

Agenda

1. CALL TO ORDER
2. ROLL CALL
3. VISITOR COMMENTS
4. APPROVAL OF AGENDA
5. ORGANIZATIONAL ITEMS

5.a. Election of Board Officers

6

Election of Officers: The previous board chair (Adam) should call the meeting to order and run the meeting until his successor is selected. Whomever is elected as chairperson should preside over the election of the other officers: Vice Chair, Clerk, and Treasurer. The MSBA publication The First Monday In January: Everything you need to know for your school board's Organizational Meeting is attached. The procedure for Election of Officers begins on page 4. A list of the 2021 board officers is also attached.

5.a.i. Elect Chair

Scot Osbourne nominated Adam Erickson as Chair.

5.a.ii. Elect Vice Chair

Ashley Black nominated Scot Osborne as Vice Chair.

5.a.iii. Elect Clerk

Mike Slater nominated Ashley Black as Clerk.

5.a.iv. Elect Treasurer

Nick Thom nominated Mike Slater as Treasurer.

5.b. Committee Assignments

21

The Chairperson appoints the committee assignments. The 2021 committees and representatives are attached.

5.c. Designate School Board Meeting Schedule

The superintendent recommends that regular school board meetings continue to be designated as the second Wednesday of the month at 6:00 p.m.

- 5.d. Set Board Member Meeting Stipend 23
The stipends from 2021 are attached. A survey of school board pay for area schools is attached.
- 5.e. Designate District's Official Newspaper-Mankato Free Press

The superintendent recommends continuing to designate the official newspaper as *Mankato Free Press* and alternate newspaper as *Lafayette Nicollet Ledger*.

- 5.f. Designate District's Depository Financial Institutions

The superintendent and business manager recommend continuing with Pro Growth Bank and Minnesota School District Liquid Assets Fund as District Depositories for 2022.

- 5.g. Authorize the Superintendent and District Business Manager to make electronic transfers for the purpose of bond payment and investment of excess funds.

The superintendent recommends approving the annual authorization for the Superintendent, Business Manager, and Payroll Coordinator to conduct electronic fund transfers pursuant to MS 471.38 Subd. 3 and Subd. 3a.

- 5.h. Designate District's Legal Counsel

The superintendent recommends continuing with Kennedy & Graven as the school district's Legal Counsel.

- 5.i. Designate District Financial Auditor

The superintendent recommends continuing with Abdo, Eick, and Meyer as the school district's auditors.

- 5.j. Set the District's mileage reimbursement rate at the Federal reimbursement rate

The superintendent recommends setting the mileage reimbursement to the IRS rate (currently at \$.0585 per mile.)

- 5.k. Authorize the use of facsimile signatures in carrying out district business pursuant to Minnesota Law.

The superintendent recommends approving the annual authorization to use facsimile signatures pursuant to MS 47.42 to conduct the school district's business.

6. REPORTS AND PRESENTATION

6.b. School board members are registered for the MSBA Conference January 13/14. Cathy Blowers completed Phase I and II training January 11/12.

6.c.

6.d. Nicollet County Public Health assigned the nurse, currently serving NPS, to another position within their department. NCPH has posted the position as vacant to seek a replacement. Changes to the nursing contract, between NCPH and NPS, are under discussion.

6.e.

6.f. The CDC recently updated COVID protocols for those who test positive (isolation) or are in close contact with someone who has COVID-19 (quarantine). CDC is shortening the recommended time for isolation from 10 days for people with COVID-19 to 5 days, if asymptomatic, followed by 5 days of wearing a mask when around others. The updated guidance is attached and effective today.

6.g.

Progress on the remaining items from the construction project continues. There were 236 open items to be completed in December. NEXUS and the contractors completed 182 during the holiday break.

6.h. The Fiscal Year 2021 audit, approved at the December school board meeting, included the final amounts for the daycare and latchkey programs. The detail is shown below. The daycare fund balance increased by \$32,189 and the Latchkey fund balance increased by \$20,020.

6.i.	6.j. BALANCE	6.k.
6.n.	6.o. 6/30/20	6.p.
6.s. Daycare	6.t. (58,849.72)	6.u.
6.x. Latchkey	6.y. 18,825.29	6.z.

6.cc.

6.dd. High school students submitted a petition to the administration requesting to change the dress code policy pertaining to hats, caps, and headgear. The administration will conduct a survey of parents. The results of the survey along with any policy modifications will be recommended to

the school board at the February 9th meeting.

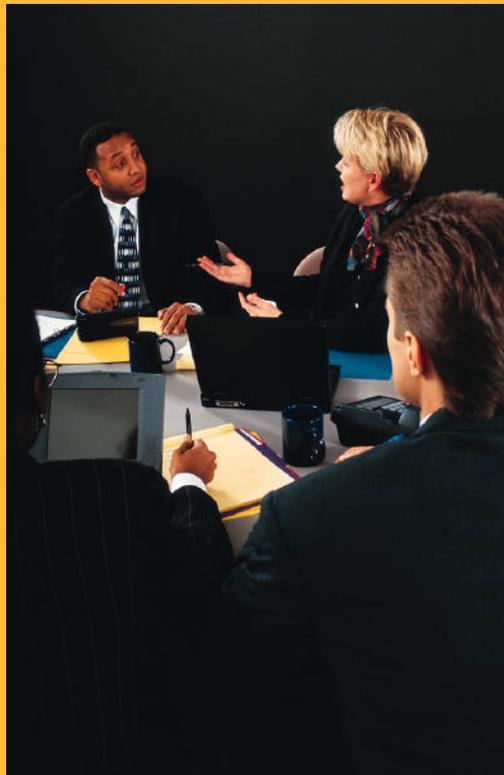
??????The current COVID-19 case information is shown below:

6.ee.	6.ff.Nicollet Public Schools			6.gg.	
				6.ii.U	
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				1	
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				6	
				-	
				2	
6.hh. COVID-19 Case Information				2	
				6.oo.	
				c	
				t	
				i	
				v	
6.jj.	6.k	6.ll.	6.mrr	6.nr	e
			6.ss.		6.uu.
			c		a
		6.rr.C	t		s
		n	i		e
		e	v		s
6.pp	6.c	d	e	6.tt.	&
			6.yy.		6.aaa
			u		u
			a		a
			r		r
			a		a
		6.xx.	n	6.zz	n
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		s	i		i
		e	n		n
6.vv	6.v	s	e		e
6.bb					
1					
1					6.ggg
0	6.c				.
0		6.ddc			8
1		6	6.eee	6.ff	%

6.hh					6.mm
	6.i	6.jjj.			4
		3	6.kkk	6.lll	9
6.nnn. Principal's Report					30
6.ooo. Student Representative's Report					
6.ppp. Board Committees' Reports					
7. CONSENT AGENDA					
7.a. Approval of Minutes					31
7.b. Approval of Bills in the amount of \$ \$353,484.47					34
7.c. Approval of Personnel Items					41
7.d. Approve Principal's Contract					
	<p>The superintendent recommends approving the principal's contract. The agreement is effective July 1, 2022 through June 30, 2024. The total package cost increase for the school district over the two years is 6.01%.</p>				
7.e. Accept Donations					42
	<p>MS 123B.02, Subd. 6 permits the school board to accept donations or gifts for the benefit of the district. The Superintendent recommends approving the donations received.</p>				
8. AMMEND POLICY 206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS					43
	<p>Policy 206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS is attached. Deletions are noted with strikethrough while new language is <u>underlined</u>. No public input has been received since the first reading last month. The superintendent recommends approving the policy.</p>				
9. ADJOURNMENT					



The First Monday in January



EVERYTHING you need to know for
your school board's **Organizational Meeting**

Updated December 2021

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Introduction

On the first Monday in January (or as soon as practicable thereafter) each year, newly elected school board members' terms of office begin, and school boards must meet to organize for the year (M.S. 123B.14, Subd. 1). School boards typically combine the work of seating newly elected school board members and organizing for the year into a single meeting. The purpose of this booklet, *The First Monday in January*, is to help school boards prepare for and conduct the organizational meeting.

The guidance provided in this booklet is based on relevant laws, knowledge of school board and superintendent roles and responsibilities, school board meeting processes and procedures, best practices, and experience. While the content addresses many issues related to the organizational meeting, this booklet cannot address every potential problem or circumstance school boards may encounter. As a result, school boards would be well served to review the contents and establish their processes for officers' elections prior to the organizational meeting. Upon review, school board members and superintendents are encouraged to call MSBA with any questions pertaining to their unique situation.

Before beginning to look at the actual content of this booklet, five general terms used throughout this document should be explained. From this point forward, except in quotations from statute, the words, "board," "board member," "district," "chair," and "meeting," will be used instead of the formal terms, "school board," "school board member," "school district," "school board chair," and "school board meeting."

The First Meeting in January

Under Minnesota law, “the board must meet and organize by selecting a chair, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify” (M.S. 123B.14, Subd. 1). A remote possibility exists that all of the most recently selected board officers and members will no longer be on the board or are unavailable; in that case, the board as a whole should call the meeting to order. If the most recently selected chair (the person elected chair last year) is still on the board, that board member should call the meeting to order and run the meeting until his or her successor is selected and qualifies. If the most recent chair is no longer on the board or is not available, the most recently selected vice chair (if the board has one), clerk, or treasurer, in that order, should be asked to call the meeting to order and run the meeting. Otherwise, the board must select a different member to open the meeting and preside over the election of the chair, who will then move into place and conduct the rest of the elections and meeting. If all of the most recently selected officers are unavailable and the board is unable to reach a consensus, the board should use an agreed-upon method, such as calling on the most senior board member present or the member who draws the shortest straw, to choose a person to serve in that capacity. The board should use a similar process for determining who will serve as clerk and be responsible for recording the minutes until a successor is selected by the board. Additionally, because superintendents are considered ex officio, or nonvoting, members of the board (M.S. 123B.143), at no time should the superintendent act as chair. From this point on, the officers selected by the process just described to serve until new officers are selected will be referred to as “acting” officers.

Boards need to adopt basic rules for conducting the organizational meeting. The rules chosen may be past practices or one of several options presented in *Robert’s Rules of Order Newly Revised* or another parliamentary procedure if the board has adopted one. The adopted rules allow the board members to discuss and make decisions in a timely and orderly manner. Boards are wise to keep the rules as uncomplicated as possible. The most commonly used option for electing officers is for the acting chair to open the floor for nominations. The rest of the process is provided beginning on Page 3.

Date of the Organizational Meeting

Minnesota law does not specify that the organizational meeting must be a regular meeting. Because the law includes the words “as soon thereafter as practicable,” many boards prefer to schedule the January organizational meeting as early as possible, often scheduling a special meeting, to avoid the confusion that can result if situations requiring the board’s immediate attention arise before the board has organized for the year. In the event of an emergency between January 1 and the first Monday of the month, the board members whose terms are ending may be called upon to help the board until the new board members are seated.

The board cannot transact business on any holiday, except in cases of necessity (M.S. 645.44, Subd. 5). State statute stipulates that when New Year's Day, January 1, falls on Sunday, the following day shall be a holiday. So, if January 1 falls on a Sunday or Monday, the first Monday in January will be a holiday. Also, boards cannot meet on the observance of Martin Luther King

Jr.'s birthday, the third Monday in January. Boards are wise to consider these dates when planning their organizational meetings. MSBA's *Dates with Meeting Restrictions* offers guidance.

Sample Organizational Meeting Agenda

The organizational meeting agenda should clearly state the business the board will transact. If the board schedules a special meeting to organize, the board must limit its business to the purpose(s) stated on the meeting notice (M.S. 13D.04, Subd. 2). A sample organizational meeting agenda is provided below.

- Call meeting to order
The acting chair calls the meeting to order and conducts the meeting until a successor is elected by the board.
- Seat new board members
The acting chair may administer a ceremonial oath of office to the new board members (depending on the board's election cycle and practice).
- Approve meeting agenda
- Elect a chair (who presides over remainder of meeting)
- Elect a vice chair, if appropriate
- Elect a clerk
- Elect a treasurer
- Set dates, times, and location(s) for regular board meetings
- Conduct other business
 - Designate district depositories
 - Name board's legal counsel and authorized contacts
 - Fix board members' compensation, if any
 - Appoint board committee members
 - Designate a board member as the Minnesota State High School League representative

Seating New Board Members

Boards seat their newly elected board members at their first meeting in January. At that time, the acting chair and the rest of the board welcome the new board member(s), and the acting chair may administer a ceremonial oath of office. Then, the board moves to the organizational meeting. However, when a vacancy on a board occurs before the end of the term, the board must appoint a replacement or a special election must be held, or both (M.S. 123B.09, Subd. 5b). Additional information concerning board members' elections and pre-seating newly elected board members can be found in the Appendix beginning on Page 9.

Open Meeting Law

All board meetings must comply with the Minnesota Open Meeting Law (M.S. Chapter 13D). In addition, all votes must occur at an open meeting, and board members may not cast any straw votes or votes by secret ballot (M.S. 13D.01, Subd. 4). Boards may vote by paper ballot, but the voters must be identified and votes recorded. A schedule of the board's regular meetings must be kept on file at its primary office. If a special meeting is scheduled for the purpose

of organizing the board, written notice of the date, time, place, and purpose of the meeting must be posted on the board's principal bulletin board (or on the door of the board's usual meeting room if no principal bulletin board exists) at least three days before the special meeting. All other requirements of the statute also must be satisfied (M.S. 13D.04).

Election of Officers

State law requires that school boards elect a chair, a clerk, and a treasurer from among the school board members. The board may decide to have additional officers, such as a vice chair (M.S. 123B.14). These officers shall hold office for one year and until their successors are selected and qualified. Persons who perform the *duties* of the clerk and treasurer need not be members of the board. The board, by resolution, may combine the duties of the offices of clerk and treasurer in a single person in the "Office of Business Affairs." A sample resolution is in the Appendix.

Procedures for Election of Officers

Minnesota law is silent as to the method of electing officers, except that the election must be by open vote and not by any form of secret ballot (M.S. 13D.01, Subd. 4). Each board may establish its own procedures, including procedures for nominating officers and voting procedures. The board should establish procedures in advance of the meeting so that everyone will know what to expect from the outset. The board must follow the procedures, but the procedures can be changed if the majority of the board members agree. Suggested steps for election of officers are provided below. Once the meeting has been called to order, the acting chair has been determined, and the agenda has been approved:

- The acting chair asks for nominations.
- Any board member may nominate any other board member, and nominations do not require a second.
- If no other nominations are immediately received, the acting chair should pause and repeat the call for nominations.
- The acting chair should again pause and repeat the call for nominations a third time to ensure that any board member wishing to nominate has ample opportunity to do so.

- Under most rules of procedure, a motion to close nominations before such an opportunity is provided should be declared out of order. In fact, among bodies with rules that permit motions to close nominations, *Robert's Rules of Order Newly Revised* calls for a two-thirds majority vote to adopt the motion.
- After the third call for nominations, if no other nominations are forthcoming, the acting chair should close the nominations for the office.
- A motion to reopen nominations may be adopted on a majority vote.

For example, the board might follow the procedure provided below.

Acting Chair: "Nominations are now in order for the office of chair."

Board Member James: "I nominate Jane Smith."

Acting Chair: “Jane Smith is nominated. Are there any other nominations for the office of chair?”

Acting Chair: “Are there any further nominations for the office of chair?”

Acting Chair: “Are there any further nominations for the office of chair?”

Acting Chair: “If there are no further nominations ... [pause] ... nominations for the office of chair are closed.”

Voting

If only one board member is nominated, board rules may allow the acting chair to declare that candidate elected. The acting chair could say, “Jane Smith is the only candidate nominated for the office of chair, and I hereby declare her elected by acclamation and direct the acting clerk to so record in the minutes.”

Board rules may provide for a show of hands or voice vote in which each board member has an opportunity to vote. The newly elected chair then immediately assumes the office and conducts the election of other officers.

If two or more members are nominated for an office, a show of hands or voice vote is necessary. All votes must be recorded as required by Minnesota’s Open Meeting Law. Another option is for each board member to be given a piece of paper (ballot) on which to write the name of the person for whom they are voting, but the board member must also write his or her own name on that ballot so each vote may be recorded. The results of each individual board member’s vote may be read aloud at the meeting and must be recorded in the minutes. The person receiving a majority of the votes cast is elected and assumes the office, having been “selected and qualified.”

Number of Votes Required

Unless board rule or policy requires a majority of the board’s *full* membership or other stipulation, the number of votes required to elect an officer is the same as the vote to carry other motions—namely, “more than half the votes cast, excluding abstentions.” Absences or abstentions can reduce the number of votes required to less than a majority of the full board. For example, for a seven-member school board with two board members absent or abstaining, three votes would elect an officer, 3-2. Any other requirement to elect officers should be clearly articulated in the board’s policies or procedures.

If more than two candidates are nominated, the possibility exists that no candidate will get a majority of the votes cast. For example, a seven-member board with three candidates could have an initial vote of 3-3-1, and, because four votes constitute a majority, no candidate would have enough votes to be elected. Some boards, in such instances, drop off the low vote getter and conduct a second vote. *Robert’s Rules of Order Newly Revised* recommends retaining the low vote getter because a low vote getter could turn out to be the most satisfactory compromise for supporters of the two front runners and may be helpful in breaking a tie. If a multiple-candidate contest continues to produce no majority choice, the board may be left with no other option than to drop the low vote getter in an attempt to complete the election. If the board includes this option in its policies and procedures, language should specify when and how the decision would be made.

Order of the Vote

The voting procedure used may follow the order the board typically uses to vote on motions. The acting chair may ask for a show of hands or go around the table calling on members by name, or the acting clerk may conduct a roll-call vote. A script for the voting procedure is provided below.

Acting Chair: "All in favor of Jane Smith for the office of chair raise their hands."

Acting Chair: Then, "All in favor of James Nelson for the office of chair raise their hands."

Acting Chair: "Jane Smith received a majority of the votes cast and is elected chair of this school board."

To avoid any question regarding the validity of an election between two or more candidates, the board may need to conduct a roll call vote in the order the board normally follows and record each board member's vote in the minutes. A script for calling a roll-call vote is provided below.

Acting Chair: "The acting clerk will now call the roll for voting on the office of chair."

Acting Clerk: "Board member Arthur Brown."

Board member Arthur Brown: "I vote for Jane Smith."

Acting Clerk: "Board member Margo Anderson."

Board member Margo Anderson: "I vote for James Nelson."

And so on until all board members have been polled.

Acting Chair: "The acting clerk will now tally the votes."

Acting Clerk: "Jane Smith received four votes. James Nelson received three votes."

Acting Chair: "Jane Smith received a majority of the votes cast and is elected chair."

Board Unable to Elect a Chair

Although the election of officers usually raises no significant question as to procedure or legal requirements, exceptions arise from time to time. For example, in the event of a tie between two candidates, a second vote should be taken, followed by a third vote prior to the close of the meeting, and, if the board is still unable to elect a chair, the election of a chair should occur at subsequent meeting(s), for as many meetings and votes that may be required, until one candidate is elected. If a second vote to elect a new chair is unsuccessful, the board could: 1) move on to elect the other officers before attempting to vote a third time to elect a chair or 2) move on to conduct the other business before attempting to vote a third time to elect a chair before the close of the meeting. The acting chair presides until the deadlock for chair is broken, even if other officers have been selected.

Once a chair is elected, the newly elected chair assumes the duties of the presiding officer and conducts the elections of a vice chair (if applicable), clerk, and treasurer following the same procedures.

Vice Chair

Minnesota law does not require the board to elect a vice chair. If the board includes a vice chair, the newly elected chair should use the same call for nominations and election procedures to elect a vice chair as described for electing a chair.

Clerk

The chair should next call for nominations for the office of clerk. Nominations and the election should be handled in the same manner as for chair. In selecting a clerk, certain tasks (such as keeping a record of all board meetings of the district; within three days after an election, notifying all persons elected of their election; and filing a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year with the board by September 15 of each year) require the clerk to be available regularly in the district administrative office. Board members who take minutes at meetings while participating in the meetings often have difficulty balancing the responsibilities. Fortunately, Minnesota law allows other persons (such as the superintendent's administrative assistant or board secretary under the direction of the board clerk) to perform the duties of clerk. The board can designate an alternate, or "deputy clerk," from among the board members to sign documents if the clerk is unavailable.

Treasurer

The chair should next call for nominations for the office of treasurer. Certain tasks of the treasurer (such as depositing district funds in the official depository; making reports called for by the board and performing all duties a treasurer usually performs; and, in the event of insufficient funds to pay valid orders presented to the treasurer, receiving, endorsing, and processing the orders according to the law) require the treasurer to be available regularly to the district's administration. The law allows the board (by resolution) to name a person in the business office to perform the duties of the offices of clerk and treasurer.

Other Business Conducted

Minnesota law allows the board to conduct other business at the organizational meeting. Other business items commonly transacted at the organizational meeting include designating district depositories, selecting the official district newspaper, selecting the district's legal counsel and individuals authorized by the board to contact legal counsel, fixing board member compensation, setting the board's regular meeting schedule, and appointing board committee members. These items are described below.

Designate District Depositories

Minnesota law requires the board to designate one or more official depositories for district funds (M.S. 118A.02, Subd. 1). While state law does not specify when the designation must be made, many boards designate depositories at the annual organizational meeting.

Select Official Newspaper

School districts are required by law to publish their meeting proceedings and many notices in their official newspaper. A board may select an official newspaper whenever it chooses, and most boards decide at the board's organizational meeting. Franconia and Prinsburg must designate an official newspaper in the first meeting following July 1.

Select District's Legal Counsel

The organizational meeting is a good time for the board to select one or more attorneys or firms to serve as the district's legal counsel and the individuals authorized to contact legal counsel. Persons authorized may include the chair, the superintendent, and the chief business official of the district. In addition, other district staff, including the human resources director or a person with similar duties, may be authorized to contact legal counsel.

Fix Board Member Compensation

Many boards set the board member compensation for the year at the organizational meeting. Minnesota law allows the clerk, treasurer, and superintendent to receive such compensation as may be fixed by the board. The law also allows the board to fix compensation for the other members of the board (M.S. 123B.09, Subd. 12).

Fix Regular Board Meeting Schedule for the Year

Minnesota law includes specific notice requirements that must be satisfied for the board to meet, whether for regular, special, or emergency meetings. Many boards set the regular meeting schedule for the year at the organizational meeting. If the board sets a schedule for regular board meetings to be held during the year, with the date, time, and place for such meetings designated, and that schedule is kept at the district office, then no additional notice of those regular meetings is required (M.S. 13D.04, Subd. 1). If a regular meeting date, time, or location is changed, additional notice is required. Other notice requirements are in the *MSBA Law Bulletin C*. When setting the schedule for regular board meetings, the board must keep in mind the dates when meeting restrictions and/or prohibitions apply. Please see the *MSBA Dates with Meeting Restrictions*.

Appoint Board Committee Members

Boards often use standing or ad hoc committees to facilitate the mission and work of the school board, are advisory, and have only that authority specified by the board. However, some boards avoid using committees and opt for the board to work as a whole instead. Many boards believe the organizational meeting is a good time to appoint board committee memberships. If the board has a policy on board committees, the board should follow that policy and

established procedures. If the board utilizes committees, policy should clarify the following: when, how, and by whom the appointments will be made, the allowable number of board members per committee, whether committee appointments are continuing or rotating, and, if rotating, a schedule for doing so. Finally, board committee and subcommittee meetings are subject to the Open Meeting Law (even when the committee membership is less than a quorum of the board). The notification and public meeting requirements for board committees and subcommittees are the same as for board meetings.

Appendix

The Appendix provides additional background information concerning the board's first meeting in January. Specific topics addressed in the Appendix include board membership, elections, canvass of returns, certificates of election, qualified board members, term of office, and seating of new board members.

Board Membership and Elections

The membership of the board consists of six elected members, or seven members if the district voters have approved a seven-member board (M.S. 123B.09, Subd. 1). Elections take place on the first Tuesday after the first Monday in November of either the odd-numbered or the even-numbered year (M.S. 205A.04). The number of members may be different for combining or consolidating boards that are in a transition period (M.S. 123A.48, Subd. 2). The board includes ex officio (non-voting) members. Superintendents are the only ex officio members of the board who are mentioned in statute (M.S. 123B.143). Board vacancies are filled by special election if more than one year remains or by board appointment by resolution at a regular or special meeting if less than one year remains (M.S. 123B.09, Subd. 5b).

Canvass of Returns and Certificate of Election

State law requires the board to canvass the returns and declare the results of the election between the third and tenth day after a district election, other than a special election (M.S. 205A.10, Subd. 3). The district clerk must certify the results of the election to the county auditor, and the clerk is the final custodian of the ballots and the returns of the election (M.S. 205A.10, Subd. 3).

Qualified Board Member

To "qualify," a newly elected board member must complete a few necessary steps. The district clerk must ensure that each successful candidate has filed a campaign finance report certification (M.S. 211A.02 and M.S. 211A.05, Subd. 1) before issuing a certificate of election. The clerk must deliver, by personal service or certified mail, the certificate to the successful candidate who must return the certificate of election within thirty days, sign the oath of office, and sign the acceptance of office. A person who fails to qualify prior to the specified time shall be deemed to have refused to serve (M.S. 205A.10, Subd. 3).

Term of Office

The term of office for school board members is four years. Generally, a board member is elected to fill an open seat on the board created by the expiration of a term (except as may be otherwise provided by a transition schedule from odd- to even-numbered year or from even- to odd-numbered year elections) beginning the first Monday in January (M.S. 123B.09, Subd.1). The member takes office on that date regardless of the date of the organizational meeting (M.S. 123B.09, Subd. 1; M.S. 205A.04; Op. Atty Gen. 161C, August 17, 1962).

Exceptions to this law exist. A board vacancy occurs when a member dies, resigns, ceases to be a resident of the district (M.S. 123B.09, Subd. 3), or is unable to serve on such board and attend its meetings because of illness or prolonged absence from the district (M.S. 123B.09, Subd. 4). A board vacancy must be filled by board appointment, evidenced in an adopted resolution, and is effective 30 days following the appointment, unless a petition to reject the appointee is filed and meets the requirements described in M.S. 123B.09, Subd. 5b (b). A special election must be held to fill the remainder of the term no later than the next General Election day unless the vacancy occurs less than 90 days prior to the General Election day. If the vacancy occurs that close to the General Election day and in the third year of the term or any day within the fourth year of the term, no special election is required. If the vacancy occurs that close to the General Election day and in years one or two of the term, the special election must be held no later than the General Election day of the next calendar year. A person filling a vacancy by special election takes office immediately after qualifying. To qualify for an elected office means the certificate of election has been received, the acceptance of office has been signed, the finance report has been turned in, and the oath of office has been taken and signed.

Post-Election, No Pre-Seating of New Members

Board members are elected in November (M.S. 205A.04), but their terms of office do not begin until the first Monday in January (M.S. 123B.09, Subd. 1). Currently serving members retain their seats until the expiration of their respective terms (M.S. 123B.09, Subd. 1). During the time between being elected and the first Monday in January, board members-elect are citizens who are not board members yet. For this reason, board members-elect should not be treated the same as seated members. As a result, wise boards do not allow board members-elect to sit at the board table, participate in the deliberations, be asked how they would vote on a topic during a meeting, or be allowed to conduct or otherwise participate in any other board business. These restrictions avoid the confusion that can result when members-elect are allowed to participate in meetings prior to being officially seated.

As members of the hiring and governing authority (M.S. 123B.02, Subd. 14), sitting board members have the right to receive or be given access to data that are classified as non-public when needed to make decisions (M.S. Chapter 13). To protect the data privacy rights of the district's students and staff, board members-elect should not be given access to non-public data.

In the interim, board members-elect can spend time preparing to take office. Boards can help board members-elect by providing an orientation, inviting them to meetings, sending them meeting agendas and packets (public information only) prior to the meetings, and encouraging them to attend MSBA's new board member trainings (Phase I and Phase II, which include school board member training in school finance and management as required under M.S. 123B.09, Subd. 2). Additional information can be found on MSBA's website.

Election of Officers and Sample Resolution

As previously noted, Minnesota law requires boards to select from its members a chair, a clerk, and a treasurer. Minnesota law does not allow the board to select one of its

members to serve in the combined office of clerk/treasurer. The law allows a board to combine and delegate the duties of the offices of clerk and treasurer to a single person who is employed by the district in its business office. A resolution is required if the duties of the clerk and treasurer are delegated. The resolution is a one-time requirement, not an annual one. Even so, the law still requires that an elected school board member hold each of the offices of chair, clerk, and treasurer. A “Sample Resolution” is provided below.

SAMPLE RESOLUTION

WHEREAS, Minnesota Statutes 123B.14, Subd. 1, empowers the School Board to combine the duties of the offices of Clerk and Treasurer of the School Board in one person in the Office of Business Affairs of the School District.

WHEREAS, the School District has decided to combine the duties of the Clerk and Treasurer in one person in the Office of Business Affairs.

THEREFORE, BE IT RESOLVED THAT the _____ of the School District is designated by the School Board of Independent School District No. ____ to perform the duties of Clerk and Treasurer of the District.

Moved by:

Seconded by:

The following voted in favor:

The following voted against:

WHEREUPON the resolution was declared adopted.

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Legal Notice

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2021
Chair Adam Erickson
Vice Chair Scot Osborne
Treasurer Mike Slater
Clerk Achley Black

Nicollet School Board Committee Assignments 2022						
Committee	Ashley Black	Adam Erickson	Scot Osborne	Mike Slater	Nick Thoms	Cathy Blowers
Advertising						
Building and Grounds						
Certified Negotiations						
Transportation Contracts						
Community Education						
Minnesota State High School League						
Minnesota Valley Education District						
Nicollet County Collaborative						
Nicollet Early Childhood Center						
	0	0	0	0	0	0

Nicollet School Board Committee Assignments 2021						
Committee	Ashley Black	Adam Erickson	Scot Osborne	Mike Slater	Nick Thoms	Cathy Blowers
Advertising		1		1		
Building and Grounds			1	1		
Certified Negotiations					1	1
Transportation Contracts			1		1	
Community Education	1					1
Minnesota State High School League				1		
Minnesota Valley Education District	1					
Nicollet County Collaborative						1
Nicollet Early Childhood Center		1				
	2	2	2	3	2	3

Nicollet School Board Committee Assignments 2022						
Committee	Ashley Black	Adam Erickson	Scot Osborne	Mike Slater	Nick Thom	Cathy Blowers
Advertising (1)		1				
Building and Grounds (1-2)			1	1		
Certified Negotiations (2-3)					1	1
Classified & Transportation Contracts (2-3)			1		1	
Community Education (1)						1
Minnesota State High School League (1)				1		
Minnesota Valley Education District (1)	1					
Nicollet County Collaborative (1)	1					
Nicollet Early Childhood Center (1)		1				
	2	2	2	2	2	2

Nicollet School Board Stipends		
	<i>recommended</i>	
	2021	2022
Chair	\$1,000	\$1,000
Vice Chair		
Clerk	\$250	\$250
Treasurer	\$100	\$100
Regular and Special Meetings	\$50	\$50
Committee Meetings Over 1 Hour	\$50	\$50
Committee Meetings Under 1 Hour	\$25	\$25
All-Day Meetings or Multiple Meetings in 1 Day	\$75	\$75
Mileage	IRS Rate	IRS Rate



NICOLLET PUBLIC SCHOOLS • ISD 507

One Pine Street • Nicollet, MN 56074
District & Elementary Office 507-232-3411
High School Office 507-232-3448
Fax 507-232-3536 • isd507.k12.mn.us

Superintendent: Dr. Stephen Malone • Principal: Mr. Todd Toulouse

Date: January 7, 2022
To: School Board
From: Dr. Malone
RE: Meeting Notes. January 12, 2022

5. Organizational Items.

- a. Election of Officers: The previous board chair (Adam) should call the meeting to order and run the meeting until his successor is selected. Whomever is elected as chairperson should preside over the election of the other officers: Vice Chair, Clerk, and Treasurer. The MSBA publication The First Monday In January: Everything you need to know for your school board's Organizational Meeting is attached. The procedure for Election of Officers begins on page 4. A list of the 2021 board officers is also attached.
- b. The Chairperson appoints the committee assignments. The 2021 committees and representatives are attached.
- c. **The superintendent recommends that regular school board meetings continue to be designated as the second Wednesday of the month at 6:00 p.m.**
- d. The school board member meeting stipends from 2021 are attached.
- e. **The superintendent recommends continuing to designate the official newspaper as *Mankato Free Press* and alternate newspaper as *Lafayette Nicollet Ledger*.**
- f. **The superintendent and business manager recommend continuing with Pro Growth Bank and Minnesota School District Liquid Assets Fund as District Depositories for 2022.**
- g. **The superintendent recommends approving the annual authorization for the Superintendent, Business Manager, and Payroll Coordinator to conduct electronic fund transfers pursuant to MS 471.38 Subd. 3 and Subd. 3a.**
- h. **The superintendent recommends continuing with Kennedy & Graven as the school district's Legal Counsel.**
- i. **The superintendent recommends continuing with Abdo, Eick, and Meyer as the school district's auditors.**
- j. **The superintendent recommends setting the mileage reimbursement to the IRS rate (currently at \$.0585 per mile.)**
- k. **The superintendent recommends approving the annual authorization of facsimile signatures pursuant to MS 47.42 to conduct school district business.**

6. A. Superintendent’s Report

- i. School board members are registered for the MSBA Conference January 13/14. Cathy Blowers completed Phase I and II training January 11/12.
- ii. Nicollet County Public Health assigned the nurse, currently serving NPS, to another position within their department. NCPH has posted the position as vacant to seek a replacement. Changes to the nursing contract, between NCPH and NPS, are under discussion.
- iii. The CDC recently updated COVID protocols for those who test positive (isolation) or are in close contact with someone who has COVID-19 (quarantine). CDC is shortening the recommended time for isolation from 10 days for people with COVID-19 to 5 days, if asymptomatic, followed by 5 days of wearing a mask when around others. The updated guidance is attached and effective today.
- iv. Progress on the remaining items from the construction project continues. There were 236 open items to be completed in December. NEXUS and the contractors completed 182 during the holiday break.
- v. The Fiscal Year 2021 audit, approved at the December school board meeting, included the final amounts for the daycare and latchkey programs. The detail is shown below. The daycare fund balance increased by \$32,189 and the Latchkey fund balance increased by \$20,020.

	BALANCE	REVENUES	EXPENDITURES	BALANCE
	6/30/20			06/30/21
Daycare	(58,849.72)	446,396.49	(414,207.18)	(26,660.41)
Latchkey	18,825.29	71,201.80	(51,181.14)	38,845.95

- vi. High school students submitted a petition to the administration requesting to change the dress code policy pertaining to hats, caps, and headgear. The administration will conduct a survey of parents. The results of the survey along with any policy modifications will be recommended to the school board at the February 9th meeting.

- vii. The current COVID-19 case information is shown below:

	Nicollet Public Schools	
--	-------------------------	--

COVID-19 Case Information					Updated 1-6-22
					Active
		Confirmed	Active	Active	Cases &
		Cases	Quarantine	Cases	Quarantine
Students	376	56	0	2	0.8%
Staff	68	13	2	1	4.4%

7. Consent Agenda. **The superintendent recommends approving the consent agenda.**

d. **The superintendent recommends approving the principal's contract.** The agreement is effective July 1, 2022 through June 30, 2024. The total package cost increase to the school district over the two years is 6.01%.

8. Policy 206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS is attached. Deletions are noted with strikethrough while new language is underlined. No public input has been received since the first reading last month. **The superintendent recommends approving the policy.**

Please contact the superintendent with any questions or concerns.



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District & Elementary Office 507-232-3411
High School Office 507-232-3448
Fax 507-232-3536 • isd507.k12.mn.us

Superintendent: Dr. Stephen Malone • Principal: Mr. Todd Toulouse

Date: January 12, 2022 Revised
To: Parents, Staff, Students
From: Dr. Malone
RE: Updated COVID-19 Protocols

The following measures are effective today and reflect updated CDC guidelines.

1. Masking is recommended by the Centers for Disease Control (CDC) and the Minnesota Department of Health (MDH) regardless of vaccination status.
2. Students and staff are not generally required to wear masks.
3. Unvaccinated persons exposed to COVID-19 in the same household need to quarantine. Stay home and away from other people for at least 5 days (day 0 through day 5) after your last contact with a person who has COVID-19. You should wear a mask around others at home and in public until day 10 (day 6 through day 10). The date of your exposure is considered day 0. Wear a mask when around others at home.
4. People who have a positive test for COVID-19, regardless of whether or not they have symptoms must be isolated. If you have COVID-19 you can end isolation after at least 5 days if symptom-free. You should continue to wear a mask around others at home and in public until day 10 (day 6 through day 10). If you are unable to wear a mask when around others, you should continue to isolate for 10 days.
5. Masking is still required on all school buses. This is a federal requirement as school busses are considered public transportation.
6. Anyone can wear a mask at school for their own protection.
7. Vaccination for all those age 5 and over is recommended by the CDC and MDH. Vaccinations are available at area healthcare providers, local pharmacies, Nicollet Public Health, and other locations.
8. Vaccinations are not a requirement to attend school. This is a decision for families based on what they believe is best for their children/students.
9. The school will maximize spaces in classrooms and common areas to allow for more spacing between students.
10. The school will continue the daily disinfection of surfaces.
11. Hand sanitizer will remain available at the main entrances.
12. School schedules will continue as normal. Classes will be five days a week.
13. Distance learning may be utilized for a period of time depending on the number of staff and students with COVID-19.

14. Distance learning will not be an option for students. The best educational outcomes occur when students are in school and working with their teachers.
15. These health and safety measures are subject to state and federal jurisdiction.



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Superintendent: Dr. Stephen Malone • Principal: Mr. Todd Toulouse



Principal's Report: January 12, 2022

Celebrations/Successes:

I hope everyone had a nice winter break. All of the Winter concerts (band and choir) went well. The students did a fantastic job. Mr. Benz and Mrs. Metzger did a great job preparing the students for their performances.

Master Schedule Update:

This committee met a few times before Winter break. We will continue to work on putting together a schedule that is fiscally responsible while offering a plethora of opportunities. We would like to start registering students by the end of March for the 22-23 school year.

Staffing Update:

The district will continue to garner interest for various support and certified positions (this and next year).

Staff Development Update:

A Multi-Tiered System of Supports (MTSS) is a systemic, continuous-improvement framework in which data-based problem solving and decision-making is practiced across all levels of the educational system for supporting students. We will be strengthening our MTSS program for students. We will find training opportunities that will help with this. We are in the South Central Service Cooperative and they will be one entity we will be reaching out to for training opportunities.

Independent School District 507 Regular School Board Meeting

Wednesday, December 8, 2021 6:00 PM

1 Pine St, Nicollet, MN 56074, Community Room, 1 Pine St, Nicollet, MN 56074

Ashley Black: Present
Cathy Blowers: Present
Adam Erickson: Present
Scot Osborne: Present
Mike Slater: Present
Nick Thom: Present

1. CALL TO ORDER

2. ROLL CALL

3. VISITOR COMMENTS

4. APPROVAL OF AGENDA

Action(s):

Move to accept the Agenda as presented. This motion, made by Ashley Black and seconded by Scot Osborne, Carried.

Voting Detail:

Ashley Black: Yea

Cathy Blowers: Yea

Adam Erickson: Yea

Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

5. REPORTS AND PRESENTATION

a. Superintendent's Report

b. Principal's Report

c. Student Representative's Report

d. Board Committees' Reports

6. CONSENT AGENDA

Action(s):

Move to accept the Consent Agenda as presented. This motion, made by Nick Thom and seconded by Mike Slater, Carried.

Voting Detail:

Ashley Black: Yea

Cathy
Blowers: Yea
Adam
Erickson: Yea
Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

a. Approval of Minutes

b. Approval of Bills in the amount of \$

c. Approval of Personnel Items

d. Accept Donations

7. TRUTH AND TAXATION INFORMATION / PAYABLE 2022

LEVY

Action(s):

Move to approve the Truth and Taxation Information/Payable Levy. This motion, made by Scot Osborne and seconded by Ashley Black, Carried.

Voting Detail:

Ashley Black: Yea

Cathy
Blowers: Yea

Adam
Erickson: Yea

Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

8. APPROVE FY 21 FINANCIAL AUDIT

9. APPROVE 2021-23 AGREEMENT WITH NICOLLET EDUCATION ASSOCIATION

Action(s):

Move to approve FY 21 Financial audit. This motion, made by Nick Thom and seconded by Scot Osborne, Carried.

Voting Detail:

Ashley Black: Yea

Cathy
Blowers: Yea

Adam
Erickson: Yea

Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

**10. AMMEND POLICY 206 PUBLIC PARTICIPATION
IN SCHOOL BOARD MEETINGS/COMPLAINTS
ABOUT PERSONS AT SCHOOL BOARD MEETINGS
AND DATA PRIVACY CONSIDERATIONS - FIRST
READING**

Action(s):

Move to approve 2021-23 NEA association agreement. This motion, made by Ashley Black and seconded by Cathy Blowers, Carried.

Voting Detail:

Ashley Black: Yea

Cathy
Blowers: Yea

Adam
Erickson: Yea

Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

11. ADJOURN

Action(s):

Move to adjourn at 7:05pm. This motion, made by Nick Thom and seconded by Ashley Black, Carried.

Voting Detail:

Ashley Black: Yea

Cathy
Blowers: Yea

Adam
Erickson: Yea

Scot Osborne: Yea

Mike Slater: Yea

Nick Thom: Yea

Voting Summary: Yea: 6, Nay: 0

Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
NSBG		46723		Wire	1	01152	INTERNAL REVENUE SERVICE		Yes	Yes	Yes	12/22/2021		55,881.66
NSBG		46723		Wire	1	01152	INTERNAL REVENUE SERVICE		Yes	Yes	Yes	12/31/2021		(55,881.66)
NSBG		46724		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		Yes	Yes	Yes	12/22/2021		11,611.75
NSBG		46724		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		Yes	Yes	Yes	12/31/2021		(11,611.75)
NSBG		46725		Wire	1	01234	TEACHERS RETIREMENT ASSN		Yes	Yes	Yes	12/22/2021		27,251.65
NSBG		46725		Wire	1	01234	TEACHERS RETIREMENT ASSN		Yes	Yes	Yes	12/31/2021		(27,251.65)
NSBG		46726		Wire	1	06742	MN DEPARTMENT OF REVENUE		Yes	Yes	Yes	12/22/2021		8,781.15
NSBG		46726		Wire	1	06742	MN DEPARTMENT OF REVENUE		Yes	Yes	Yes	12/31/2021		(8,781.15)
NSBG		46727		Wire	1	1829	XCEL ENERGY		No	Yes	No	12/22/2021		7,649.43
NSBG		46728		Wire	1	3279	AVIBEN		Yes	Yes	Yes	12/22/2021		5,499.99
NSBG		46728		Wire	1	3279	AVIBEN		Yes	Yes	Yes	12/31/2021		(5,499.99)
NSBG		46729		Wire	1	3433	VERIZON WIRELESS		No	Yes	No	12/22/2021		69.75
NSBG		46730		Wire	1	5008	ICW GROUP/INSURANCE COMPANY OF		No	Yes	No	12/22/2021		5,230.78
NSBG		46731		Wire	1	4738	ACH Withdrawals		No	Yes	No	12/31/2021		7,120.19
NSBG		46774		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	Yes	No	12/31/2021		9,234.33
NSBG		46775		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	Yes	No	12/31/2021		142.20
NSBG		46776		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	Yes	No	12/31/2021		29,400.47
NSBG		46777		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	Yes	No	12/31/2021		660.45
NSBG		46778		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	12/31/2021		882.34
NSBG		46779		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	12/31/2021		56,981.21
NSBG		46780		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	12/31/2021		1,886.96
NSBG		46781		Wire	1	3279	AVIBEN		No	Yes	No	12/31/2021		5,649.99
NSBG		46782		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		Yes	Yes	Yes	12/31/2021		0.00
NSBG		46783		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		Yes	Yes	Yes	12/31/2021		0.00
NSBG		46784		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	12/31/2021		209.51
NSBG		46785		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	12/31/2021		10,816.16
NSBG		46638	73728	Check	1	3071	BARTEN, MICHAEL		Yes	Yes	No	12/08/2021		110.00
NSBG		46642	73729	Check	1	4940	BASS, KENT		Yes	No	No	12/08/2021		110.00
NSBG		46635	73730	Check	1	1723	BROWN-NICOLLET COMMUNITY HEALTH		Yes	Yes	No	12/08/2021		897.00
NSBG		46637	73731	Check	1	2963	BUSINESS CARD		Yes	Yes	No	12/08/2021		295.18
NSBG		46640	73732	Check	1	4211	GRUNZKE, BRUCE		Yes	Yes	No	12/08/2021		110.00
NSBG		46641	73733	Check	1	4471	HUSE, BRAD		Yes	Yes	No	12/08/2021		110.00
NSBG		46632	73734	Check	1	02053	JW PEPPER & SONS, INC.		Yes	Yes	No	12/08/2021		226.99
NSBG		46636	73735	Check	1	1831	KUEBLER, GREG		Yes	Yes	No	12/08/2021		110.00
NSBG		46639	73736	Check	1	3504	MIELKE, GARY		Yes	Yes	No	12/08/2021		110.00
NSBG		46634	73737	Check	1	07960	NICOLLET MART		Yes	Yes	No	12/08/2021		160.00
NSBG		46644	73738	Check	1	5037	PETERS, STACEY		Yes	Yes	No	12/08/2021		238.55
NSBG		46630	73739	Check	1	00245	PROGROWTH BANK FOR CASH		Yes	Yes	No	12/08/2021		200.00
NSBG		46643	73740	Check	1	5014	SCHERPING, TALIN		Yes	Yes	No	12/08/2021		53.28

Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Pay/Void		Amount
											Void	Date	
NSBG		46631	73741	Check	1	00742	SCHMIDTS MEAT MARKET		Yes	Yes	No	12/08/2021	274.00
NSBG		46633	73742	Check	1	07009	THE MUSIC MART		Yes	Yes	No	12/08/2021	714.29
NSBG		46645	73743	Check	1	4901	PLOCHER, MEGAN	Ind/Sole Proprietor	Yes	Yes	No	12/08/2021	462.92
NSBG		46653	73744	Check	1	07203	A. H. HERMEL COMPANY		Yes	Yes	No	12/15/2021	196.42
NSBG		46680	73745	Check	1	4664	ALLINA HEALTH-NEW ULM SPORTS ME		Yes	Yes	No	12/15/2021	587.00
NSBG		46662	73746	Check	1	3145	AMAZON CAPITAL SERVICES		Yes	Yes	No	12/15/2021	978.73
NSBG		46688	73747	Check	1	4945	ARAMARK		Yes	Yes	No	12/15/2021	94.92
NSBG		46667	73748	Check	1	3573	Bimbo Bakeries USA		Yes	Yes	No	12/15/2021	166.24
NSBG		46682	73749	Check	1	4748	BLICK ART MATERIALS		Yes	Yes	No	12/15/2021	322.05
NSBG		46658	73750	Check	1	2162	CDW GOVERNMENT, INC		Yes	Yes	No	12/15/2021	2,648.25
NSBG		46676	73751	Check	1	4489	CHROMEBOOKPARTS.COM		Yes	Yes	No	12/15/2021	130.98
NSBG		46646	73752	Check	1	00059	CITY OF NICOLLET		Yes	Yes	No	12/15/2021	712.11
NSBG		46687	73753	Check	1	4932	COLE PAPERS, INC.		Yes	Yes	No	12/15/2021	893.43
NSBG		46651	73754	Check	1	02652	CRYSTAL VALLEY COOP		Yes	Yes	No	12/15/2021	255.61
NSBG		46692	73755	Check	1	5043	CURRANS, KEVIN		Yes	Yes	No	12/15/2021	130.00
NSBG		46691	73756	Check	1	5041	FISCHER, ALBERT		Yes	No	No	12/15/2021	375.00
NSBG		46649	73757	Check	1	02289	FREE PRESS		Yes	Yes	No	12/15/2021	78.83
NSBG		46678	73758	Check	1	4551	FUN EXPRESS		Yes	No	Yes	12/15/2021	0.00
NSBG		46673	73759	Check	1	4211	GRUNZKE, BRUCE		Yes	Yes	No	12/15/2021	110.00
NSBG		46656	73760	Check	1	1600	HANSON, ALAN		Yes	No	No	12/15/2021	130.00
NSBG		46664	73761	Check	1	3234	HENDRYCKS BUS CO		Yes	Yes	No	12/15/2021	2,183.88
NSBG		46681	73762	Check	1	4676	KIM, IN-JAE		Yes	Yes	No	12/15/2021	130.00
NSBG		46657	73763	Check	1	1831	KUEBLER, GREG		Yes	Yes	No	12/15/2021	110.00
NSBG		46647	73764	Check	1	00704	LAKESHORE LEARNING MATERIALS		Yes	Yes	No	12/15/2021	23.74
NSBG		46665	73765	Check	1	3410	LJP ENTERPRISES WASTE & RECYCL		Yes	Yes	No	12/15/2021	579.19
NSBG		46669	73766	Check	1	3834	MALWITZ, ANTHONY		Yes	Yes	No	12/15/2021	130.00
NSBG		46686	73767	Check	1	4931	Mankato Bearing Company		Yes	Yes	No	12/15/2021	106.40
NSBG		46659	73768	Check	1	2508	MANKATO CONTROL SYSTEMS INC.		Yes	Yes	No	12/15/2021	1,522.85
NSBG		46663	73769	Check	1	3162	MCDOWELL AGENCY, INC.		Yes	No	No	12/15/2021	456.00
NSBG		46654	73770	Check	1	07547	MCGRAW-HILL EDUCATION, INC.		Yes	Yes	No	12/15/2021	525.00
NSBG		46661	73771	Check	1	3067	MEI TOTAL ELEVATOR SOLUTIONS		Yes	Yes	No	12/15/2021	216.83
NSBG		46655	73772	Check	1	1319	MENARDS		Yes	Yes	No	12/15/2021	75.79
NSBG		46666	73773	Check	1	3504	MIELKE, GARY		Yes	No	No	12/15/2021	110.00
NSBG		46648	73774	Check	1	01131	MINNESOTA VALLEY EDUCATION DISTI		Yes	No	No	12/15/2021	14,567.00
NSBG		46672	73775	Check	1	4072	MISSISSIPPI WELDERS SUPPLY COMP,		Yes	Yes	No	12/15/2021	76.20
NSBG		46668	73776	Check	1	3719	MN PEIP		Yes	Yes	No	12/15/2021	51,750.60
NSBG		46650	73777	Check	1	02310	NICOLLET COUNTY PUBLIC HEALTH		Yes	No	No	12/15/2021	15,403.92
NSBG		46675	73778	Check	1	4361	OTTO BUS COMPANY, LLC		Yes	Yes	No	12/15/2021	336.60
NSBG		46670	73779	Check	1	3884	QUADE, JACOB		Yes	Yes	No	12/15/2021	2,100.00

Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
NSBG		46677	73780	Check	1	4527	REINHART FOODSERVICE, LLC		Yes	Yes	No	12/15/2021		3,530.02
NSBG		46689	73781	Check	1	5020	RETTERTH, KURTIS		Yes	Yes	No	12/15/2021		130.00
NSBG		46660	73782	Check	1	2731	SCAN AIR FILTER, INC.		Yes	Yes	No	12/15/2021		158.19
NSBG		46679	73783	Check	1	4660	SEACLOUD SOFTWARE		Yes	Yes	No	12/15/2021		672.00
NSBG		46671	73784	Check	1	3947	SHRED RIGHT		Yes	Yes	No	12/15/2021		33.49
NSBG		46690	73785	Check	1	5039	SIGNUP.COM		Yes	Yes	No	12/15/2021		199.98
NSBG		46674	73786	Check	1	4286	SYSCO WESTERN MINNESOTA, INC.		Yes	Yes	No	12/15/2021		1,518.65
NSBG		46652	73787	Check	1	07009	THE MUSIC MART		Yes	Yes	No	12/15/2021		25.73
NSBG		46684	73788	Check	1	4900	United Team Elite		Yes	Yes	No	12/15/2021		300.00
NSBG		46685	73789	Check	1	4920	VAN HEE, DERRICK		Yes	Yes	No	12/15/2021		130.00
NSBG		46683	73790	Check	1	4877	WIENS, ASHLIE		Yes	Yes	No	12/15/2021		96.76
NSBG		46693	73791	Check	1	4551	FUN EXPRESS		Yes	Yes	No	12/15/2021		46.28
NSBG		46701	73792	Check	1	2509	A+SECURITY, INC.		Yes	Yes	No	12/22/2021		75.00
NSBG		46717	73793	Check	1	5044	ANDERSON, ERIN		Yes	No	No	12/22/2021		265.00
NSBG		46720	73794	Check	1	5047	BASS, TIM		Yes	No	No	12/22/2021		110.00
NSBG		46702	73795	Check	1	2963	BUSINESS CARD		Yes	Yes	No	12/22/2021		1,096.83
NSBG		46711	73796	Check	1	4622	CANON FINANCIAL SERVICES INC		Yes	Yes	No	12/22/2021		532.09
NSBG		46697	73797	Check	1	07230	CENTERPOINT		Yes	No	No	12/22/2021		2,617.55
NSBG		46703	73798	Check	1	3010	FURTHER		Yes	Yes	No	12/22/2021		219.80
NSBG		46710	73799	Check	1	4419	GYM ASSISTANT/BIO-LOGIC INC.		Yes	No	No	12/22/2021		160.00
NSBG		46709	73800	Check	1	4205	HOARD'S DAIRYMAN		Yes	Yes	No	12/22/2021		19.95
NSBG		46716	73801	Check	1	4951	HOFFMAN, KENDRA		Yes	Yes	No	12/22/2021		121.34
NSBG		46722	73802	Check	1	5049	IBARRA, JUDITH		Yes	No	No	12/22/2021		24.95
NSBG		46718	73803	Check	1	5045	KACZMAREK, GARY		Yes	No	No	12/22/2021		110.00
NSBG		46708	73804	Check	1	4051	KEARNEY, PAT		Yes	No	No	12/22/2021		707.11
NSBG		46707	73805	Check	1	3986	KIBBLE EQUIPMENT LLC		Yes	Yes	No	12/22/2021		326.24
NSBG		46694	73806	Check	1	00050	LAFAYETTE NICOLLET LEDGER		Yes	Yes	No	12/22/2021		114.00
NSBG		46713	73807	Check	1	4796	MCCONE FOODS		Yes	No	No	12/22/2021		420.00
NSBG		46696	73808	Check	1	07097	MCKINLEY, BECKY		Yes	Yes	No	12/22/2021		427.54
NSBG		46714	73809	Check	1	4797	MINNTEX CITRUS INC		Yes	Yes	No	12/22/2021		3,978.90
NSBG		46706	73810	Check	1	3901	NICKEL TRANSPORTATION, INC.		Yes	No	No	12/22/2021		16,123.00
NSBG		46721	73811	Check	1	5048	RADAR, RYAN		Yes	No	No	12/22/2021		60.00
NSBG		46700	73812	Check	1	1094	ROSIN, BARB		Yes	Yes	No	12/22/2021		65.92
NSBG		46719	73813	Check	1	5046	ROSSOW, GREG		Yes	No	No	12/22/2021		110.00
NSBG		46695	73814	Check	1	00271	RUDENICK BUS SERVICE, LLC		Yes	No	No	12/22/2021		560.88
NSBG		46699	73815	Check	1	08107	SCHOOL SPECIALTY, INC.		Yes	No	No	12/22/2021		482.47
NSBG		46698	73816	Check	1	07269	SLEEPY EYE PUBLIC SCHOOL		Yes	No	No	12/22/2021		30.00
NSBG		46704	73817	Check	1	3163	USABLE LIFE		Yes	Yes	No	12/22/2021		334.50
NSBG		46712	73818	Check	1	4681	WEM SCHOOLS		Yes	No	No	12/22/2021		30.00

Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
NSBG		46715	73819	Check	1	4877	WIENS, ASHLIE		Yes	Yes	No	12/22/2021		13.93
NSBG		46705	73820	Check	1	3293	WYHE'S CHOICE FUNDRAISING		Yes	Yes	No	12/22/2021		635.00
NSBG		46749	73821	Check	1	3145	AMAZON CAPITAL SERVICES		Yes	No	No	01/05/2022		299.95
NSBG		46767	73822	Check	1	4945	ARAMARK		Yes	No	No	01/05/2022		94.92
NSBG		46751	73823	Check	1	3279	AVIBEN		Yes	No	No	01/05/2022		61.66
NSBG		46762	73824	Check	1	4548	BATTERIES PLUS BULBS		Yes	No	No	01/05/2022		181.56
NSBG		46753	73825	Check	1	3573	Bimbo Bakeries USA		Yes	No	No	01/05/2022		62.72
NSBG		46742	73826	Check	1	1756	C & S SUPPLY CO., INC.		Yes	No	No	01/05/2022		142.20
NSBG		46745	73827	Check	1	2162	CDW GOVERNMENT, INC		Yes	No	No	01/05/2022		6,000.00
NSBG		46738	73828	Check	1	07230	CENTERPOINT		Yes	No	No	01/05/2022		2,261.21
NSBG		46741	73829	Check	1	1467	CLIFTONLARSONALLEN LLP		Yes	No	No	01/05/2022		4,585.00
NSBG		46756	73830	Check	1	4078	CONSOLIDATED COMMUNICATIONS		Yes	No	No	01/05/2022		1,603.64
NSBG		46743	73831	Check	1	1759	ECOLAB		Yes	No	No	01/05/2022		367.98
NSBG		46752	73832	Check	1	3420	FLUEGGE, MELISSA		Yes	No	No	01/05/2022		668.98
NSBG		46763	73833	Check	1	4733	FREEDOM SECURITY AND SURVEILLAN		Yes	No	No	01/05/2022		1,365.90
NSBG		46757	73834	Check	1	4110	GROUND ZERO SERVICES, LLC		Yes	No	No	01/05/2022		787.50
NSBG		46750	73835	Check	1	3234	HENDRYCKS BUS CO		Yes	No	No	01/05/2022		7,605.04
NSBG		46734	73836	Check	1	01629	HILLYARD/HUTCHINSON		Yes	No	No	01/05/2022		54.96
NSBG		46744	73837	Check	1	2022	KENDELL DOORS & HARDWARE, LLC		Yes	No	No	01/05/2022		62.50
NSBG		46735	73838	Check	1	06987	LLOYD LUMBER		Yes	No	No	01/05/2022		277.98
NSBG		46747	73839	Check	1	2508	MANKATO CONTROL SYSTEMS INC.		Yes	No	No	01/05/2022		1,634.61
NSBG		46736	73840	Check	1	07097	MCKINLEY, BECKY		Yes	No	No	01/05/2022		7,741.76
NSBG		46768	73841	Check	1	5051	MICHALETZ, JANE		Yes	No	No	01/05/2022		31.04
NSBG		46755	73842	Check	1	4072	MISSISSIPPI WELDERS SUPPLY COMP,		Yes	No	No	01/05/2022		155.62
NSBG		46759	73843	Check	1	4361	OTTO BUS COMPANY, LLC		Yes	No	No	01/05/2022		7,113.64
NSBG		46746	73844	Check	1	2403	PERSONNEL CONCEPTS COMPLIANCE		Yes	No	No	01/05/2022		446.29
NSBG		46766	73845	Check	1	4901	PLOCHER, MEGAN	Ind/Sole Proprietor	Yes	No	No	01/05/2022		462.92
NSBG		46754	73846	Check	1	3884	QUADE, JACOB		Yes	No	No	01/05/2022		1,650.00
NSBG		46765	73847	Check	1	4826	QUADIENT LEASING USA, INC.		Yes	No	No	01/05/2022		342.18
NSBG		46761	73848	Check	1	4527	REINHART FOODSERVICE, LLC		Yes	No	No	01/05/2022		3,773.64
NSBG		46733	73849	Check	1	00271	RUDENICK BUS SERVICE, LLC		Yes	No	No	01/05/2022		7,058.16
NSBG		46748	73850	Check	1	2731	SCAN AIR FILTER, INC.		Yes	No	No	01/05/2022		970.53
NSBG		46739	73851	Check	1	08107	SCHOOL SPECIALTY, INC.		Yes	No	No	01/05/2022		33.52
NSBG		46732	73852	Check	1	00053	SOUTH CENTRAL SERVICE COOPERAT		Yes	No	No	01/05/2022		4,410.00
NSBG		46764	73853	Check	1	4745	SPS COMPANIES, INC.		Yes	No	No	01/05/2022		969.46
NSBG		46758	73854	Check	1	4286	SYSCO WESTERN MINNESOTA, INC.		Yes	No	No	01/05/2022		3,821.64
NSBG		46769	73855	Check	1	5052	TRUGREEN PROCESSING CENTER		Yes	No	No	01/05/2022		127.40
NSBG		46740	73856	Check	1	1184	UNITED SOUTH CENTRAL		Yes	No	No	01/05/2022		35.00
NSBG		46737	73857	Check	1	07124	WALMART COMMUNITY/SYNCB		Yes	No	No	01/05/2022		399.47

Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Pay/Void			Amount	
									Print	Recon	Void		Date
NSBG		46760	73858	Check	1 4408		WEST SIDE TRANSPORTATION LLC		Yes	No	No	01/05/2022	8,226.43
NSBG		46771	73859	Check	1 4084		KRZMARZICK, DAVID		Yes	No	No	01/05/2022	130.00
NSBG		46770	73860	Check	1 4083		SCHUMACHER, CRAIG		Yes	No	No	01/05/2022	130.00
NSBG		46772	73861	Check	1 01674		NICOLLET EDUCATION ASSOCIATION		Yes	No	No	01/05/2022	2,254.81
NSBG		46773	73862	Check	1 5013		KAVAN, MARY		Yes	No	No	01/05/2022	140.00
Bank Total:												\$353,484.47	
Report Total:												\$353,484.47	

BOARD PACKET SUMMARY

Bank Account Balance as of:

	December 31, 2021
Progrowth Bank - Checking	\$ 489,729.75
MSDLAF	1,549,540.57
Petty Cash	750.00
Total	<u>\$ 2,040,020.32</u>

Net December 2021 Payrolls

	<u>M202206</u>	<u>M202206S</u>	<u>M202206S1</u>
Fund 1 General	\$ 144,477.82	\$ 10,979.54	\$ (1,067.30)
Fund 2 Food Service	2,734.39	-	3,912.17
Fund 4 Community Service	9,224.71	-	-
Fund 24 Fitness Center	813.81	-	-
Fund 34 Daycare	32,013.16	-	-
Fund 44 Latchkey	1,677.63	-	-
Total	<u>\$ 190,941.52</u>	<u>\$ 10,979.54</u>	<u>\$ 2,844.87</u>

Paid Bills December 2021 - January 2022

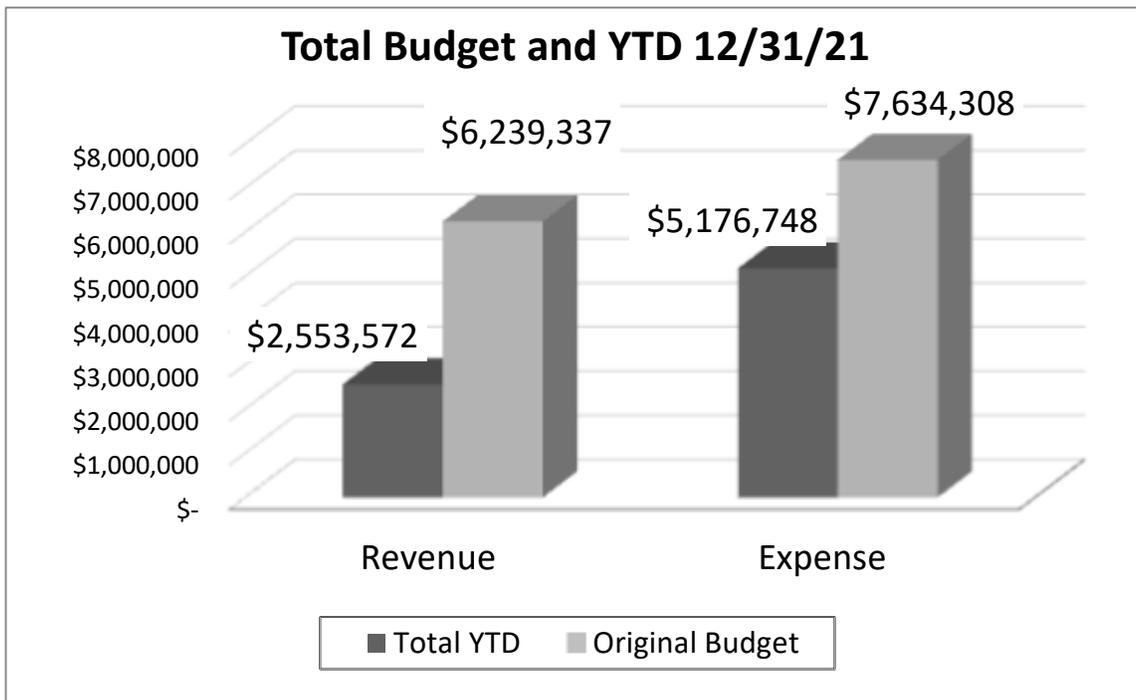
Fund 1 General	\$ 325,869.30
Fund 2 Food Service	16,391.89
Fund 4 Community Service	-
Fund 6 Construction Fund	-
Fund 7 Debt Service	-
Fund 18 Custodial	-
Fund 24 Fitness Center	160.00
Fund 25 Student Activities	8,202.95
Fund 34 Daycare	2,439.51
Fund 44 Latchkey	420.82
Total	<u>\$ 353,484.47</u>

TOTAL FINANCE

\$ 558,250.40

**Nicollet ISD 507
Monthly Budget Report
December 31, 2021**

	<u>Revenue</u>	<u>% of Total</u>	<u>Expense</u>	<u>% of Total</u>
Original Budget	\$ 6,239,337		\$ 7,634,308	
Month Ending:				
7/31/2021	\$ (195,527)	-3.1%	\$ 270,601	3.5%
8/31/2021	\$ 650,392	10.4%	\$ 1,513,849	19.8%
9/30/2021	\$ 533,390	8.5%	\$ 1,612,413	21.1%
10/31/2021	\$ 559,657	9.0%	\$ 523,258	6.9%
11/30/2021	\$ 360,453	5.8%	\$ 747,794	9.8%
12/31/2021	\$ 645,208	10.3%	\$ 508,832	6.7%
1/31/2022	\$ -	0.0%	\$ -	0.0%
2/29/2022	\$ -	0.0%	\$ -	0.0%
3/31/2022	\$ -	0.0%	\$ -	0.0%
4/30/2022	\$ -	0.0%	\$ -	0.0%
5/31/2022	\$ -	0.0%	\$ -	0.0%
6/30/2022	\$ -	0.0%	\$ -	0.0%
Total YTD	<u>\$ 2,553,572</u>	<u>40.9%</u>	<u>\$ 5,176,748</u>	<u>67.8%</u>



I recommend accepting the gifts as described below.

Donor Name	Description	Value	Purpose of Gift
St. Paul & Minnesota Foundation Communication and Theater Association of MN	Check	\$500.00	Piano Purchase

206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS

I. PURPOSE

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school board is to encourage discussion by persons of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. DEFINITIONS

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary

action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.

- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.

- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An

appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

IV. RIGHTS TO PRIVACY

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
 - 1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
 - 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
 - 3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
 - 4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
 - 1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
 - 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
 - 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

V. THE PUBLIC'S OPPORTUNITY TO BE HEARD

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

VI. PROCEDURES

- A. Minnesota's Open Meeting Law does not require a public comment period during a school board meeting. However, the school board may choose to provide a public

comment period before or during a regular board meeting when persons may address the school board subject to the limitations of this procedure.

- B. A public comment period may occur:
1. Immediately after the school board chair calls the meeting to order.
 2. At a different point in the agenda determined by the school board chair.
- C. To foster public comment by individuals with a direct relationship with the school district, the school board requests that only individuals who meet one or more of the following categories will seek to address the board during the public comment period:
1. District student
 2. Parent or guardian of district student
 3. District resident
 4. District taxpayer
 5. District staff person

If a group or organization that fulfills one or more of the categories above seeks to address the school board, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.

- D. Persons who wish to provide a public comment at a district school board meeting are able to do so during the public comment period by making their desire known when requested at the beginning of the public comment period. The person commenting should introduce themselves by providing his or her name, relationship with the district (C above) and the name of the group represented (if any). Groups addressing the board on a single topic must select one spokesperson for the group so that the board can clearly understand the group's concern(s).
- E. Restoration Period: The preceding terms for public comment (Section D Above) shall apply when the board is not in a Restoration Period. During a Restoration Period, persons who wish to provide a public comment at a district school board meeting are required to add the agenda item by contacting a school board member or the superintendent no later than 3:00 p.m. in advance of the school board meeting. The person should provide his or her name, relationship with the district (Section C above), the name of group represented (if any), and the agenda item to be addressed. The school board member or superintendent may add the item to the agenda at their discretion. Upon a majority vote, the district school board may elect to enter a Restoration Period. A Restoration Period may last for no longer than the public comment period of two regular meetings. After the Restoration Period expires, an open public comment period must be allowed for at least one regular meeting before the school board may elect to place school board meetings back into a Restoration

Period.

- F. The school board may establish a sign-up list on which individuals indicate their interest in addressing the school board during the public comment period. The school board may prioritize speakers who wish to address items on the meeting agenda, who did not address the school board during the previous meeting, or upon another basis that facilitates fair participation in the public comment period.
- G. The school board reserves the right to allocate a specific period of time for the public comment period and may limit the time for each speaker in order to allow as many individuals as reasonably possible to address the board. Each public comment speaker may address the board for a maximum of 10 minutes. However, the school board chair may reduce the time allocated to each speaker as the public comment period will not exceed 30 minutes. The school board chair will recognize one speaker at a time. Only those speakers recognized by the chair will be allowed to speak.
- H. Pursuant to Minnesota Statutes Section 609.72, no school board meeting attendee may engage in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others. The school board chair will rule out of order persons who are not recognized to speak, but who interrupt the meeting. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy, or the statutory rights of privacy of an individual.
- I. The school board recognizes that public comment may include criticism of school district or school board operation. The open forum is not the appropriate place for discussion of individual school employees. Complaints regarding school district employees should be directed to the superintendent pursuant to this policy.

A. Agenda Items

- ~~1. Persons who wish to have a subject discussed at the meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.~~
- ~~2. Persons who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain.~~
- ~~3. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.~~

4. ~~The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.~~
5. ~~Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.~~
6. ~~The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.~~
7. ~~Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.~~
8. ~~Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.~~

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.

2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. Open Forum

The school board shall normally provide a specified period of time when persons may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

D. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

VII. PENALTIES FOR VIOLATION OF DATA PRIVACY

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)
- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)
Minn. Stat. § 13D.05 (Open Meeting Law)
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)
Minn. Stat. § 122A.44 (Contracting with Teachers)
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)
Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
Minn. Op. Atty. Gen. 852 (July 14, 2006)

Cross References:

MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA/MASA Model Policy 207 (Public Hearings)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)