todd Sherrett, BS+45, Step 14, beginning with the 2022-23 school year, as Math Teacher at North Branch Area High School
 13. Erica Bjerketvedt, position change effective September 1, 2022, from Early Childhood Coordinator to Director of Community Education and Early Learning
 14. Amanda Cook, FTE change from 0.8 FTE to 1.0 FTE, beginning with the 2022-23 school year, as ALC/DLA Teacher at North Branch Area Public Schools
 15. Sarah Jamieson, request to be released from her contract for the upcoming 2022-23 school year, contingent upon the district hiring a suitable replacement, as Science Teacher at North Branch Area High School. Contract release granted.
 16. Becky Muyres, contract release granted for the upcoming 2022-23 school year, as Math Teacher at North Branch Area High School
 17. Laura Sletten, employment effective August 15, 2022, as Schoolkeeper at North Branch Area Public Schools
 18. Renee DeSteno, employment effective August 31, 2022, as Lunchroom/Playground Assistant at North Branch Area Education Center
 19. Lori Farrell, employment effective August 23, 2022, as School Age Care Adult Assistant at North Branch Area Education Center
 20. Nicholas Pawlik, employment effective August 31, 2022, as SPED Assistant at North Branch Area Middle School
 21. Victoria Scheibe, employment effective August 31, 2022, as SPED Assistant at North Branch Area Education Center
 22. Katherine Tribbett, employment effective August 31, 2022, as SPED Assistant at North Branch Area Education Center
 23. Deanna Wilson, employment effective August 31, 2022, as SPED Assistant at North Branch Area Middle School
 24. Amanda Yepma, employment effective August 31, 2022, as SPED Assistant at North Branch Area High School
 25. Christine Jenkins, position change beginning with the 2022-23 school year, from SPED Assistant at North Branch Area Education Center to Health Office Clerk at North Branch Area High School
 26. 2022-23 Extra Curricular Fall Coach Positions
 - a. Jamie Huisenga, Class 3, Step 1, as Assistant Coach for Volleyball
 - b. Sean Huset, Class 3, Step 9, as Assistant Coach for Football
 - c. Jessica Audette, Class 4, Step 5, as Assistant Coach for Boys Soccer
 - d. Rebecca Steele, Class 6, Step 4, as Coach for Middle School Girls Soccer
 - e. Bryant Meyer - Volunteer Coach for Girls Tennis
 - f. Andy Spofford - Volunteer Coach for Girls Tennis
 - g. Lisa Wurdemann - Volunteer Coach for Girls Tennis
 - h. Steve Dickhudt - Volunteer Coach for Volleyball
 - i. Max Johnson - Volunteer Coach for Boys Soccer
- F. Agreement Between North Branch Area Public Schools and Linda Hoffner, to Provide Speech-Language Services for 2022-23

- G. Agreement Between North Branch Area Public Schools and Kim Rahne, to Provide Speech-Language Services for 2022-23
- H. Acceptance of Donations 43
 Minnesota Statute 123B.02 permits school boards to "...receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof."

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No. 138 that the School Board accept with appreciation the following contributions and permit their use as designated by the donors.

- VIII. **Open Mic:** Open mic is a time for public comment. However, it is not a means to have issues added to this evening's agenda. It is also not a means to discuss specific individuals negatively in public, either by name or position. If you would like district follow up to comments, please leave appropriate contact information on the open mic sign-in sheet. Please limit your comments to three minutes.
- IX. Old Business
 - A. Consider Second Reading of the Following Policies
 - 1. Policy 503-NB - Attendance Policy 44
 - 2. Policy 524-NB - Internet Acceptable Use and Safety Policy 54
- X. New Business
 - A. Consider Certification of Proposed Property Tax Levy 2022 Payable 2023 74
 - B. Consider Setting December 8, 2022 to Certify the Property Tax Levy 2022 Payable 2023
 - C. Consider Single Reading of Policy 496-NB - Teacher Substitute Pay (NB policy; recommending changes) 81
- XI. Addendum
- XII. Board & Administrator September 2022 Issue 82
- XIII. Information
- XIV. Board Requests
- XV. Committee Reports
- XVI. Dates to Remember
 - A. Monday, September 19, 2022, Negotiations Committee Meeting, 4:00 pm, North Branch Area Education Center
 - B. Monday, September 19, 2022, Principal Negotiation Session, 4:30 pm, North Branch Area Education Center
 - C. Thursday, September 22, 2022, School Board Work Session, 5:30 pm, North Branch Area Education Center, Boardroom, C120
 - D. Thursday, October 13, 2022, Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120
 - E. Thursday, October 27, 2022, School Board Work Session, 5:30 pm, North Branch Area Education Center, Boardroom, C120
- XVII. Adjournment

Superintendent Update

September 8, 2022





Back to School Excitement!





Enrollment Update and Staffing Adjustments

- Enrollment on first day of school
- Importance of October 1 enrollment count
- Ongoing staffing adjustments



Welcome Back to Early Learning and Community Education!



Erica Bjerketvedt
Co-Director

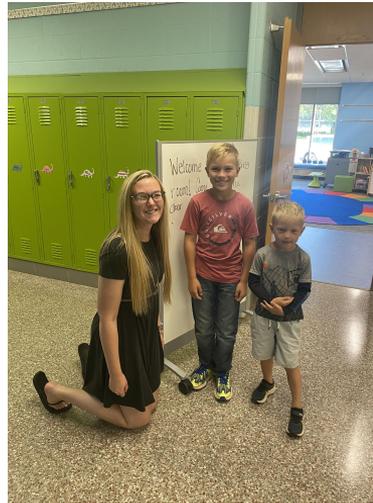
Brett Carlson
Co-Director

Great things to look forward to in Early Learning and Community Education!

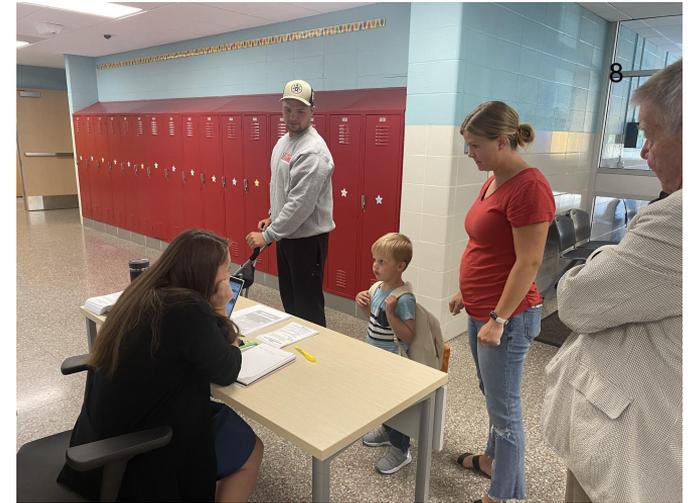
First School Experience



Amazing Staff



Family Engagement



Welcome Back to Sunrise River School!

Victoria Martin
Dean

Taylor Swanson
Principal

Joan Bense
Instructional Coach



Welcome Back from the Sunrise River School perspective!

Connecting with students!



Greetings Families!



Touring Sunrise River School!



Great things to look forward to at Sunrise River School!

- The first start to a school year with The Sunrise Way!
- Building classroom community with start of the school year rituals and routines.
- BE GOOD PEOPLE social emotional learning every week.
- 5 Specialist Rotation - Art, Music, PE, Spanish, Launch
- The return of many elementary field trips!
- More than 10 staff new to Sunrise River School!

We follow the Sunrise Way in our CLASSROOM!

Respectful
Be polite and kind to others

Voice level 0-2
Take turns patiently
Raise your hand
Be honest

Responsible
Keep our school clean and safe

Keep hands, feet, and objects to yourself
Keep the classroom clean

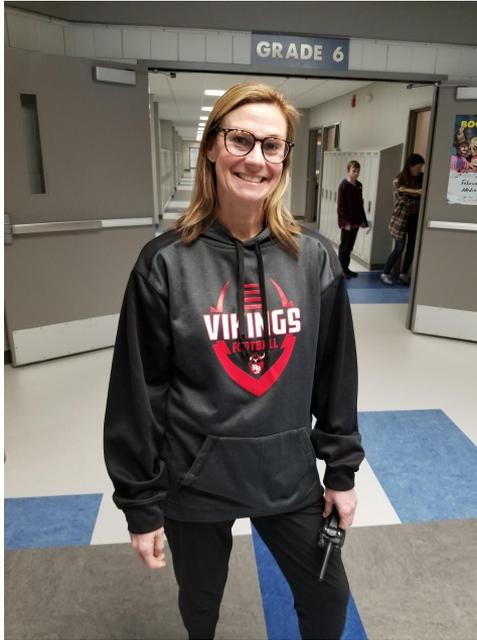
Ready to Learn
Handle your business and show your best effort

Listen carefully and follow directions
Be prepared, stay on task, and complete your work
Ask for help when you need it and be helpful when you can



Welcome Back to North Branch Area Middle School!

Kelly Detzler
Principal



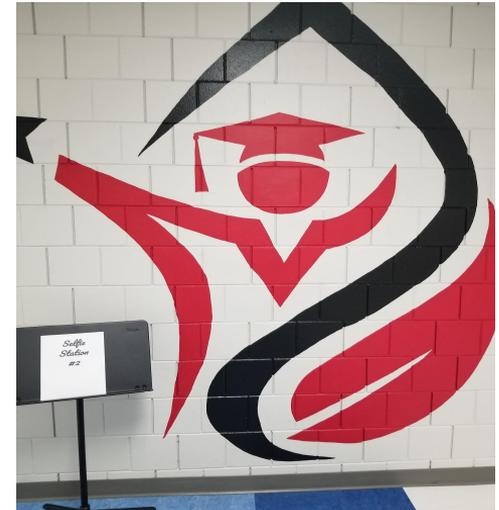
Matt Lattimore
Assistant Principal



Great things to look forward to at North Branch Area Middle School!

Staffing adjustments due to:

- increasing enrollment
- Strengthening core instruction
- Increasing student motivation through elective offerings



Welcome Back to North Branch Area High School!

Andrea Thiner-
Assistant Principal

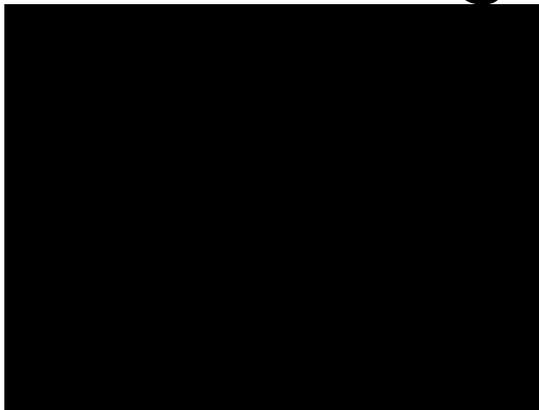


Clint Link-
Principal

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Great things to look forward to at North Branch Area High School!



North Branch Area High School FLEX EXPECTATIONS

Commitments			Supported Independent Flex
Students	Teachers	Support Staff	
Uphold the Viking Way	Actively supporting students during Flex: <ul style="list-style-type: none"> Relationship building Monitor students' grades Academic assistance CCR support 	Clarity of role/position responsibilities of support for students and staff	<ul style="list-style-type: none"> On track for graduation Currently passing all classes
Be in a designated area or have written permission for alternative location	Regular communication to students and families about missing assignments	Regular data pulls to staff and families to assist in student support	Structure Academic Flex <ul style="list-style-type: none"> Students' behaviors reflect the Viking Way in the classroom, during FLEX time and outside of the school day. Students are responsible during transitions, in the hallways and in the classroom.
Have awareness of current academic standing. This includes an academic goal for the grading term.	Provide guidance for accessing grades and supporting students' academic goals	1 on 1, small group, and large group skill building in the Viking Way	

- Fully staffed Educational Assistants
- 20+ Concurrent College Courses
- Significant increase of students in CTE and college courses
- Added Flex Time structures to build skills for independent learning

Welcome Back to Norse Area Learning Center and Distance Learning Academy!



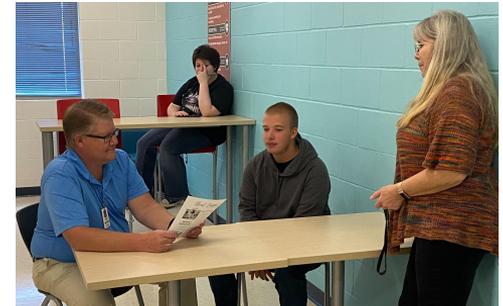
Setting our course

- Building Relationships
- Edmentum onboarding
- Expectations and Goals

Great things to look forward to at Norse Area Learning Center and Distance Learning Academy!



- Each student has an individualized plan
- Flexible options to meet student needs
- Family like atmosphere
- Exceptional staff committed to student success



Welcome Back from Human Resources and Business Services!

- Employee payroll and benefits
- Financial management of local, state and federal funds
- Support for hiring, purchases and contracts



Welcome Back from Teaching and Learning!

- Supporting students and families EC through 21.
- Providing Staff Professional Development
- Supporting each building as they strive to meet and exceed building goals



Staff Wellness and High Quality Service

- Our high quality service to others is why we are at the forefront of educational excellence
- NBAPS is fortunate to have staff that live out our core values in service to our students and families
- Staff and Student Wellness continues to be a top priority
- Staff Wellness Committee forming
- Chisago County has offered to come alongside to partner in support of staff wellness



Thank you LGI for the generous support!

- LGI- Nationwide Company that builds new homes and is making infrastructure investments to eventually serve over 800 families right here in North Branch.
- LGI acknowledged North Branch staff for the best district tour they have ever experienced!
 - Every smile, every story told about our NBAPS shared commitment to excellence makes an impact.
- Donated \$3,000 which will be used to support Staff Wellness.

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Activities in Action!



HS Fall Sports Participation Numbers are almost identical to numbers from the 2021 season: Boys Soccer - 32, Girls Soccer - 31, Girls Tennis - 30, Football - 79, Cross Country - 23, Volleyball - 48. We're doing a lot of promoting on social media to get activities information out to our community and to get all of these students-athletes and their programs the recognition they deserve.



Homecoming Week is going to be a great kick off to our school year that offers sporting events, food, and fun activities for our students, families, and community. SKOL Vikings!



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We continue to have great coaches and advisors! Many have been with our programs for years and have now stepped into head coaching positions and will continue to lead our kids with integrity, knowledge, and passion.



Come experience Viking Activities!



Senior Community Member Lifetime Activity Pass

This Senior Community Member Activity Pass grants free admission into home activities* for

SIGN HERE:

Validated by Sara Paul, Superintendent



Forward Together!





FORWARD

Together

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
NORTH BRANCH AREA EDUCATION CENTER, ROOM B122
POLICY COMMITTEE MEETING
August 11, 2022**

The Policy Committee met on Thursday, August 11, 2022 at 4:30 p.m. in Room B122 at the North Branch Area Education Center.

Members in Attendance: Tim MacMillan, Sarah Grovender, Kevin Bollman, Superintendent Paul, David Treichel, Todd Tetzlaff, and Arle Chambers

Policies Discussed

Policy 504-NB – Student Dress and Appearance

Policy 504-NB was discussed and will be reviewed with legal counsel before being brought forward for a first reading.

Policy 530 – Immunization Requirements

Policy 530 was discussed and will be reviewed with legal counsel before being brought forward for a first reading.

The meeting concluded at 4:49 p.m.

Kevin Bollman, Clerk
(Unapproved)

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
REGULAR SCHOOL BOARD MEETING
NORTH BRANCH AREA EDUCATION CENTER, BOARDROOM
AUGUST 11, 2022**

The School Board of Independent School District 138 met in regular session on Thursday, August 11, 2022, at 5:30 p.m. in the Boardroom at the North Branch Area Education Center.

Board Chair MacMillan called the meeting to order.

Roll Call: Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Naegele, Jesse LaValla, and Superintendent Paul

Absent: Adam Trampe

Others in Attendance:

Denise Martin, Bill Stickels III, John Wagner, Lori Lavin, Caitlin Podratz, David Treichel, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

The Pledge of Allegiance was said by all.

Approval of Agenda:

Moved by Grovender, seconded by LaValla and carried unanimously to approve the agenda.

SUPERINTENDENT'S REPORT

Superintendent Paul gave an update on the Safe Learning Plan, reported on summer programming, lunch educational benefits, enrollment, and the Distance Learning Academy option.

She also reported on safety and security, buildings and grounds, the Strategic Planning Advisory Committee, professional development, homecoming planning, and school board filing dates.

CONSENT ITEMS

Moved by Bollman, seconded by Naegele and carried unanimously to approve the following consent items.

- A. Minutes of July 14, 2022 Policy Committee Meeting
- B. Minutes of July 14, 2022 Regular School Board Meeting
- C. Authorization of Payments, Transfers, and Investment Activity
 - Accounts Payable, Bank 07 – \$589,217.04
 - Auxiliary, Bank 12 - \$5,355.84

- Payroll, Bank 13 - \$2,236,729.83
- Scholarship, Bank 18 - \$71,534.00
- High School Student Activities, Bank 31 - \$2,204.72
- Middle School Student Activities, Bank 32 - \$0.00

D. Personnel

1. Lonnie, Tschappat, retirement effective July 15, 2022, as Custodian at North Branch Area Public Schools
2. Linda Behrendt, retirement effective July 28, 2022, as Early Childhood Assistant at North Branch Area Education Center
3. Sophia Kneen, resignation effective June 10, 2022, as Health Office Clerk at North Branch Area High School
4. Britnie Anderson, resignation effective July 11, 2022, as SPED Assistant at North Branch Area Education Center
5. Allysha Ness, resignation effective July 22, 2022, as SPED Assistant at North Branch Area Education Center
6. Carol Skiba, resignation effective August 31, 2022, as SPED Assistant at North Branch Area High School
7. Sarah Izzo, request to be released from her contract for the upcoming 2022-23 school year, contingent upon the district hiring a suitable replacement, as Elementary Teacher at North Branch Area Education Center. Contract release granted.
8. Becky Muyres, request to be released from her contract for the upcoming 2022-23 school year, contingent upon the district hiring a suitable replacement, as Math Teacher at North Branch Area High School
9. Ramona Wideen, leave request effective August 30, 2022 through October 16, 2022, as Lead Custodian at Sunrise River Elementary School
10. Kristi Johnson, leave request effective September 8, 2022 through November 23, 2022, as Community Education Early Childhood Instructor
11. Vicki Kristo, BS, Step 4, employment for the 2022-23 school year only, as SPED Teacher at Sunrise River Elementary School
12. Erik Lien, MS+60, Step 17, employment effective the beginning of the 2022-23 school year, as Social Studies Teacher at Norse Area Learning Center and Distance Learning Academy

13. Stephanie Mohs, MA+45, Step 12, employment for the 2022-23 school year only, as SPED Teacher at North Branch Area Middle School
14. Elizabeth Sandberg, BS, Step 6, employment effective the beginning of the 2022-23 school year, as SPED Teacher at North Branch Area High School
15. Katherine Pell, employment effective August 4, 2022, as Lead Secretary at Sunrise River Elementary
16. Ashley Klofstad, hired as Lunchroom/Playground Assistant, North Branch Area Education Center, effective beginning with the 2022-23 school year, in addition to current position
17. Katerina Nagle, hired as Early Childhood Assistant, North Branch Area Education Center, effective beginning with the 2022-23 school year, in addition to current position
18. Jolene Schulte, position change effective at the beginning of the 2022-23 school year, from Lunchroom/Playground Assistant at North Branch Area Education Center to Early Childhood Assistant at North Branch Area Education Center
19. Tessa Strain-Moritz, MS, Step 10, change from 0.5 FTE to 1.0 FTE effective with the 2022-23 school year, as English/Language Arts Teacher at Norse Area Learning Center and Distance Learning Academy
20. 2022-23 Extra Curricular Fall Coach Positions
 - a. Norm Nagel, Class 2, Step 4, as Head Coach for Cross Country
 - b. Nita Worthley, Class 4, Step 4, as Assistant Coach for Cross Country
 - c. Josh Kopp, Class 2, Step 5, as Head Coach for Girls Soccer
 - d. Sherri Keller, Class 4, Step 8, as Assistant Coach for Girls Soccer
 - e. Chad Johnson, Class 2, Step 10, as Head Coach for Boys Soccer
 - f. Joel Santjer, Class 3, Step 7, as Head Coach for Girls Tennis
 - g. Kathy Crudo, Class 5, Step 3, as Assistant Coach for Girls Tennis
 - h. Justin Voss, Class 1, Step 5, as Head Coach for Football
 - i. Dan Johnson, Class 3, Step 8, as Assistant Coach for Football
 - j. Kyle Kahl, Class 3, Step 10, as Assistant Coach for Football
 - k. Brent Lundgren, Class 3, Step 9, as Assistant Coach for Football
 - l. Ian McWilliams, Class 3, Step 10, as Assistant Coach for Football
 - m. Mason Niederkorn, Class 3, Step 6, as Assistant Coach for Football
 - n. Andrew Timmer, Class 3, Step 2, as Assistant Coach for Football
 - o. Mike Selbitschka, Class 1, Step 10, as Head Coach for Volleyball
 - p. Grace Benda, Class 3, Step 1, as Assistant Coach for Volleyball
 - q. Madison Hadrava, Class 3, Step 1, as Assistant Coach for Volleyball
 - r. Tammi Minke, Class 3, Step 10, as Assistant Coach for Volleyball
 - s. Alexis Sheehan, Class 6, Step 2, as Middle School Volleyball Coach
 - t. Jim VanEerden, Class 6, Step 10, as Middle School Volleyball Coach
 - u. Parker Johnson, Class 6, Step 4, as Middle School Boys Soccer Coach
 - v. Ryan Minke, Class 9, Step 10, as Weightroom Supervisor (Fall Season)
 - w. Norm Nagel, Class 9, Step 10, as Weightroom Supervisor (Fall Season)

E. Acceptance of Donations

Date	Donation From	Donation To	Amount	Use
7/5/22	Wilson Tool International – White Bear Lake, MN	NBHS Athletics	\$660.00	FRC Robotics Program
7/7/22	Members Cooperative Credit Union – Duluth, MN	MBHS Athletics	\$150.00	FTC Robotics Program
7/21/22	Lakes Gas – Wyoming, MN	NBHS Athletics	\$1,500.00	Science Club Program
7/22/22	Shaan Hilber – NB, MN	NBHS	\$60.00	Band & Choir Programs
7/31/22	Edelstein Family Foundation – Edina, MN	NBHS Scholarship A/C	\$71,284.00	Scholarship Donation
		Total	\$73,284.00	

OPEN MIC

No one signed up for open mic.

OLD BUSINESS

A. Approval of Second Reading of the Following Policies

Moved by Grovender, seconded by Bollman and carried unanimously to approve the second reading of the following policies:

1. Policy 206-NB - Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations (MSBA changes)
2. Policy 211 - Criminal or Civil Action Against School District, School Board Member, Employee, or Student (MSBA changes)
3. Policy 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse (MSBA changes)
4. Policy 423 - Employee-Student Relationships (MSBA changes)
5. Policy 519 - Interviews of Students by Outside Agencies (MSBA changes)
6. Policy 532 - Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds (MSBA changes)

NEW BUSINESS

A. Approval of Resolution of Health and Safety Measures for the 2022-23 School Year
 Moved by Bollman, seconded by Naegele and carried unanimously to approve the following resolution of Health and Safety Measures for the 2022-23 School Year:

Resolution for Health and Safety Measures for the 2022-2023 School Year

WHEREAS, Minnesota Statutes Section 123B.09 vests the care, management, and control of Independent School District No. 138 (the “School District”) in the School Board; and

WHEREAS, the Superintendent of the School District [hereinafter the “Superintendent”] is responsible for the management of the schools, the administration of all School District policies, and is directly accountable to the School Board; and

WHEREAS, when responsibilities are not specifically prescribed nor School District policy applicable, the Superintendent shall use personal and professional judgment, subject to review by the School Board, pursuant to School District Policy 302, Superintendent; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and the Minnesota Department of Health (“MDH”) have determined that the COVID-19 pandemic is currently ongoing and may remain ongoing for an unknown time; and

WHEREAS, the Minnesota Department of Education (“MDE”) has issued and may continue to issue written guidance for Minnesota schools on educational issues related to COVID-19; and

WHEREAS, the MDH has issued and may continue to issue written guidance for Minnesota schools on public health issues related to COVID-19; and

WHEREAS, the School Districts has established a consultative process to inform decision making; and

WHEREAS, the School District has a Safe Learning Continuum that shows five level of mitigation; and

WHEREAS, the Superintendent and the administration of the School District have conferred with the School Board regarding COVID-19 health and safety measures, the current CDC, MDE, and MDH recommendations for each, and other relevant information; and

WHEREAS, the School District provided in-person learning throughout the 2020-21 and 2021-22 school years and collected data to inform decisions; and

WHEREAS, based upon the collective consideration of these factors, the Superintendent has recommended to the School Board that the school year commence at a Level 1 on the Safe Learning Continuum.

NOW, THEREFORE, BE IT RESOLVED, by the School Board of Independent School District No. 138 as follows:

Section 1: The Superintendent is hereby directed to implement the following health and safety measures to open the 2022-2023 school year: Return to School at a Level 1 on the School District Safe Learning Continuum. Decisions to move to

increasing levels on the Safe Learning Continuum will be guided by the level of COVID-19 spread within the School District as well as other relevant factors.

Section 2: The Superintendent is hereby authorized, after consultation with the School Board Chair and notification to the School Board, to select and implement different health and safety measures as reflected on the Safe Learning Continuum for the School District or any specific school buildings without School Board action if the Superintendent reasonably believes that prompt implementation of different health and safety measures is necessary, and that constraints of time and public health considerations render it impractical to hold a School Board meeting to approve the implementation of different health and safety measures.

Section 3: The Superintendent will provide regular updates to the School Board regarding the School District's mitigation efforts and School District's COVID-19 data and other matters deemed relevant by the Superintendent or School Board.

Adopted this 11th day of August, 2022.

Roll Call Vote:

Voting for: MacMillan, Grovender, Bollman, Naegele, LaValla

Voting against: None

- B. Approval of Family Satisfaction DRAFT Survey
Moved by Grovender, seconded by Bollman and carried unanimously to approve the Family Satisfaction Draft Survey.

- C. Approval of Changing the Adult Lunch Price from \$4.40 to \$4.95 in Accordance with the Minimum Price Requirement Announcement from MDE
Moved by Bollman, seconded by Naegele and carried unanimously to approve changing the adult lunch price from \$4.40 to \$4.95 in accordance with the minimum price requirement announcement from MDE.

- D. Ratify Contract Between the North Branch Support Staff Association and North Branch Independent School District Effective July 1, 2022 through June 30, 2024
Moved by Naegele, seconded by LaValla and carried unanimously to approve the ratification of the contract between the North Branch Support Staff Association and North Branch Independent School District for July 1, 2022, through June 30, 2024.

The updated contract includes steps, wage increases and benefit increases in both years of the contract.

E. Approval of Renewal of Membership in Minnesota Rural Education Association (MREA)

Moved by Grovender, seconded by Bollman and carried unanimously to approve the renewal of membership in the Minnesota Rural Education Association (MREA) in the amount of \$ 2,500.00.

F. Approval of Renewal of Membership in Schools for Equity in Education (SEE)

Moved by Naegele, seconded by Bollman and carried unanimously to renew membership with Schools for Equity in Education (SEE) in the amount of \$4,011.00.

G. Approval of First Reading of the Following Policies

Moved by Grovender, seconded by LaValla and carried unanimously to approve the first reading of the following policies:

1. Policy 503-NB - Attendance Policy
2. Policy 524-NB - Internet Acceptable Use and Safety Policy

INFORMATION

The board reviewed the August 2022 issue of the Board and Administrator.

BOARD REQUESTS

None

COMMITTEE REPORTS

None

DATES TO REMEMBER

- A. August 25, 2022, Special School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120
- B. September 8, 2022, Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120
- C. September 19, 2022, Negotiations Committee Meeting, 4:00 pm, North Branch Area Education Center
- D. September 19, 2022, Principal Negotiation Session, 4:30 pm, North Branch Area Education Center
- E. September 22, 2022, School Board Work Session, 5:30 pm, North Branch Area Education Center, Boardroom, C120

Adjournment

Moved by Bollman, seconded by Naegele and carried unanimously to adjourn the regular meeting at 6:19 p.m.

Kevin Bollman, Clerk
(Unapproved)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
SPECIAL SCHOOL BOARD MEETING
August 25, 2022

The School Board of Independent School District held a Special School Board Meeting at 5:30 p.m. on August 25, 2022 in the Boardroom at the North Branch Area Education Center.

Board Member MacMillan called the meeting to order.

Roll Call: Tim MacMillan, Sarah Grovender, Heather Naegele, Jesse LaValla, Adam Trampe, and Superintendent Paul

Absent: Kevin Bollman

The Pledge of Allegiance was said by all.

Others in Attendance:

Kyle Puelston, Reid Anderson, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

Approval of Agenda

Moved by Grovender, seconded by LaValla and carried unanimously to approve the agenda.

Superintendent's Report

Superintendent Paul reported on 2022-23 goal setting considerations and draft goals for the elementary, middle school, and high school. All finalized program goals and overview of action plans will be shared with the school board this fall.

She also reported First Day of School signs are available on the website for families for grades pre-12, mentioned that Walk and Roll to School Day is scheduled for October 12, and talked about ongoing budget adjustments.

Old Business

A. Budget Update

Todd Tetzlaff, Director of Finance and Human Resources, gave an update on the budget stating there is an adjustment for FY 22 and FY 23. The FY 22 adjustment is consistent with the board's approved budget and the FY 23 adjustment will be included in a future revised budget and will be brought to the board for approval.

Mr. Tetzlaff also reported on enrollment stating that student enrollment is one of the most critical assumptions to make when creating a budget. He also mentioned the administrative team changed the enrollment projection model beginning in January. He said we will continue to closely monitor student enrollment and make staffing adjustments based on students' needs and enrollment.

New Business

A. Approval of Resolution Relating to Election of School Board Members and Calling the School District General and Special Election

Member Grovender introduced the following resolution and moved its adoption:

RESOLUTION RELATING TO ELECTION OF SCHOOL BOARD MEMBERS AND CALLING THE SCHOOL DISTRICT GENERAL AND SPECIAL ELECTION

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. It is necessary for the School District to hold its general election for the purpose of electing three (3) school board members for terms of four (4) years each and a special election to fill the vacancy in the term of a school board member expiring January 6, 2025.

2. The general and special election is hereby called and directed to be held in conjunction with the State General Election on Tuesday, November 8, 2022.

3. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for this general and special election are those polling places and precincts or parts of precincts located within the boundaries of the School District and which have been established by the cities or towns located in whole or in part within the School District. The voting hours at those polling places shall be the same as those for the State General Election.

4. The Clerk is hereby authorized and directed to cause written notice of said general and special election to be provided to the County Auditor of each county in which the School District is located, in whole or in part, at least seventy-four (74) days before the date of said election. The notice shall specify the date of the election and the office or offices to be voted on at said general and special election. Any notice given prior to the adoption of this resolution is ratified and confirmed in all respects.

5. The Clerk is hereby authorized and directed to cause notice of said general and special election to be posted for public inspection at the administrative offices of the School District at least ten (10) days before the date of said election.

6. The Clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the School District at least four (4) days before the date of said general and special election and to cause two sample ballots to be posted in polling places located within the School District on election day. The sample ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling place must reflect the offices, candidates and rotation sequence on the ballots used in that polling place.

7. The Clerk is hereby authorized and directed to cause notice of said election to be published in the official newspaper of the School District, for two (2) consecutive weeks with the last publication being at least one (1) week before the date of the election. The notice of election so posted and published shall state the offices to be filled as set forth in the form of ballots below, and shall include information concerning each established precinct and polling place.

8. The Clerk is authorized and directed to acquire and distribute such election materials and to take such other actions as may be necessary for the proper conduct of this general and special election and generally to cooperate with state, city, township and county election authorities conducting the state general and other elections on that date. The Clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with those other elections, including entering into agreements or understandings with appropriate municipal and county officials regarding preparation and distribution of ballots, election administration and cost sharing.

9. The Clerk is further authorized and directed to cause ballots to be prepared for use at said election in substantially the following form, with such changes in form, color and instructions as may be necessary to accommodate an optical scan voting system:

[Form of Ballot on the Following Page]

General Election Ballot

Independent School District No. 138
(North Branch Area Public Schools)

November 8, 2022

Instructions to Voters

To vote, completely fill in the oval(s) next to your choice(s) like this: ● .

School Board Member

Vote for Up to Three

Sarah Grovender

Jesse LaValla

Shane O'Connor

Adam Trampe

Name

Name

write-in, if any

write-in, if any

write-in, if any

**Special Election for School Board Member
to fill vacancy in term expiring January 6, 2025
Vote for One**

Shelly Johnson

Name

write-in, if any

SAMPLE

10. Optical scan ballots must be printed in black ink on white material, except that marks to be read by the automatic tabulating equipment may be printed in another color ink. The name of the precinct and machine-readable identification must be printed on each ballot. Voting instructions must be printed at the top of the ballot on each side that includes ballot information. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for initials of at least two election judges must be printed on one side of the ballot so that the judges' initials are visible when the ballots are enclosed in a secrecy sleeve.

11. The name of each candidate for office at each election shall be rotated with the names of the other candidates for the same office in the manner specified in Minnesota law.

12. If the School District will be contracting to print the ballots for this election, the Clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, if requested by the election official, furnish, in accordance with Minnesota Statutes, Section 204D.04, a sufficient bond, letter of credit, or certified check acceptable to the clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The Clerk shall set the amount of the bond, letter of credit, or certified check in an amount equal to the value of the purchase.

13. The individuals designated as judges for the State General Election shall act as election judges for this general and special election at the various polling places and shall conduct said election in the manner described by law. The election judges shall act as clerks of election, count the ballots cast and submit them to the School Board for canvass in the manner provided for other School District elections. The general and special election must be canvassed between the third and the tenth day following the general and special election.

14. The School District Clerk shall make all Campaign Financial Reports required to be filed with the School District under Minnesota Statutes, Section 211A.02 available on the School District's website. The Clerk must post the report on the School District's website as soon as possible, but no later than thirty (30) days after the date of the receipt of the report. The School District must make a report available on the School District's website for four years from the date the report was posted to the website. The Clerk must also provide the Campaign Finance and Public Disclosure Board with a link to the section of the website where reports are made available.

The motion for the adoption of the foregoing resolution was duly seconded by Trampe and upon vote being taken thereon the following voted in favor thereof: MacMillan, Grovender, Naegele, LaValla, Trampe and the following voted against the same: None whereupon said resolution was declared duly passed and adopted.

Adjournment

Moved by Grovender, seconded by LaValla and carried unanimously to adjourn the meeting at 6:35 p.m.

Kevin Bollman, Clerk
(Unapproved)

ELECTRONIC FUND TRANSFERS
August 2022

Direct Dep Cks	\$688,953.60		
ACHS	<u>\$9,438.19</u>		
	\$698,391.79		
Wells Fargo Debt Service Payment:		8/16/2022	\$71,197.43
Other Electronic Fund Transfers:		8/1/2022	\$54,428.85
Federal/FICA Taxes		8/1/2022	\$78,045.58
(Also reflected in P/R info)		8/15/2022	\$46,040.97
		8/15/2022	\$76,195.25
		8/29/2022	\$43,508.59
		8/29/2022	<u>\$60,615.21</u>
			\$358,834.45
Minnesota Withholding Taxes		8/1/2022	\$1,250.00
(Also reflected in P/R info)		8/2/2022	\$9,453.63
		8/2/2022	\$12,303.43
		8/15/2022	\$505.36
		8/16/2022	\$7,430.00
		8/16/2022	\$10,878.54
		8/29/2022	\$150.00
		8/30/2022	\$7,455.80
		8/30/2022	<u>\$10,305.34</u>
			\$59,732.10
Economic Service (EBC)		8/15/2022	\$9,654.11
(Also reflected in P/R info)		8/15/2022	\$15,027.12
		8/29/2022	\$9,654.11
		8/29/2022	<u>\$15,027.12</u>
			\$49,362.46
MII LIFE-F S A		PEIP 8/1/2022	\$325.82
		PEIP 8/12/2022	\$1,360.38
		PEIP 8/19/2022	\$170.67
		PEIP Admin Fee 8/23/2022	\$243.95
		PEIP 8/26/2022	<u>\$36.15</u>
			\$2,136.97
MII LIFE-M S A		8/15/2022	<u>\$5,724.78</u>
			\$5,724.78
Minnesota Teachers Retirement		8/12/2022	\$8,366.97
		8/12/2022	\$17,306.39
		8/12/2022	\$41,387.84
		8/26/2022	\$8,270.71
		8/26/2022	<u>\$43,838.90</u>
			\$119,170.81
PERA		8/12/2022	\$20,476.44
		8/26/2022	<u>\$18,343.46</u>
			\$38,819.90
Delta Dental Plan		8/23/2022	\$18,574.42
Neopost Advance		8/25/2022	\$5,000.00

AUGUST 2022

DATE	DONATION FROM	DONATION TO	AMOUNT	USE
8/26/22	Wilson Tool International, 12912 Farnham Ave, White Bear Lake, MN 55110	NBHS Athletics	\$800.00	FRC Robotics Program Donation
8/29/22	Shaan Hilber, 37687 Elk Ave, North Branch, MN 55056	NBHS	\$60.00	Music 50/50 split (Band & Choir) Department Donation
8/31/22	Clear Creek Dental, Attn: Jodi Burth, 6364 Main Street, North Branch, MN 55056	NBHS Scholarship A/C	\$500.00	Scholarship Donation
8/31/22	Minnco Credit Union, 235 West First Ave, Cambridge, MN 55008	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
8/31/22	Hazelden Betty Ford Foundation, P.O. Box 11, Center City, MN 55012	NBHS Scholarship A/C	\$600.00	Scholarship Donation
			\$2,960.00	

Adopted: _____

MSBA/MASA Model Policy 503

Orig. 1995

Revised: _____

Rev. 20132021

503 STUDENT ATTENDANCE

[Note: The provisions of this policy substantially reflect statutory requirements.]

I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed

assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, §section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

The superintendent shall develop procedures to implement the policy for district schools and keep the school board informed of any changes in these procedures. (Previous NB change)

~~Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy. (Previous MSBA language that we deleted)~~

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian ~~will verify within two days of the absence~~ (Previous NB change) ~~may be asked to verify, in writing or by phone~~ (Previous NB change), the reason for the student's absence from school. ~~The school district reserves the right to request documentation for any excused absence. (Previous NB change)~~ A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. ~~Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a~~

~~curricular activity for a religious observance. The school district will provide annual notice to students of the school district's policy relating to a student's absence for religious observance.~~

~~ebb.~~ The following reasons shall be sufficient to constitute excused absences:

- (1) Illness. (Documentation from a medical provider may be required.) (Previous NB change)
- (2) Serious illness or injury (Previous NB change) in the student's immediate family.
- (3) A death or funeral in the student's immediate family or of a close friend or relative.
- (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week.
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies.
- (11) Active duty in any military branch of the United States.
- (12) Family member on military leave (Previous NB change)
- (13) Observance of a religious or cultural holiday (Previous NB change) We would like to change this sentence to say Religious observance
- (14) Successfully appealed absences (Previous NB change)
- (15) A student's condition that requires ongoing treatment for a mental health diagnosis.

[Note: State law provides that a school board may include other

exemptions in the school district's attendance policy. See Minnesota Statutes, §section 120A.22, Ssubdivision 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]

c. Consequences of Excused Absences

(1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher. The student is responsible for contacting teachers to initiate makeup work. (Previous NB change)

(2) ~~Work missed because of absence must be made up within _____ days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.~~ (Previous MSBA language that we deleted)

Work missed because of absence must be made up. The building principal or the classroom teacher will extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances. (Previous NB change)

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

(1) Truancy. An absence by a student which was not approved by the parent and/or the school district.

(2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.

(3) Work at home/Needed at home (Previous NB change).

(4) Work at a business, except under a school-sponsored work release program.

(5) Vacations with family.

- (6) Personal trips to schools or colleges.
- (7) Absences resulting from cumulated unexcused tardies (____ tardies equal one unexcused absence).
- (8) Any other absence not included under the attendance procedures set out in this policy. **For Example: Hunting, Fishing, 4-H, Rodeo, etc.** (Previous NB change)

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections ~~§§~~ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
 - (a) ~~From the first through the _____ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.~~ (Previous MSBA language that we deleted)

With the exception of truancy absences, work missed on a day marked unexcused may be turned in the day after the student returns to school. Work completed on the day of truancy that represents work from multiple days (tests, group projects, long term projects) will be accepted. (Previous NB change)

- (b) After the _____ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by **certified** (Previous NB change) mail that his or her child is nearing a total of _____ unexcused absences and that, after the _____ unexcused absence, **the students in grades 9-12 shall have their grade** (Previous NB change) ~~student's grade shall be~~ reduced by one increment for each

unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will offer the student's parent or guardian an opportunity to request such a conference.

~~(Previous NB change) state that the school strongly urges the student's parent or guardian to request such a conference. (Previous MSBA language that we deleted)~~

- (d) ~~After _____ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent. (Previous MSBA language that we deleted)~~

~~For high school students in grades 9-12 on the 6th cumulative unexcused absence in a trimester the teacher will reduce the student's letter grade by one increment in consultation with the building administrator. The grade will be reduced one increment for each unexcused absence thereafter (i.e. A- to B+). The administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative contact must be made with the student and parent and the parent must be provided an opportunity to have an administrative conference if desired. (Previous NB change)~~

- (e) After _____ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.

~~Students may be assigned detention or suspended from school for truancy. (Previous NB change)~~

- (f) If the result of a grade reduction or loss of credit has

the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes, sections §§ 121A.40-121A.56.

- (g) A student may appeal the grade reduction process if the student feels that he/she has a valid reason (i.e. unforeseeable extenuating circumstance) for the absence. An Appeals Committee will review and make a decision on the appeal. (Previous NB change)

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. A student will be marked tardy if they arrive to class within ten minutes of the bell. Students that are more than ten minutes late will be marked absent. (Previous NB change)

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office or classroom (Previous NB change) for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the

designated time class period commences without a valid excuse.

- b. Consequences of tardiness may include detention after 3 unexcused tardies. In addition for grades 9-12, 3 unexcused tardies are equivalent to one unexcused absence. Three late to school unexcused tardies for grades K-8 are the equivalent to one unexcused absence. (Previous NB change)

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. RELIGIOUS OBSERVANCE ACCOMMODATION

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

IV. DISSEMINATION OF POLICY

1. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.
2. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

IV. REQUIRED REPORTING

A. Continuing Truant

Minnesota- Statutes- §section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota- Statutes- §section 120A.22 and is absent from instruction in a school, as defined in Minnesota- Statutes- §section 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota- Statutes- §section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota- Statutes- §section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota- Statutes- §section 120A.34;
4. That this notification serves as the notification required by Minnesota- Statutes- §section 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota- Statutes Chapter- 260C;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minnesota- Statutes- section§ 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

[Note: Where truancy services and procedures programs under Minnesota- Statutes.

Chapter- 260A are available within the school district, the following provisions should also be included in the policy.]

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under ~~Minnesota Statutes Chapter-~~ 260A.

Legal References:

Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, ~~S~~subd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565, ~~95 S.Ct. 729~~ (1975)
Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Board of Education, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References:

MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: _____

MSBA/MASA Model Policy 524

Orig. 1996

Revised: _____

Rev. 20~~22~~21

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

[Note: School districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between

employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
- 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 - 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 - 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 - 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts seeking technology revenue pursuant to Minnesota Statutes section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

[Note: For a school district that does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under Minnesota Statutes section 125B.15.]

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

[Note: Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.]

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

[Note: School districts that receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy that contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.]

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal ~~or~~ perverted sexual acts, or a lewd exhibition of the

genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
 - D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
 - E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents may have the right at any time to investigate or review the contents of their child's files and e-mail files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure, or discovery under Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for

enforcing the provisions of this acceptable use policy.

5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the school district's acceptable use policy is available for parental review.

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.
- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
1. the technology provider's employees or contractors have access to educational data only if authorized; and
 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:
1. any location-tracking feature of a school-issued device;
 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.

- C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:
1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 2. the activity is permitted under a judicial warrant;
 3. the school district is notified or becomes aware that the device is missing or stolen;
 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XVIII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32 (Educational Data)
15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)

Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ____ , 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 1942003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

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 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

STUDENTS

Internet Acceptable Use and Safety Policy

524-NB

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:
 - 1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:

North Branch Independent School District No. 138: District Policy #524-NB

Adopted: 3/12/98

Last Reviewed: 4/8/21

Revised: 5/11/00, 8/10/00, 5/9/02, 6/10/04, 1/8/09, 6/14/12, 6/11/15, 2/8/18, 5/9/19, 1/9/20, 12/9/21

Effective: 3/12/98, 5/11/00, 8/10/00, 5/9/02, 6/10/04, 1/8/09, 6/14/12, 6/11/15, 2/8/18, 5/9/19, 1/9/20, 12/9/21

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- a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

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- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.
 - c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software

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or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

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VI. FILTER

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;
 2. Child pornography; or
 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

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VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents may have the right at any time to investigate or review the contents of their child's files and e-mail files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes Chapter 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school

North Branch Independent School District No. 138: District Policy #524-NB

Adopted: 3/12/98

Last Reviewed: 4/8/21

Revised: 5/11/00, 8/10/00, 5/9/02, 6/10/04, 1/8/09, 6/14/12, 6/11/15, 2/8/18, 5/9/19, 1/9/20, 12/9/21

Effective: 3/12/98, 5/11/00, 8/10/00, 5/9/02, 6/10/04, 1/8/09, 6/14/12, 6/11/15, 2/8/18, 5/9/19, 1/9/20, 12/9/21

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district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 1. Notification that Internet use is subject to compliance with school district policies.
 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
 7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

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8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the school district's acceptable use policy is available for parental review.

XIII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

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Adopted: 3/12/98

Last Reviewed: 4/8/21

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Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 1942003)

Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds
816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)

Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.,
853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

NB Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
NB Policy 406 (Public and Private Personnel Data)
NB Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
NB Policy 506 (Student Discipline)
NB Policy 514 (Bullying Prohibition Policy)
NB Policy 515 (Protection and Privacy of Pupil Records)
NB Policy 519 (Interviews of Students by Outside Agencies)
NB Policy 521 (Student Disability Nondiscrimination)
NB Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
NB Policy 603 (Curriculum Development)
NB Policy 604 (Instructional Curriculum)
NB Policy 606 (Textbooks and Instructional Materials)
NB Policy 806 (Crisis Management Policy)
NB Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



Proposed Property Tax Levy 2023



NORTH BRANCH
AREA PUBLIC SCHOOLS
Inspire Dreams, Build Integrity, Instill Hope

September 8, 2022

Proposed Levy for Truth in Taxation

- Actual levy will be certified in December
- Proposed levy will be used in computing tax impact for notices mailed in November
- Proposed levy represents maximum School Board authority
- Levy amounts can be corrected, if needed, if Board certifies “Maximum”

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Levy Components

- 19 separate levies
 - Formulas established by state legislature
 - Formula changes impact levy amounts
- Adjustments for prior years
- Abatement adjustments
- Tax base changes from 2021 to 2022
 - Equalized levies increase or decrease with tax base
 - Market value versus tax capacity levies

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Recommendation

- Certify maximum
 - Permits changes to data by MDE
 - Board would not need to recertify changes

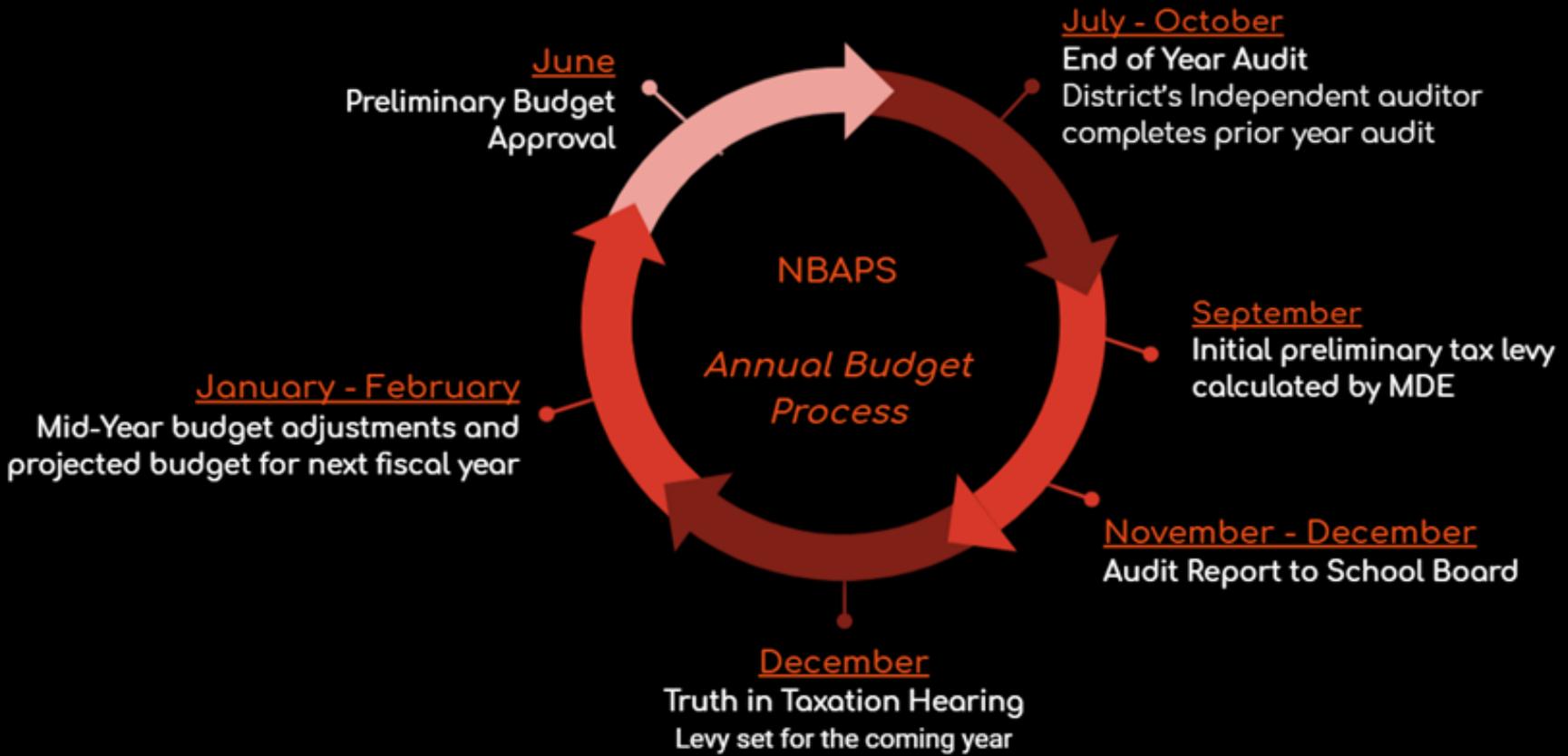
- Set the date for certifying the levy
 - December 8th school board meeting
 - Discuss budget and provide time for public comment

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Levy Timeline

- September
 - Proposed levy to County Auditor by September 30th
- November
 - Truth in Taxation Notices mailed by County Auditor
- December
 - Tax Hearing and Certification of Levy
 - December 8th School Board Meeting
- May
 - First half tax payments due

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Questions

- Are there any questions?
- If members of the public have specific questions about the school levy, please contact:

Todd Tetzlaff
Director of Finance and Human Resources
ttetzlaf@isd138.org
(651) 674-1009

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PERSONNEL

Teacher Substitute Pay

496-NB

Substitute teachers will be paid as follows:

Casual daily assignments:

Definition: Assignments of up to five consecutive days for the same teacher

- Rates of pay:
 - Full day: ~~\$145.00~~ \$160.00
 - Half day: ~~\$72.50~~ \$80.00
 - Any substitute teacher who worked as a substitute teacher in the school district for the equivalent of 50 full days or more in the immediately preceding school year, will receive an additional \$5 per full day, or \$2.50 per half-day.

Short term assignments:

Definition: Assignments of six or more consecutive days for the same teacher, excluding assignments qualifying as long term

- Rates of pay:
 - Beginning with the sixth day, daily rate of pay is based on entry level salary from teacher salary schedule.
 - A break in service results in restarting five days at the casual daily rate. A principal has discretion to waive this requirement in extraordinary circumstances for an appropriately licensed teacher.

Long term assignments:

Definition: Assignments of 31 days or more for the same teacher in a school year, as defined in statute

- Rates of pay:
 - Beginning with the first day, salary is based on the appropriate step and lane from the teacher salary schedule based on the substitute teacher's education and experience.

For the 2021—2022 ~~2022 - 2023~~ school year only, substitute teaching staff will receive incentive pay to work additional days. This incentive will increase with additional days of service and the incentive will be payable at the end of the school year based on the total number of days worked.

Board & Administrator

FOR SCHOOL BOARD MEMBERS

September 2022 Vol. 36, No. 5

Keep vocal board members from hogging floor

Depending on communication styles, your more expressive board colleagues may have greater floor time during board discussions than reticent board members do. To promote balanced board discussion that provides an opportunity to hear each board member's point of view, consider the following approaches.

1. *Use a stopwatch.* The board chair can keep time and allow each person to speak for two minutes on one issue. The time limit provides for an equitable exchange of ideas and keeps the meeting moving along in a timely manner. It prevents one member from monopolizing the conversation.

2. *Interrupt.* If the board member goes on and

on, another board member or the board chair should interrupt. If the speaker has gone off topic, point that out. If the speaker is just long-winded, interrupt and ask him to pause so other members can digest his points or catch up on their notes. Or just say the board needs to move on to the next issue.

3. *Reserve reaction for later.* Some members think it is their duty to comment on every issue and are serial interrupters. But, questions or opposing viewpoints can become interruptions that bog down a meeting. Try this: Once board members conclude their remarks, set aside a portion of the meeting for questions and clarifications. ■

Learn from educators on board during superintendent search

For many school boards searching for a new superintendent, it may be difficult to decide which of the numerous candidates in running is the best choice to lead the district. But if one or more of your board members is a full-time educator, you have a valuable resource that can make the superintendent selection process a bit easier.

During its superintendent search, the school board of the Oconomowoc Area (Wis.) School District relied on Board Member Chad Schraufnagel. Schraufnagel was an assistant principal at a local high school at the time, and he used his knowledge of school operations and the role of a superintendent to assist the board in selecting its new top administrator.

"He was invaluable during the superintendent selection process for his knowledge of the position as well as the overall field, if you will. Just having somebody like that ... was such a great advantage for our board and community," said School Board President James Wood in a phone interview with a local news outlet.

Similarly, the educators on your board may be willing to take the lead during interviews to determine which superintendent candidate is the right fit for your district. Alternatively, they may share insights that will help your board identify the specific skills, leadership style, and aspirations that your future superintendent should have to be successful. ■

Don't shy away from holding extra work sessions

Are you and your board colleagues making the most of your time? If you believe that your meeting discussions are running too long or board members need more time to prepare for a vote, the solution may be to hold additional work sessions each month. These work sessions, which give board members an opportunity to research and discuss specific topics and issues in greater detail, may maximize collaboration in and effectiveness of your board meetings.

Consider the results of *Board and Administrator's Survey on School Boards*, which was conducted late last year. Out of the 860 superintendents who responded to the survey, 44.9 percent — approximately 386 respondents — said their school boards held work sessions only once or

twice per month. On the other hand, 55.1 percent of superintendents — approximately 474 — said their school boards held work sessions either less than once or more than twice per month.

As the data indicate, there is no bright-line rule regarding how many work sessions a board must hold each month. That number may even vary from year to year or depend on the individual board's needs. Accordingly, don't shy away from convening extra work sessions if your board must study up on certain topics before a vote. You may be able to fit any necessary work sessions into your board's busy schedule by holding them before or after regular board meetings. ■

