



South St. Paul School Board Meeting  
Monday, March 27, 2023 6:00 PM  
Location: CITY HALL  
125 THIRD AVENUE NORTH  
South St Paul, Minnesota 55075

## Agenda

<b>I.</b>	<b>ROLL CALL and PLEDGE OF ALLEGIANCE</b>	
<b>II.</b>	<b>APPROVAL OF MEETING AGENDA/MINUTES</b>	
	A. School Board Meeting Agenda, March 27, 2023	
	B. Committee-of-the-Whole and Regular Meeting Minutes, March 13, 2023	3
<b>III.</b>	<b>REPORTS</b>	
	A. <b>Report:</b> Vice Chair Weber will highlight the Public Listening Session submissions. (M. Weber)	7
	B. <b>Report:</b> School Board members will highlight items from the committee-of-the-whole meeting. (Board)	8
	C. <b>Report:</b> Superintendent Zambreno will provide highlights from around the District. (B. Zambreno)	9
<b>IV.</b>	<b>CONSENT ITEMS</b>	
	A. Financial Claims: Bills Payable	10
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	1. #201 - Legal Status of a School Board	22
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	3. #208 - Development, Adoption & Implementation of Policy	29
	4. #522 - Title IX	32
<b>VI.</b>	<b>BUSINESS ITEMS</b>	
	A. Approval, for the South St. Paul School Board to approve the Fiscal Year 23 Budget Revisions. (B. Hoffman)	51

B. Approval, for the South St. Paul School Board to approve the Discontinuing and Reducing Educational Programs and Positons Resolution. (J. Milteer)	62
C. Approval, for the South St. Paul School Board to approve the agreement with the South St. Paul Office and Professional Employees International Union Local No. 12, for the contract period of July 1, 2022 to June 30, 2024. (J. Milteer)	64
D. Approval, for the South St. Paul School Board to approve the Non-Renewal of Limited Contract/Long-Term Substitute Teachers Resolution. (J. Milteer)	65
E. Approval, for the South St. Paul School Board to approve the Non-Renewal of Probationary Teachers Resolution. (J. Milteer)	67
F. Approval, for the South St. Paul School Board to approve the Acceptance of Gifts Resolution. (B. Hoffman)	69

## VII. INFORMATIONAL ITEMS

- A. **Board Members' Reports/Committee Updates/Where Have You Seen a Passion:** Board members will report on recent educational activities/events in which they have participated as well as other informational items.

## VIII. ADJOURNMENT

**South St. Paul School Board  
Committee-of-the-Whole Meeting Minutes**

**March 13, 2023**

Chair John Raasch called the March 13, 2023, committee-of-the-whole meeting to order at 5:00 PM with six Board members present: Beermann, Claflin, W. Felton, Laliberte, Raasch, and Weber. Director T. Felton was absent. Others present included Superintendent Brian Zambreno and several staff and community members.

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**Achievement and Integration Plan and Budget**

Equity and Learning Director Chad Schmidt and Asst. Director Lesly Gamez provided an overview of the 3-Year (2023-26) Achievement and Integration Plan. The plan is to pursue racial and economical integration, increase student achievement, create equitable educational opportunities and reduce academic disparities based on students' diverse racial, ethnic and economic backgrounds. The budget to support this plan is funded 70% by state aid and 30% through the district's local levy.

**Budget, Staffing and Academic Plan Update**

District leaders brought forth a Pathway to Packer Promise plan that incorporates work and resources to address the district's achievement concerns. As a part of this plan, the School Board will be asked to approve this evening, a recommendation by district and school leaders to sunset the Primary Years and Middle Years components of the International Baccalaureate (IB) programme during the 2023-24 school year. However, the district will maintain the IB Diploma programme for students in grades 11-12. Over the next several months, District leaders will engage with stakeholders and study academic programming in various districts before deciding on the academic plan that will replace PYP and MYP.

**Committee Updates**

Board members provided updates to the various committees in which they serve.

The committee-of-the-whole meeting adjourned at 5:51 PM.

Respectfully submitted by:

Lisa Brandecker, Acting Secretary-Clerk  
South St. Paul Board of Education



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## SOUTH ST. PAUL PUBLIC SCHOOLS Special School District No. 6

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MARCH 13, 2023

The regular meeting of the School Board, Special School District No. 6, South St. Paul, was held in the city hall council chambers on Monday, March 13, 2023. Chair John Raasch called the meeting to order at 6:00 PM with six Board members present for roll call: Beermann, Claflin, W. Felton, Laliberte, Raasch, and Weber. Director T. Felton was absent. Superintendent Dr. Brian Zambreno and several staff and community members were also present.

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### **PLEDGE OF ALLEGIANCE**

The pledge of allegiance was recited.

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### **MINUTES**

By Member Beermann

Seconded by Member Weber

That the South St. Paul School Board approves the March 13, 2023, School Board meeting agenda as well as minutes from the February 27, 2023, committee-of-the-whole and regular meetings.

Motion carried (6-0)

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### **QUALITY-IN-ACTION**

- Middle School Principal Leah Bourg along with students and staff highlighted the new interest inventories and College and Career Readiness software that is being used in the Middle School.

### **REPORTS**

*Public Listening Session Report* – Chair Raasch reported there were no listening session submissions.

*Committee-of-the-Whole Report* – Vice Chair Weber provided a highlight the School Board’s discussion at their committee-of-the-whole meeting this evening.

*Superintendent Report* – Superintendent Zambreno provided highlights from around the district.

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### **CONSENT ITEMS**

By Director Felton

Seconded by Director Weber

A. Financial Claims—Bills Payable

B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves.

Motion carried (6-0)

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## **POLICY REVIEW**

Chair Raasch reviewed the policy review process and following policies that are on the agenda for their first of three readings: #201 – Legal Status of a School Board, #202 – School Board Officers, #208 – Development, Adoption, & Implementation of Policy, and #522 – Title IX.

## **BUSINESS ITEMS**

By Director Laliberte

Seconded by Director Claflin

Approval, for the South St. Paul School Board to approve the 3-Year Achievement and Integration Plan (2023-2026) and the FY 2024 Achievement and Integration Budget.

Motion carried (6-0)

By Director Claflin

Seconded by Director Weber

Approval, for the South St. Paul School Board to approve an Academic Plan to address the District's achievement concerns.

*Equity and Learning Director Chad Schmidt reviewed a Pathway to Packer Promise Plan that incorporates work and resources to address the district's achievement concerns. As a part of this plan, district and school leaders are recommending to sunset the Primary Years and Middle Years components of the International Baccalaureate (IB) programme during the 2023-24 school year.*

By Director Weber

Seconded by Director Beermann

Approval, for the South St. Paul School Board to amend the original motion to approve an Academic Plan to address the District's achievement concerns and sunset the Primary Years Programme (PYP) and Middle Years Programme (MYP) components of the District's International Baccalaureate (IB) program.

Motion carried (5-1 with Director W. Felton voting nay)

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## **INFORMATIONAL ITEMS**

School Board members reported on various educational activities/events in which they have participated as well as other informational items.

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## **CLOSED SESSION**

By Director Weber

Seconded by Director Beermann

That the School Board move to a closed session at 7:08 PM per the open meeting law (Minn. Stat. § 13D.03) for the purpose of clerical negotiations.

Motion carried (6-0)

Closed Session officially started at 7:21 PM with the following members present: Directors Beermann, Claflin, W. Felton, Laliberte, Weber and Raasch as well as Superintendent of Schools Dr. Brian Zambreno and Human Resource Director Joel Milteer.

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By Director Weber

Seconded by Director Beermann

For the School Board to adjourn the closed session and open the meeting up at 7:30 PM.

Motion carried (6-0)

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**ADJOURN**

By Director Weber

Seconded by Director Beermann

Approval, for the School Board to adjourn the March 13, 2023, meeting at 7:31 PM.

Motion carried (6-0)

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Official Board Minutes are available in the  
District Office at 104 – 5<sup>th</sup> Ave. So. – So. St. Paul

Respectfully Submitted by:

Lisa Brandecker, Acting Secretary-Clerk  
Board of Education



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Regular Meeting Reports

**Action Requested:** None

**Attachment:** None

**Topic:** School Board Listening Session Report

**Presenter(s):** Board Chair

**Background:**

At the committee-of-the-whole and regular business meetings, the Board Chair will provide an overview of the listening session submissions.

The South St. Paul School Board provides the following opportunities for community members to address the board:

- **In-Person** on the first meeting date of each month according to the schedule listed on the [district's website](#). Public listening sessions are held at City Hall (125 – 3<sup>rd</sup> Avenue North) beginning at 4:15 PM.
- **Electronic form submissions** are accepted on all meeting dates listed on the [district's website](#). Click [here](#) to submit a Public Listening Session comment.
  - Form submissions will be acknowledged by Board Chair and/or Superintendent on-air during the regular business meeting. The Board Chair and/or Superintendent will also follow-up personally with the individuals submitting a Public Listening Session form.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Reports

**Action Requested:** None

**Attachment:** None

<b>Topic:</b> Committee-of-the-Whole Meeting Update
<b>Presenter(s):</b> Board
<b>Background:</b>  School Board members will highlight items from the committee-of-the-whole meeting.
<b>Recommendation:</b>  N/A
<b>Alternatives:</b>  N/A



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Reports

**Action Requested:** None

**Attachment:** None

<b>Topic:</b> Superintendent's Update
<b>Presenter(s):</b> Dr. Brian Zambreno, Superintendent
<b>Background:</b>  Superintendent Zambreno will provide highlights from around the District.
<b>Recommendation:</b>  N/A
<b>Alternatives:</b>  N/A



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Consent Items

**Action Requested:** Approval

**Attachment:** Financials – Bills Payable

<b>Topic:</b> Financials – Bills Payable
<b>Presenter(s):</b> Chair
<b>Background:</b>  It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.
<b>Recommendation:</b>  Approve financial statement
<b>Alternatives:</b>  N/A

CHECK NUMBER	AMOUNT	CHECK DATE	VENDOR
201685	-300.84	03/22/2023	MESSERLI & KRAMER
201929	-138.87	03/23/2023	BACHMAN'S
202369	415.50	03/15/2023	LOCAL #70
202370	140.67	03/15/2023	MIDWEST RESALE SPECI
202371	1,747.90	03/15/2023	MINNESOTA CHLD SUPP
202372	194.50	03/15/2023	OFFICE AND PROF EMPL
202373	11,482.08	03/15/2023	SOUTH ST PAUL TEACHE
202374	5.00	03/15/2023	SOUTH ST PAUL OPEN F
202375	60.00	03/15/2023	SOUTH ST PAUL EDUCAT
202376	792.59	03/15/2023	SSP EASRP
202377	1,094.50	03/16/2023	ABC RENTALS
202378	149.28	03/16/2023	ACE HARDWARE & PAINT
202379	1,131.15	03/16/2023	ALLSTREAM
202380	497.41	03/16/2023	AMAZON CAPITAL SERVI
202381	132.00	03/16/2023	ANGELO'S PIZZA
202382	140.14	03/16/2023	ARAMARK UNIFORM SERV
202383	4,448.20	03/16/2023	ARVIG
202384	10,280.00	03/16/2023	BAUER SERVICES
202385	1,170.00	03/16/2023	BIMBO BAKERIES USA
202386	2,086.90	03/16/2023	BIX PRODUCE COMPANY
202387	20.00	03/16/2023	BRAITHWAITE, CHARLES
202388	20.00	03/16/2023	CHURCH, CAMERON
202389	703.83	03/16/2023	CINTAS
202390	3,337.23	03/16/2023	CITY OF SOUTH ST PAU
202391	1,117.50	03/16/2023	COMPLETE MUSIC
202392	85.83	03/16/2023	CULLIGAN-MILBERT COM
202393	252.57	03/16/2023	CUSTOM TRUCK ONE SOU
202394	73.64	03/16/2023	FIRST SUPPLY LLC - T
202395	34.88	03/16/2023	GRAINGER, INC
202396	1,311.65	03/16/2023	GRAPHIC EDGE DBA GAM
202397	33.60	03/16/2023	GROTH MUSIC CO
202398	150.00	03/16/2023	HARRIS, CATHLEEN
202399	7,544.50	03/16/2023	HASTINGS CREAMERY, L
202400	3,520.03	03/16/2023	HORIZON COMMERCIAL P
202401	20.00	03/16/2023	HUNTINGTON, JAMES
202402	2.35	03/16/2023	JOHNSTONE SUPPLY
202403	20.00	03/16/2023	KVILHAUG, SAMANTHA
202404	425.13	03/16/2023	LAKESHORE LEARNING M
202405	81.00	03/16/2023	LILY OF THE NIGHT LL
202406	856.35	03/16/2023	LINDENMEYR MUNROE
202407	975.53	03/16/2023	MARK'S PLUMBING PART
202408	20.00	03/16/2023	MATHENY, RICHARD
202409	575.00	03/16/2023	MED-COMPASS
202410	60.00	03/16/2023	MEDI-KID
202411	4,760.00	03/16/2023	MEDICINE LAKE TOURS
202412	2,795.90	03/16/2023	MIDWEST MACHINERY CO
202413	110.00	03/16/2023	MN DEPT OF LABOR & I
202414	6,928.47	03/16/2023	NETWORK SERVICES COM
202415	20.00	03/16/2023	NIEDERKORN, AARON
202416	5,651.70	03/16/2023	NITTI SANITATION
202417	11,624.00	03/16/2023	NORTHLINE TRANSPORTA
202418	70.65	03/16/2023	OSI BATTERIES
202419	425.18	03/16/2023	OXYGEN SERVICE CO IN
202420	3,053.67	03/16/2023	PETERSON BROS. ROOFI
202421	1,512.00	03/16/2023	PITNEY BOWES, INC
202422	150.00	03/16/2023	REGENTS OF THE UNIVE

CHECK NUMBER	AMOUNT	CHECK DATE	VENDOR
202423	2,980.00	03/16/2023	REGION 3AA
202424	140.00	03/16/2023	ROSS, SUZANNE
202425	7.95	03/16/2023	SCHMITT MUSIC
202426	4,914.00	03/16/2023	SCHOLASTIC BOOK FAIR
202427	4,141.00	03/16/2023	SHI INTERNATIONAL CO
202428	662.14	03/16/2023	SOUTH ST PAUL WRESTL
202429	1,947.00	03/16/2023	T-MOBILE
202430	4,317.63	03/16/2023	TRIO SUPPLY CO
202431	7,208.54	03/16/2023	TWIN CITY JANITOR SU
202432	184.00	03/16/2023	UNITED REFRIGERATION
202433	60,651.92	03/16/2023	UPPER LAKES FOODS
202434	28,000.00	03/16/2023	WESTPFAHL, MARK
202435	195.66	03/16/2023	WHEELCO TRUCK & TRAI
202436	39,831.64	03/16/2023	XCEL ENERGY
202437	325.00	03/23/2023	A+ DRIVING SCHOOL
202438	1,534.15	03/23/2023	AMAZON CAPITAL SERVI
202439	138.87	03/23/2023	BACHMAN'S
202440	2,627.67	03/23/2023	CANON FINANCIAL SERV
202441	337.50	03/23/2023	CESO TRANSPORTATION,
202442	250.00	03/23/2023	CHARLES & JAY LLC
202443	65.00	03/23/2023	CITICARGO & STORAGE
202444	11.48	03/23/2023	CLASSEN, GLORIA
202445	317.37	03/23/2023	COLLINS SPORTS MEDIC
202446	645.00	03/23/2023	COMPLETE MUSIC
202447	144.93	03/23/2023	CONTINENTAL CLAY CO
202448	104.02	03/23/2023	DEMCO
202449	3,000.00	03/23/2023	DIFFERENTIATED COACH
202450	165.00	03/23/2023	DRAMATISTS PLAY SERV
202451	90.00	03/23/2023	ECKERS, KAILA
202452	10,000.00	03/23/2023	GALLAGHER BASSETT SE
202453	193.05	03/23/2023	GOLDCOM, INC
202454	6.34	03/23/2023	HUESER, DARLENE
202455	125.00	03/23/2023	INFINITE HEALTH COLL
202456	90.00	03/23/2023	KELLY, NICOLE
202457	399.00	03/23/2023	KIDCREATE STUDIO
202458	560.00	03/23/2023	KOY, ZENITH
202459	23.78	03/23/2023	KUEHN, KIMBERLY
202460	114.24	03/23/2023	LEPPLE, MIN
202461	1,002.37	03/23/2023	LINDENMEYR MUNROE
202462	2,243.84	03/23/2023	LINK INTERPRET
202463	335.00	03/23/2023	MASSP
202464	261.42	03/23/2023	MUSKEGON HEIGHTS SOL
202465	250.00	03/23/2023	MYTURN.COM, PBC
202466	222.08	03/23/2023	OFFICE OF MN IT SERV
202467	48.36	03/23/2023	PICKARSKI, DIAN
202468	100.00	03/23/2023	PINE ISLAND HIGH SCH
202469	348.00	03/23/2023	PITNEY BOWES, INC
202470	349.30	03/23/2023	REGENTS OF THE UNIVE
202471	238.62	03/23/2023	RUIZ-PONCE, DANIELLE
202472	6,876.50	03/23/2023	RUPP, ANDERSON, SQUI
202473	20.95	03/23/2023	SCHMITT MUSIC
202474	150.00	03/23/2023	SCHNEIDER, NANCY
202475	10,084.00	03/23/2023	SHI INTERNATIONAL CO
202476	60.00	03/23/2023	SIMMONS, DE VAUN
202477	200.00	03/23/2023	SKYWARD ACCOUNTING D
202478	345.00	03/23/2023	SPEECHWIRE TOURNAMEN

CHECK NUMBER	AMOUNT	CHECK DATE	VENDOR
202479	2,750.00	03/23/2023	SUCCESS BEYOND THE C
202480	27,422.57	03/23/2023	TEACHERS ON CALL
202481	16,181.96	03/23/2023	TRANSPORTATION & DEL
202482	64,911.76	03/23/2023	WIDE AREA TRANSPORTA
202483	35,044.90	03/23/2023	XCEL ENERGY
202200306	40,720.40	03/15/2023	MINNESOTA PAYROLL TA
202200307	248,122.93	03/15/2023	FEDERAL PAYROLL TAXE
202200308	921.85	03/15/2023	MN DEPT OF REVENUE
202200309	45,491.91	03/15/2023	PERA
202200310	53,165.22	03/15/2023	TSA/ACH DEDUCTION
202200311	125,386.01	03/15/2023	TEACHER RETIREMENT A
202200312	0.00	03/15/2023	MINNESOTA PAYROLL TA
202200314	0.00	03/15/2023	MINNESOTA PAYROLL TA
202200315	0.00	03/15/2023	FEDERAL PAYROLL TAXE
202200316	65,116.75	03/13/2023	HEALTH PARTNERS
202200317	0.00	03/15/2023	MINNESOTA PAYROLL TA
202200318	0.00	03/15/2023	FEDERAL PAYROLL TAXE
202200321	440.00	03/15/2023	HEALTH PARTNERS
202200322	98,042.26	03/20/2023	HEALTH PARTNERS
222300243	119.21	03/13/2023	BURK, IAN
222300244	188.19	03/13/2023	GREFE, TYNE
222300245	24.70	03/13/2023	GRIFFITH, PATRICK
222300246	308.43	03/13/2023	GUSTILO, CHRISTOPHER
222300247	212.50	03/13/2023	HART, THOMAS
222300248	74.99	03/13/2023	KENNEALY, TIMOTHY
222300249	27.50	03/13/2023	KIRSCHT, LINDEN
222300250	50.50	03/13/2023	KRUEGER, SHAWNEE
222300251	58.23	03/13/2023	MILLER, MELISSA
222300252	36.89	03/13/2023	MOLUMBY, MARY
222300253	88.88	03/13/2023	NYGAARD, COURTNEY
222300254	33.82	03/13/2023	RAMIREZ, JENNA
222300255	16.00	03/13/2023	RIESELNAN, NINA
222300256	71.06	03/13/2023	RYAN, LAUREN
222300257	63.27	03/13/2023	SEXAUER, JENNIFER
222300258	34.36	03/13/2023	SHANNON, JODY
222300259	323.48	03/13/2023	TIMMERMAN, MOLLY
222300260	2,838.07	03/13/2023	WESTPFAHL, MARK
222300261	10.48	03/13/2023	WINTER, ALLYSON
222300262	32.49	03/13/2023	WOHLERS, DARI
222300263	21.00	03/13/2023	WOOD, BROOKE

1,121,807.19 Totals for checks

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
01	GENERAL	656,322.70	2,980.00	296,244.90	955,547.60
02	FOOD SERVICE	8,588.26	0.00	77,522.38	86,110.64
04	COMMUNITY EDUCATION	24,537.87	0.00	6,361.74	30,899.61
05	CAPITAL	4,780.54	0.00	6,889.01	11,669.55
50	ACTIVITY ACCOUNT	37,579.79	0.00	0.00	37,579.79
***	Fund Summary Totals ***	731,809.16	2,980.00	387,018.03	1,121,807.19

\*\*\*\*\* End of report \*\*\*\*\*

**CHECKRUNS**

<b><u>FUND</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>March 10, 2023 - March 23, 2023</u></b>
1	GENERAL	\$955,547.60
2	FOOD SERVICE	\$86,110.64
4	COMMUNITY EDUCATION	\$30,899.61
5	CAPITAL	\$11,669.55
7	DEBT SERVICE	\$0.00
8	TRUST FUND/FLEX	\$0.00
50	ACTIVITY ACCOUNTS	\$37,579.79
	<b>TOTAL</b>	<b><u>\$1,121,807.19</u></b>

Checks 202369 - 202483

Employee ACH 222300243-222300263

Wire Payments 202200306-202200322

**PAYROLL**

**3/15/23**

Payroll Direct Deposit	900088001-900088515	\$732,896.81
Check	236606	



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Consent Items

**Action Requested:** Approval

**Attachment:** Staffing

<b>Topic:</b> Staffing
<b>Presenter(s):</b> Chair
<b>Background:</b>  The staffing report includes the Appointments, Resignations, Transfers, Retirements, Abolishments and Leaves being recommended to the School Board for approval.
<b>Recommendation:</b>  Administration recommends approval of the proposed staffing and supplemental staffing as presented.
<b>Alternatives:</b>  Amend the motion to remove a certain appointment, resignation, transfer, retirement, abolishment, or leave. Provide administration with directions for next steps.

**VII.A.1 Staff Appointments, Resignations, Retirements, Terminations  
and Leaves (Joel Milteer)**

**3-27-23**

**Certified**

**A. Appointments/Reassignments**

Kari Aanenson – Instructional overload (Humanities), High School, effective March 14, 2023, through June 7, 2023.

Christopher Gustilo – Instructional overload (Business), High School, effective March 14, 2023, through June 7, 2023.

Jessica Kohanek – Instructional overload (Credit Recovery), Community Learning Center, effective March 14, 2023, through June 7, 2023.

Jessica Oftedahl – Instructional overload (Credit Recovery), Community Learning Center, effective March 14, 2023, through June 7, 2023.

**2022-23 ECA**

**BASEBALL**

Additional Coach	Duffy, Ryan**	\$1,000 (Booster Club)
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**GOLF – BOYS**

Additional Coach	Lagoo, Jeff	\$2,237
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**GOLF – GIRLS**

Head Coach	Palmquist, Josh	\$3,739
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**TRACK**

Middle School Boys & Girls	Tonda, Teresa	\$2,237
Middle School Boys & Girls	Kvalheim, Mike	\$2,237
Middle School Boys & Girls	Walker, Princeton	\$2,237
Middle School Boys & Girls	Britton, Larry	\$2,237
Additional Coach	Gehlen, Isaiah**	\$2,000 (Booster Club)
Additional Coach	Bjorklund, Randy*	\$2,000 (Booster Club)

**TENNIS – BOYS**

Head Coach (50%)	Riesselman, Nina	\$2,075 (\$4,150 @ 50%)
Head Coach (50%)	Rock, Jesse	\$2,075 (\$4,150 @ 50%)
Asst. Coach (50%)	Riesselman, Nina	\$1,269 (\$2,538 @ 50%)
Asst. Coach (50%)	Rock, Jesse	\$1,269 (\$2,538 @ 50%)
Middle School Coach	Lenarz, Tammy	\$2,237 (flex position)

**ACADEMICS/OTHER**

Art Club – Secondary	Timmerman, Molly	\$1,192
Prom Advisor	Binder, Allison	\$1,279

\*indicates a non-district employee

\*\* indicates a returning non-district employee

B. Resignations/Retirements/Leaves/Reductions/Other

1. Jonathan Gustafson – Resignation, Middle School Coach, Football, effective March 20, 2023.
2. Grace Jefferson – Resignation, 1.0 FTE School Psychologist, High School, effective June 12, 2023.
3. William Quaney – Resignation, 1.0 FTE Language Arts Teacher, Middle School, effective March 24, 2023.

**VII.A.2 Staff Appointments, Resignations, Retirements, Terminations  
and Leaves (Joel Milteer)**

**3-27-23**

**Classified**

**A. Appointments/Reassignments**

1. Mayra Navas Leiva – Nutrition Services Assistant, Secondary Building, \$16.88 per hour, 20 hours per week, effective April 3, 2023.

**B. Resignations/Retirements/Leaves/Reductions/Other**

1. Kimberly Baker – Retirement, Kids' Choice Assistant, Lincoln Center, effective May 5, 2023.
2. Paul Brashear – Resignation, Director of Technology, District Office, effective March 14, 2023.
3. Ciaran Fenner – Resignation, Part-Time Cleaner, Lincoln Center, effective April 7, 2023.
4. Tonya Heller – Termination, Nutrition Services Assistant, Secondary Building, effective March 21, 2023.
5. Mary Larson – Leave of absence, Special Education Assistant, High School, effective February 21, 2023, through approximately April 14, 2023.
6. Colleen Wojnar – Resignation, Special Education Assistant, Middle School, effective March 31, 2023.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 27, 2023

**Place on Agenda:** Regular Agenda

**Action Requested:** Review – Second Reading

**Attachment:** Revise Policies: 201, 202, 208 and 522

<b>Topic:</b> Policy Review
<b>Presenter(s):</b> Board Policy Committee
<b>Background:</b>  School district policy #208 requires policies under review to be placed on two consecutive School Board meeting agendas for review and comment by board members, staff and community members. On the third and subsequent meeting, the policies will go before the School Board for approval.  The attached policies were reviewed by the board policy committee on March 6. Recommended changes to the policies are reflected by highlighting text added to the policy and strikethrough of text to be removed. The School Board will continue to review these policies and receive input from staff and community members prior to their approval on April 10, 2023.
<b>Recommendation:</b>  None at this time.
<b>Alternatives:</b>  Remove a policy or policies from the agenda for further review.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** March 13, 2023

**Place on Agenda:** Regular Agenda

**Action Requested:** Review

**Attachment:** Revise Policies: 201, 202, 208 and 522

<b>Topic:</b> Policy Review
<b>Presenter(s):</b> Board Policy Committee
<b>Background:</b>  School district policy #208 requires policies under review to be placed on two consecutive School Board meeting agendas for review and comment by board members, staff and community members. On the third and subsequent meeting, the policies will go before the School Board for approval.  The attached policies were reviewed by the board policy committee on March 6. Recommended changes to the policies are reflected by highlighting text added to the policy and strikethrough of text to be removed. The School Board will continue to review these policies and receive input from staff and community members prior to their approval on April 10, 2023.
<b>Recommendation:</b>  None at this time.
<b>Alternatives:</b>  Remove a policy or policies from the agenda for further review.



*Adopted: April 17, 1996*

*MSBA/MASA Model Policy 201*

*Orig. 1995*

*Revised: 5/10/04; 10/27/08; 4/13/15; 3/27/17  
4/13/20*

*Rev. 2009*

## **201 LEGAL STATUS OF THE SCHOOL BOARD**

### **I. PURPOSE**

The care, management and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties and powers of the school board in carrying out its mission.

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

- A. The school board is the governing body of the school district. As such, the school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

### **III. DEFINITION**

- A. “School board” means the governing body of the school district.

### **IV. ORGANIZATION AND MEMBERSHIP**

- A. The membership of the school board consists of seven elected directors. The term of office is four years.
- B. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.

## V. POWERS AND DUTIES

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; and prescribe textbooks and courses of study and make authorize contracts.
- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
  - 1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
  - 2. conduct the business of the schools and pay indebtedness and proper expenses;
  - 3. employ and contract with necessary qualified teachers and discharge the same for cause;
  - 4. provide services to promote the health of its pupils;
  - 5. provide school buildings and erect needed buildings;
  - 6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
  - 7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
  - 8. employ and discharge necessary employees and contract for other services;
  - 9. provide for transportation of pupils to and from school, as governed by statute; and
  - 10. procure insurance against liability of the school district, its officers and employees.

- F. The school board, at its discretion, may perform the following:
1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs and intersession classes of flexible school year programs;
  2. furnish school lunches for pupils and teachers on such terms as the school board determines;
  3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
  4. lease rooms or buildings for school purposes;
  5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
  6. authorize cocurricular and extracurricular activities;
  7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and
  8. perform other acts as the school board shall deem to be reasonably necessary or required for the governance of the schools.

***Legal References:***

Minn. Stat. § 123A.22 (Cooperative Centers)  
Minn. Stat. § 123B.02 (General Powers)  
Minn. Stat. § 123B.09 (School Board Powers)  
Minn. Stat. § 123B.14 (School District Officers)  
Minn. Stat. § 123B.23 (Liability Insurance)  
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)  
Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)  
Minn. Stat. § 123B.85 (Definition)  
*Jensen v. Indep. Consol. Sch. Dist. No. 85*, 160 Minn. 233, 199 N.W. 911 (1924)

***Cross References:***

MSBA/MASA Model Policy 101 (Legal Status of the School District)  
MSBA/MASA Model Policy 202 (School Board Officers)  
MSBA/MASA Model Policy 203 (Operation of the School Board-Governing Rules)  
MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties




Adopted: April 17, 1996

MSBA/MASA Model Policy 202

Orig. 1995

Revised: 5/10/04; 4/13/15; 4/24/17; 4/13/20

Rev. 2022 

## 202 SCHOOL BOARD OFFICERS

### I. PURPOSE

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

### II. GENERAL STATEMENT OF POLICY

- A. The school board shall meet annually and organize by selecting a chair, a vice-chair, a clerk, a treasurer and such other officers as determined by the school board.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

### III. ORGANIZATION

- A. The school board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers shall hold office for two years and until their successors are elected and qualify.
- B. The persons who perform the duties of clerk and treasurer need not be members of the school board.
- C. The school board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the Finance office.

### IV. OFFICER'S RESPONSIBILITIES

- A. Chair
  - 1. The chair when present shall preside at all meetings of the school board, countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions and perform all duties a chair usually performs.
  - 2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.

3. The chair will provide leadership in carrying out the powers of duties of the school board and act as spokesperson for the school board unless this responsibility has been delegated to others. The chair shall have completed MSBA Phase I, II, III, and IV training prior to serving as chair to ensure governance norms and protocols. If the school board determines there is not a member who qualifies, this policy may be waived upon majority vote.
4. The chair will oversee all school board members' appointments to committees and outside organizations and bring such appointments to the school board for approval.
5. Other duties may be prescribed to the chair by law or school board action.

B. Treasurer

1. The treasurer shall deposit the funds of the school district in the official depository.
2. The treasurer shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer shall receive, endorse, and process the orders in accordance with Minnesota Statutes section Minn. Stat. § 123B.12.

C. Clerk

1. The clerk shall keep a record of all meetings in the books provided.
2. Within three days after an election, the clerk shall notify all persons elected of their election.
3. On or before September 15 of each year, the clerk shall:
  - a) file with the school board a report of the revenues, expenditures and balances in each fund for the preceding fiscal year.
  - b) make and transmit to the Commissioner of the Minnesota Department of Education (Commissioner) certified reports, showing:
    - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the Commissioner
    - (2) length of school term and enrollment and attendance by grades; and

(3) other items of information as called for by the Commissioner.

4. The clerk shall enter into the clerk's record book copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the school district.
5. The clerk shall furnish to the county auditor, on or before September 30, an attested copy of the clerk's record, showing the amount of money voted by the school district or the school board for school purposes.
6. The clerk shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform such duties of the chair in the event of the chair's and vice-chair's temporary absence.

D. Vice-Chair

1. The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the school board.
2. The superintendent shall perform the following:
  - a) visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;
  - b) recommend to the school board employment and dismissal of teachers;
  - c) annually evaluate each school principal assigned responsibility for supervising a school building within the district.
  - d) superintend school grading practices and examinations for promotions;
  - e) make reports required by the commissioner; and
  - f) perform other duties prescribed by the school board.

**Legal References:** Minn. Stat. § 123B.12 (Insufficient Funds to Pay Orders Finance)  
Minn. Stat. § 123B.14 (Officers of Independent School Districts)  
Minn. Stat. § 126C.17 (Referendum Revenue)  
Minn. Stat. Ch. 205A (School District Elections)

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
MSBA/MASA Model Policy 201 (Legal Status of the School Board)  
MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties



Adopted: May 10, 2004

MSBA/MASA Model Policy 208

Orig. 1995

Revised: 6/14/05; 8/14/06; 1/11/10; 9/9/13  
7/27/15; 4/9/18; 9/10/18

Rev. 2022 ~~15~~

## **208 DEVELOPMENT, ADOPTION, & IMPLEMENTATION OF POLICIES**

### **I. PURPOSE**

The purpose of this policy is to emphasize the importance of the policy-making role of the school board and provide the means for it to continue to be an ongoing effort.

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

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the school board and should be in a form, which is sufficiently explicit to guide administrative action.

### **III. DEVELOPMENT OF POLICY**

- A. The school board has jurisdiction to legislate policy for the school district with the force and effect of law. School board policy provides the general direction as to what the school board wishes to accomplish while delegating implementation of policy to the administration.
- B. The school board's written policies provide guidelines and goals to the school community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The school board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.
- C. Policies may be proposed by a school board member, employee, student or resident of the school district. Proposed policies or ideas shall be submitted to the superintendent for review prior to possible placement on the school board agenda.

### **IV. ADOPTION OF POLICY**

- A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action.

- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school board at a subsequent meeting after the meetings at which public input was received. The policy will be effective on the later of the date of passage or the date stated in the motion.
- C. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.
- D. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.

## V. IMPLEMENTATION OF POLICY

- A. The superintendent shall be responsible for implementing school board policies and developing administrative guidelines and directives to provide greater specificity and consistency in the process of implementation. These guidelines and directives, including employee and student handbooks, shall be subject to annual review and approval by the school board.
- B. Each school board member shall have access to this policy manual, ~~and a copy shall be placed in the office of each school attendance center.~~ Manuals shall be available in the central office and made available for reference purposes to other interested persons. **Policies are also publicly available on the district website.**
- C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping the policy manuals current.
- D. The school board shall review policies at least once every ~~five~~ **three** years. The superintendent shall be responsible for developing a system of periodic review, addressing approximately one fifth of the policies annually. In addition, the school board shall review the following policies annually: ~~410 Family and Medical Leave Policy; 413 Harassment and Violence; 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse; 415 Mandated Reporting of Maltreatment of Vulnerable Adults; 506 Student Discipline, 522 Student Sex Nondiscrimination; 474 Staff Information Technology Acceptable Use Policy; and; 514 Bullying Prohibition; 536 Student Information Technology Acceptable~~

~~Use Policy: 616 School District System Accountability;~~ and 806 Crisis Management Policy.

- E. When no school board policy exists to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the school district. Under such circumstances, the superintendent shall advise the school board of the need for a policy and present a recommended policy to the school board for approval.

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

**Cross References:** MSBA/MASA Policy 305 (Policy Implementation)



Adopted: October 25, 2004

MSBA/MASA Model Policy 522

Orig. 1995

Revised: 6/26/06; 7/25/16; 9/11/17; 6/10/19  
5/26/20; 8/24/20; 6/14/21; 6/27/22

Rev. 2022 ~~20~~

## 522 TITLE IX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

### I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

Title IX Coordinator  
~~Leah Bourg, Middle School Principal~~  
Human Resource Director  
104 – 5<sup>th</sup> Avenue South, South St. Paul, MN 55075  
(651) 457-9473

Alternate Title IX Coordinator  
Activities Director  
700 North Second Street, South St. Paul, MN 55075  
(651)- 457-9408 3659  
[lbourg@sspps.org](mailto:lbourg@sspps.org)

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020 and applies to alleged violations of this policy occurring on or after August 14, 2020.

## II. DEFINITIONS

- A. “Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the school district’s Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. “Complainant” means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. “Day” or “days” means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. “Deliberately indifferent” means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. “Education program or activity” means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.

- F. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
  2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:

1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
  2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
  3. Any instance of sexual assault (as defined in the Clery Act, 20 **U.S.C. United States Code section** §1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 **U.S.C. United States Code section** §12291).
- L. “Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under **Minn. Stat. Minnesota Statute section** § 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.
- M. “Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:
1. “Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
  2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.

3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

### **III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS**

#### **A. Equitable Treatment**

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

#### **B. Objective and Unbiased Evaluation of Complaints**

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall

avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

- C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- D. Confidentiality
1. The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. United States Code section § 1232g, or FERPA's regulations, 34 Code of Federal Regulations part 99, and State Minnesota law under Minn. Stat. Minnesota Statutes section § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Code of Federal Regulations part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).
- E. Right to an Advisor; Right to a Support Person
1. Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.
  2. A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

- F. Notice
1. The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.
- G. Consolidation
1. The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.
- H. Evidence
1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
  2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.
- I. Burden of Proof
1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
  2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.
- J. Timelines
1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
  2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.

3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.
4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the School District.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

**K. Potential Remedies and Disciplinary Sanctions**

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

**IV. REPORTING PROHIBITED CONDUCT**

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a

student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

#### **V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR**

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.

- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
  2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
  4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
  5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
  6. A copy of this policy.

## **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT**

### **A. Emergency Removal of a Student**

1. The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:
  - a) The school district undertakes an individualized safety and risk analysis;
  - b) The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
  - c) The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals

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with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

- B. Employee Administrative Leave  
The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

## **VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT**

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

## **VIII. DISMISSAL OF A FORMAL COMPLAINT**

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:

1. Would not meet the definition of sexual harassment, even if proven;
  2. Did not occur in the school district's education program or activity; or
  3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  2. The respondent is no longer enrolled or employed by the school district; or
  3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

## **IX. INVESTIGATION OF A FORMAL COMPLAINT**

- A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.

- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

**X. DETERMINATION REGARDING RESPONSIBILITY**

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
  - 1. Identification of the allegations potentially constituting sexual harassment;
  - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - 3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the school district's code of conduct to the facts;
  5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
  6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **XI. APPEALS**

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

## **XII. RETALIATION PROHIBITED**

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **XIII. APPLICATION OF LAWS OTHER THAN TITLE IX**

- A. If a formal complaint is dismissed because the allegations, if true, would not constitute sexual harassment as described above or if a Decision-maker or Appellate decision-maker makes a determination that a respondent is not responsible for sexual harassment under these procedures, the Title IX Coordinator will consider whether the alleged conduct may constitute a violation of one or both of the alternative definitions below. If an investigation has already been conducted, the Title IX Coordinator may review the investigation to determine whether prohibited sexual harassment has occurred. If the Title IX Coordinator concludes that it has, the Title IX Coordinator shall report those findings to the Decision-maker and the Decision-maker shall impose or recommend remedies. If no investigation has taken place, the complaint shall be investigated consistent with Policy 103.
- B. Alternative Definitions of Sexual Harassment
1. Minnesota Human Rights Act (Applicable to Employees and Students)  
"Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education;
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment, or educational environment.
  2. Title VII (Applicable to Employees)  
"Sexual harassment" mean unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
    - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
    - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
    - c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating,

hostile, or offensive working environment.

#### **XIV. TRAINING**

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
  - 1. The Title IX definition of sexual harassment;
  - 2. The scope of the school district's education program or activity;
  - 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  - 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  - 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  - 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

#### **XV. DISSEMINATION OF POLICY**

- A. This policy shall be made available to all students, parents/guardians of students, school district employees, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:
  - 1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;

2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

## **XVI. RECORDKEEPING**

- A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
  1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
  2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
  3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
  4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.
- B. The school district must also maintain for a period of seven calendar years records of:
  1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;

2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

***Legal References:***

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act of 1990, as amended)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

***Cross References:***

MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** COW and Regular Meeting

**Action Requested:** Approval

**Attachment:** Budget Revisions – 2022-23 Budget  
Budget Revisions Power Point

<b>Topic:</b> Budget Revisions – 2022-23 Budget
<b>Presenter(s):</b> Brady Hoffman, Finance Director
<b>Background:</b>  The board packet includes two pages that incorporate the proposed 2022-23 budget revisions.  While all funds are listed, the only proposed budget adjustments at this time are for the general fund and the debt service fund. These revisions are a result of prior year audit results, enrollment, and updated assumptions for revenues and expenditures.
<b>Recommendation:</b> Approval
<b>Alternatives:</b> N/A

South St Paul Public Schools  
2022-23 Budget Summary

	Original Budget June 27, 2022		Revised Budget #1 March 27, 2023		CHANGE	
	Revenue	Expenditures	Revenue	Expenditures	Revenue	Expenditures
<b>GENERAL FUND</b>	\$ 45,715,777	\$ 45,597,467	\$ 46,495,449	\$ 46,135,984	\$ 779,672	\$ 538,517
<b>FOOD SERVICE FUND</b>	1,846,996	1,854,532	1,846,996	1,854,532	-	-
<b>COMMUNITY ED FUND</b>	2,106,414	1,897,014	2,106,414	1,897,014	-	-
<b>DEBT SERVICE FUND</b>	3,012,550	2,976,532	13,084,237	13,048,219	10,071,687	10,071,687
<b>TOTAL BUDGET AMOUNT</b>	<b>\$ 52,681,737</b>	<b>\$ 52,325,545</b>	<b>\$ 63,533,096</b>	<b>\$ 62,935,749</b>	<b>\$ 10,851,359</b>	<b>\$ 10,610,204</b>

**South St Paul Public Schools  
Budget Revision Details**

	Beginning Fund Bal	Revenue	Expenditures	Ending Fund Bal
<b>GENERAL FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 5,958,785</b>	<b>\$ 45,715,777</b>	<b>\$45,597,467</b>	<b>\$ 6,077,095</b>
Final Audit Results	2,309,811	-	-	
Enrollment adjustment	-	201,645	-	
Adjust Federal Allocations	-	360,269	-	
Change in other revenues	-	217,758	-	
Staffing costs	-	-	137,379	
Tech Levy Adjustment	-	-	77,351	
Increased Fuel & Utility Costs	-	-	225,100	
Other Non-salary costs	-	-	98,687	
<b>TOTAL REVISIONS</b>	<b>2,309,811</b>	<b>779,672</b>	<b>538,517</b>	
<b>REVISED BUDGET</b>	<b>\$ 8,268,596</b>	<b>\$ 46,495,449</b>	<b>\$ 46,135,984</b>	<b>\$ 8,628,061</b>
<b>FOOD SERVICE FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 628,789</b>	<b>\$ 1,846,996</b>	<b>\$ 1,854,532</b>	<b>\$ 621,253</b>
Final Audit Results	193,520	-	-	
<b>TOTAL REVISIONS</b>	<b>193,520</b>	<b>-</b>	<b>-</b>	
<b>REVISED BUDGET</b>	<b>\$ 822,309</b>	<b>\$ 1,846,996</b>	<b>\$ 1,854,532</b>	<b>\$ 814,773</b>
<b>COMMUNITY ED FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 360,348</b>	<b>\$ 2,106,414</b>	<b>\$ 1,897,014</b>	<b>\$ 569,748</b>
Final Audit Results	188,864	-	-	
<b>TOTAL REVISIONS</b>	<b>188,864</b>	<b>-</b>	<b>-</b>	
<b>REVISED BUDGET</b>	<b>\$ 549,212</b>	<b>\$ 2,106,414</b>	<b>\$ 1,897,014</b>	<b>\$ 758,612</b>
<b>DEBT SERVICE FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 719,646</b>	<b>\$ 3,012,550</b>	<b>\$ 2,976,532</b>	<b>\$ 755,664</b>
Final Audit Results	16,575	-	-	
2022A Bond Refunding	-	10,071,687	10,071,687	
<b>TOTAL REVISIONS</b>	<b>16,575</b>	<b>10,071,687</b>	<b>10,071,687</b>	
<b>REVISED BUDGET</b>	<b>\$ 736,221</b>	<b>\$ 13,084,237</b>	<b>\$ 13,048,219</b>	<b>\$ 772,239</b>

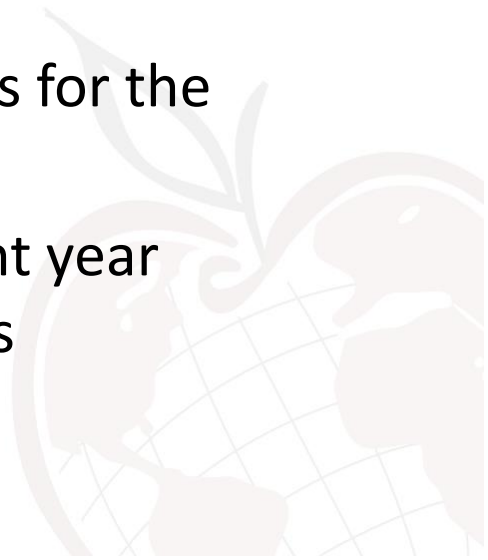
# 2022-23 Budget Revisions

Brady Hoffman  
Director of Finance  
March 27, 2023



# 2022-23 Budget Revisions

- The Original Budget was adopted on June 27<sup>th</sup>, 2022
- Since that time
  - We completed our Fiscal Year 2022 Audit
  - Onboarded new staff and welcomed students for the 2022-2023 school year
  - Analyzed enrollment trends, reviewed current year projections, analyzed budget to actual results



# Changes in Budget Assumptions

- Revenue Assumptions:
  - Updated enrollment projection – Increase of 33 ADM's
  - Adjusted federal revenues for updated allocations
  - Adjusted other state aids (i.e., Special Education) based on audit results and updated calculations
- Expenditure Assumptions:
  - Took into account variances in the prior year audit.
  - Revised salary and benefit expenses based on known staffing changes
  - Updated non-salary costs (i.e., fuel, utilities, etc)
- Debt Service
  - Incorporated the issuance of the 2022A Refunding Bonds

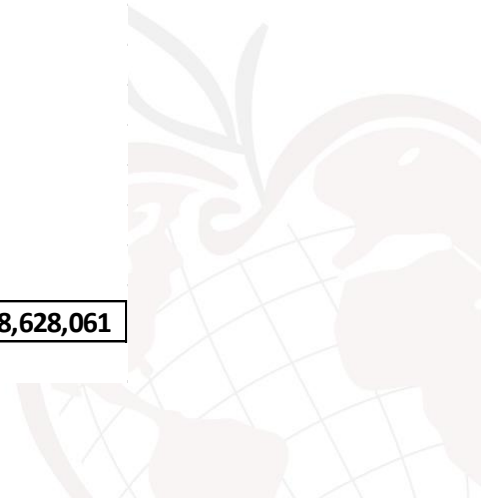


# Budget Summary

	Original Budget June 27, 2022		Revised Budget #1 March 27, 2023		CHANGE	
	Revenue	Expenditures	Revenue	Expenditures	Revenue	Expenditures
<b>GENERAL FUND</b>	\$ 45,715,777	\$ 45,597,467	\$ 46,495,449	\$ 46,135,984	\$ 779,672	\$ 538,517
<b>FOOD SERVICE FUND</b>	1,846,996	1,854,532	1,846,996	1,854,532	-	-
<b>COMMUNITY ED FUND</b>	2,106,414	1,897,014	2,106,414	1,897,014	-	-
<b>DEBT SERVICE FUND</b>	3,012,550	2,976,532	13,084,237	13,048,219	10,071,687	10,071,687
<b>TOTAL BUDGET AMOUNT</b>	<b><u>\$ 52,681,737</u></b>	<b><u>\$ 52,325,545</u></b>	<b><u>\$ 63,533,096</u></b>	<b><u>\$ 62,935,749</u></b>	<b><u>\$ 10,851,359</u></b>	<b><u>\$ 10,610,204</u></b>

# General Fund

	<u>Beginning Fund Bal</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Ending Fund Bal</u>
<b>GENERAL FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 5,958,785</b>	<b>\$45,715,777</b>	<b>\$45,597,467</b>	<b>\$ 6,077,095</b>
Final Audit Results	2,309,811	-	-	
Enrollment adjustment	-	201,645	-	
Adjust Federal Allocations	-	360,269	-	
Change in other revenues	-	217,758	-	
Staffing costs	-	-	137,379	
Tech Levy Adjustment	-	-	77,351	
Increased Fuel & Utility Costs	-	-	225,100	
Other Non-salary costs	-	-	98,687	
<b>TOTAL REVISIONS</b>	<b>2,309,811</b>	<b>779,672</b>	<b>538,517</b>	
<b>REVISED BUDGET</b>	<b>\$ 8,268,596</b>	<b>\$46,495,449</b>	<b>\$46,135,984</b>	<b>\$ 8,628,061</b>

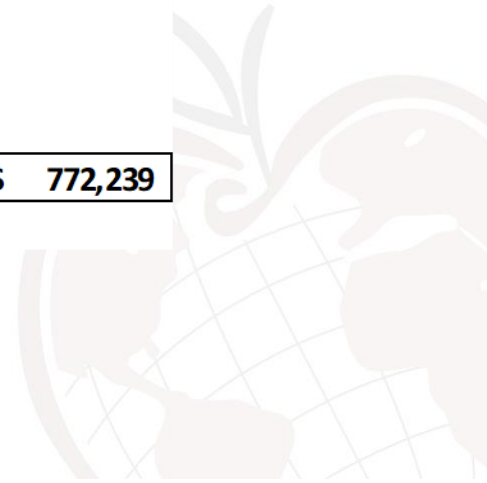


# General Fund Balance

	6/30/2022 Beginning Fund Balance	Budget		Fund Balance Buildup/(Usage)	6/30/2023 Ending Fund Balance
		2022-23 Revenues	2022-23 Expenditures		
<b>General Fund</b>					
<b>Unassigned</b>	<b>4,830,115</b>	<b>37,315,731</b>	<b>37,511,641</b>	<b>(195,910)</b>	<b>4,634,205</b>
<b>Assigned</b>	<b>1,047,952</b>	<b>822,249</b>	<b>886,757</b>	<b>(64,508)</b>	<b>983,444</b>
<b>Restricted:</b>					
Student Activities	239,317	175,000	175,000	-	239,317
Gifted & Talented	125,540	42,392	85,844	(43,452)	82,088
Career & Tech Program	-	63,396	63,396	-	-
Learning & Development	-	602,283	602,283	-	-
Basic Skills	-	3,238,236	3,238,236	-	-
Medical Assistance	153,852	100,000	140,000	(40,000)	113,852
Staff Development	106,017	447,602	452,299	(4,697)	101,320
Safe Schools	232,460	110,912	115,000	(4,088)	228,372
Operating Capital	1,080,235	1,292,971	1,247,594	45,377	1,125,612
Long-Term Facilities Maintenance	132,737	1,267,306	934,043	333,263	466,000
Capital Projects Levy	61,918	789,039	483,891	305,148	367,066
Debt Reduction	223,171	28,332	-	28,332	251,503
Flexible Benefits	35,282	200,000	200,000	-	35,282
<b>Total Restricted</b>	<b>2,390,530</b>	<b>8,357,469</b>	<b>7,737,586</b>	<b>619,883</b>	<b>3,010,413</b>
<b>Total General Fund</b>	<b>8,268,596</b>	<b>46,495,449</b>	<b>46,135,984</b>	<b>359,465</b>	<b>8,628,061</b>
<b>Unrestricted Fund Balance %</b>	<b>12.89%</b>				<b>12.18%</b>
<b>Unassigned Fund Balance %</b>	<b>10.59%</b>				<b>10.04%</b>

# Debt Service Fund

	<u>Beginning Fund Bal</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Ending Fund Bal</u>
<b>DEBT SERVICE FUND</b>				
<b>ORIGINAL BUDGET</b>	<b>\$ 719,646</b>	<b>\$ 3,012,550</b>	<b>\$ 2,976,532</b>	<b>\$ 755,664</b>
Final Audit Results	16,575	-	-	
2022A Bond Refunding	-	10,071,687	10,071,687	
<b>TOTAL REVISIONS</b>	<b>16,575</b>	<b>10,071,687</b>	<b>10,071,687</b>	
<b>REVISED BUDGET</b>	<b>\$ 736,221</b>	<b>\$13,084,237</b>	<b>\$13,048,219</b>	<b>\$ 772,239</b>



Question / Comments





## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** COW and Regular Agenda

**Action Requested:** Approval

**Attachment:** **Discontinuing and Reducing Educational Programs and Positions**

<b>Topic:</b> Discontinuing and Reducing Educational Programs and Positions
<b>Presenter(s):</b> Joel Milteer, Human Resource Director
<b>Background:</b> <p>At the March 13, 2023, School Board meeting, administration proposed sunseting the Primary Years Programme, and the Middle Years Programme for IB after the 2023-24 school year. In this proposal, administration recommended a restructure of the academic and student support team at Kaposia and Lincoln Center Elementaries which would result in the elimination of the IB Coordinator and Elementary Student Support Specialist positions, with a reduction in the Student Support Specialist position at the middle school. The School Board approved administration's proposal.</p> <p>In addition, we are aligning staffing to enrollment for the 2023-24 school year and need to make reductions in the following areas:</p> <ul style="list-style-type: none"><li>• Classroom Teachers</li></ul> <p>Although we are making these reductions, we are still maintaining low class sizes and providing additional classroom supports through positions created by the passing of the referendum.</p> <p>We are now asking the School Board to approve the resolution for the above noted position eliminations and reductions for the 2023-24 school year.</p>
<b>Recommendation:</b> <p>Administration recommends approval of the resolution.</p>
<b>Alternatives:</b> <p>Do not approve the resolution and direct administration with next steps.</p>



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**Special School District No. 6  
(South St. Paul Public Schools)  
State of Minnesota**

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Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION DISCONTINUING AND REDUCING  
POSITIONS**

WHEREAS, the School Board of Special School District No. 6, South St. Paul, received and approved a recommendation from administration for a discontinuance/reduction of the IB Coordinator and Student Support positions at the elementary and middle school levels, due to a restructure of the academic and student support teams at those buildings, and

WHEREAS, administration is also recommending reductions of classroom teaching positions in all schools due to the need to align staffing with current enrollment, and

WHEREAS, said recommendations have been received and considered by the School Board.

BE IT RESOLVED by the School Board of Special School District No. 6, South St. Paul, as follows:

That the following teaching programs and positions, or portions thereof, be discontinued or reduced effective with the start of the 2023-24 school year:

1. IB Coordinator
2. Student Support Specialist
3. Classroom Teachers

The motion for the adoption of the foregoing resolution was duly seconded by Member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against:

Whereupon said resolution was declared duly passed and adopted.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** Regular Agenda: Business Item

**Action Requested:** Approval

**Attachment:**

<b>Topic:</b> 2022-2024 Office and Professional Employees International Union, Local No. 12
<b>Presenter(s):</b> Human Resources Director Joel Milteer and Finance Director Brady Hoffman
<p><b>Background:</b></p> <p>The school district has reached a tentative agreement with South St. Paul Office and Professional Employees International Union Local No. 12, for the contract period of July 1, 2022, to June 30, 2024. Office and Professional Employees International Union Local No. 12 employees voted in favor of the proposed contract on March 21, 2023. The proposed agreement is within the parameters established by the Board of Education.</p> <p>The components of the settlement have been provided to the School Board and the bargaining unit has voted in favor of this settlement. The Agreement includes the creation of a step schedule in year one, which provides for increases based on years of service and 2.0% in year two, along with a 2.0% increase in year two for the district contribution for health insurance.</p>
<p><b>Recommendation:</b></p> <p>Approve the agreement with South St. Paul Office and Professional Employees International Union Local No. 12, for the contract period of July 1, 2022, to June 30, 2024.</p>
<p><b>Alternatives:</b></p> <p>Do not approve the contract and direct administration with next steps.</p>



# SOUTH ST. PAUL PUBLIC SCHOOLS

## School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** COW and Regular Agenda

**Action Requested:** Approval

**Attachment:** **Non-Renewal of Long-Term/Limited Contract Substitute Teachers**

<b>Topic:</b> Non-Renewal of Long-Term/Limited Contract Substitute Teachers
<b>Presenter(s):</b> Joel Milteer, Human Resource Director
<p><b>Background:</b></p> <p>In compliance with Minnesota statutes, we are required to terminate the teaching contracts of the District’s long-term/limited contract substitute teachers at the end of each school year.</p> <p>A long-term substitute by definition is one who worked all or part of the school year replacing a specific teacher who has return rights to his or her position. The contracts of the long-term substitutes must be terminated at the end of the school year. Failure to terminate these contracts could result in the district allocating two teachers in each affected position as the regular teachers exercise their right to return from leave.</p> <p>Attached is a resolution to non-renew the teaching contracts of the District’s long-term/limited contract substitute teachers.</p>
<p><b>Recommendation:</b></p> <p>Administration recommends approval of the resolution.</p>
<p><b>Alternatives:</b></p> <p>Do not approve the resolution and direct administration with next steps.</p>

**Special School District No. 6  
(South St. Paul Public Schools)  
State of Minnesota**

Inspector \_\_\_\_\_ moved the adoption of the following resolution:

**RESOLUTION RELATING TO THE NON-RENEWAL  
OF LIMITED CONTRACT / LONG-TERM SUBSTITUTE TEACHERS**

WHEREAS, the following teachers are limited contract/long-term substitute teachers in Special School District No. 6.

BE IT RESOLVED by the School Board of Special School District No. 6, pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contracts of these limited contract/long-term substitute teachers in Special School District No. 6, are hereby terminated effective at the end of the 2022 – 2023 school year.

Anna Karsten	Long-Term Substitute	Secondary
Dawn Kelly	Long-Term Substitute	Secondary
Beth Murphy	Long-Term Substitute	Elementary
Melinda Peterson	Long-Term Substitute	Secondary
Kalley Stern	Long-Term Substitute	Elementary

BE IT FURTHER RESOLVED that written notice be sent to said teachers regarding non-renewal of their contracts in accordance with Minnesota law.

The motion for the adoption of the foregoing resolution was duly seconded by Inspector \_\_\_\_\_.

On a roll call vote, the following voted in favor:

Inspectors:

And the following voted against:

Whereupon said resolution was declared duly passed and adopted.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** COW and Regular Agenda

**Action Requested:** Approval

**Attachment:** **Non-Renewal of Probationary Teachers**

<b>Topic:</b> Non-Renewal of Probationary Teachers
<b>Presenter(s):</b> Joel Milteer, Human Resource Director
<b>Background:</b>  Each year, we must release a number of probationary teachers for various reasons, including student driven scheduling, changes in enrollment, budget reductions, curriculum changes, licensure issues, mid-year placements, and performance issues.  Attached is a resolution to terminate the contracts of a number of probationary teachers. This resolution terminates teaching contracts for those listed, at the end of the current 2022-2023 school year, with non-renewal for the 2023-2024 school year.
<b>Recommendation:</b>  Administration recommends approval of the resolution.
<b>Alternatives:</b>  Do not approve the resolution and direct administration with next steps.

**Special School District No. 6  
(South St. Paul Public Schools)  
State of Minnesota**

Inspector \_\_\_\_\_ moved the adoption of the following resolution:

**RESOLUTION RELATING TO THE NON-RENEWAL  
OF PROBATIONARY TEACHERS**

WHEREAS, the following teachers are probationary teachers in Special School District No. 6.

BE IT RESOLVED by the School Board of Special School District No. 6, pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contracts of these probationary teachers in Special School District No. 6, are hereby terminated effective at the end of the 2022 - 2023 school year.

Rebekah Budziszewski	Special Education	Elementary	1.0
Quinn Doheny	Humanities	Secondary	.80
Justin Hingst	Humanities	Secondary	1.0
Kirkja Janson	Science	Secondary	1.0
Linden Kirscht	Vocal Music	Secondary	.60
Faith Purvey	Art	Secondary	1.0
Laurie Rupp	Grade 3	Elementary	1.0
Mara Seurer	Special Education	Elementary	1.0
Chris Sikorowski	Language Arts/Student Support	Secondary	1.0
Kelly Strasser	Special Education	Elementary	1.0
Malin Symreng	Math	Secondary	1.0

BE IT FURTHER RESOLVED that written notice be sent to said teachers regarding non-renewal of their contracts in accordance with Minnesota law.

The motion for the adoption of the foregoing resolution was duly seconded by Inspector \_\_\_\_\_.

On a roll call vote, the following voted in favor:

Inspectors:

And the following voted against:

Whereupon said resolution was declared duly passed and adopted.



## SOUTH ST. PAUL PUBLIC SCHOOLS

### School Board Agenda Item

**Meeting Date:** Monday, March 27, 2023

**Place on Agenda:** Regular Agenda/Business Items

**Action Requested:** Approval

**Attachment:** Acceptance of Gifts Resolution

<b>Topic:</b> Acceptance of Gifts
<b>Presenter(s):</b> Brady Hoffman, Finance Director
<b>Background:</b>  Per school board policy, the School Board may receive and accept, for the benefit of the school district, bequests, donations or gifts for any proper purpose. All gifts received by the District must comply with applicable fire codes, health guidelines, and safety regulations (i.e. furniture, technology, and appliances). Gifts may only be accepted by the adoption of a resolution approved by two-thirds of its members.
<b>Recommendation:</b>  Administration recommends the approval of. the Acceptance of Gifts Resolution
<b>Alternatives:</b>  Do not approve the Acceptance of Gifts Resolution and direct administration with next steps.



**Special School District No. 6  
(South St. Paul Public Schools)  
State of Minnesota**

**ACCEPTANCE OF GIFTS  
RESOLUTION**

Board Meeting Date: **March 27, 2023**

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

Be it Resolved, that the School Board of South St. Paul Public Schools, Special School District No 6, accept the following donations as indicated in the detailed background listed below:

**MONETARY**

<b>Donation Amount</b>	<b>Designated To</b>	<b>Donation From</b>	<b>Purpose</b>
\$3,000	Kaposia Education Center	SSP Lions	Ninja Course

**VALUE IN KIND**

<b>Donation Item</b>	<b>Designated To</b>	<b>Donation From</b>	<b>Purpose</b>

The motion for the adoption of the foregoing resolution was duly seconded by Member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

And the following voted against:

Whereupon said resolution was declared duly passed and adopted