

School Board Organizational Meeting
Monday, January 6, 2025 12:00 PM

District Office Conference Room, Room 164
Austin High School
401 3rd Ave. NW
Austin, MN 55912

Agenda

1. Call to order/roll call
Speaker(s): Chairperson
2. Oath of Office administered to newly-elected School Board members
Speaker(s): Chairperson
3. Approval of agenda (Action)
Speaker(s): Chairperson
4. Election of Officers (Action)
Speaker(s): Chairperson
 - 4.A. Office of Chairperson
Speaker(s): Chairperson
 - 4.B. Office of Vice-chairperson
Speaker(s): Chairperson
 - 4.C. Office of Treasurer
Speaker(s): Chairperson
 - 4.D. Office of Clerk
Speaker(s): Chairperson
5. Request approval of Columbus Day resolution (Action)
Speaker(s): Chairperson
6. Request approval of 2025 School Board meeting schedule (Action)
Speaker(s): Chairperson
7. Request approval of official newspaper (Action)
Speaker(s): Chairperson
8. Request approval of legal counsel (Action)
Speaker(s): Chairperson
9. Request approval of designated depositories (Action)
Speaker(s): Executive Director of Finance and Operations Todd Lechtenberg
10. Request authorization to lease, purchase and contract for services (Action)
Speaker(s): Executive Director of Finance and Operations Todd Lechtenberg
11. Request authorization of co-signers of checks and use of check signing machine (Action)
Speaker(s): Exec Director of Finance and Operations Todd Lechtenberg
12. Request approval of cost savings resolution (Action)
Speaker(s): Executive Director of Finance and Operations Todd Lechtenberg
13. Request approval of school board member annual allowance for 2025 (Action)
Speaker(s): Chairperson
14. 2025 School Board committee assignments
Speaker(s): Chairperson
15. Review of policy 209 - Code of Ethics
Speaker(s): Chairperson

16. Review of policy 216 - School Board Electronic Communications
Speaker(s): Chairperson Dube
17. Adjournment (Action)
Speaker(s): Chairperson

School Board Member Oath of Office

It is an honor that you were elected to guide the education of our community's children. As you recite the oath of office, you assume a tremendous responsibility as a director of our school district with the duties empowered by the Minnesota Legislature. This power puts you and the other members of our school board in a position of being both morally and legally responsible for equitable, quality education of every student in the district.

In carrying out this responsibility, you will be asked to fulfill the roles of vision, structure, accountability, and advocacy. In providing vision, the board, with extensive participation of the community, envisions the community's educational future and then formulates the goals, defines the outcomes and sets the course for the public schools.

To achieve the vision, the board establishes a structure and creates an environment designed to ensure all students the opportunity to attain their maximum potential through a sound organizational framework.

Because as a board you must be accountable to the community, you must ensure a continuous assessment of student achievement and all conditions affecting the education of our children.

As board members, you serve as education's key advocate on behalf of students and our community schools to advance the vision for our schools.

Furthermore, you must strive to work together and with the superintendent and staff to lead the district toward fulfilling the vision you have created, fostering excellence for every student in the areas of academic skills and knowledge, citizenship and personal development.

Having signed the acceptance of office and oath of office, I hereby publicly affirm my commitment to the oath of office:

I affirm that I will support the Constitution of the United States and of this state and that I will discharge faithfully the duties of the office of school board member of Independent School District 492 to the best of my judgment and ability.

Member

Date

Board Chair

Date



DATE: January 6, 2025
TITLE: Election of Officers
TYPE: Action
PRESENTER: Chairperson

BACKGROUND:

Nominations and appointments for the positions of Chairperson, Vice-Chairperson, Clerk and Treasurer need to be made each year.

RATIONALE:

Elections are required to determine board leadership for the upcoming year.

RECOMMENDATION:

Elections for the positions of Chairperson, Vice-Chairperson, Clerk and Treasurer be conducted in the following manner:

The acting Chairperson will start with the election of Chairperson. Once that person is elected, the newly-elected Chairperson will reside over the remainder of the meeting.

The Chairperson will call for nominations three times before closing the nominations for each office. If only one person is nominated, the Chair may declare that candidate elected. If more than one person is nominated, a vote will be necessary.



DATE: January 6, 2025
TITLE: Christopher Columbus Day
TYPE: Action
PRESENTER: Chairperson

BACKGROUND:

Per Minnesota Statute 645.44, Subd. 5, a resolution must be approved by the School Board to conduct business on the second Monday of October, recognized as Christopher Columbus Day.

RATIONALE:

While recognized as a federal holiday, the State of Minnesota provides authority to school districts and other entities in determining whether to recognize the second Monday of October, Christopher Columbus Day, as a holiday. By approving the recommendation of not recognizing Christopher Columbus Day as a holiday, public business be conducted thereon.

RECOMMENDATION:

I recommend authorizing Austin Public Schools to conduct school business on the second Monday of October, 2025, as outlined in Minnesota Statute 645.44, Subd. 5.



2025 School Board Meeting Schedule

Monday, January 13, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, January 27, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, February 10, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, February 24, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, March 10, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, March 24, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, April 14, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, April 28, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, May 12, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Tuesday, May 27, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, June 9, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, June 23, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, July 14, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, July 28, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, August 11, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, August 25, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, September 8, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, September 22, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, October 13, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, October 27, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, November 10, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall
Monday, November 24, 2025	4:00 pm Study Session	AHS District Office Conf Room
Monday, December 8, 2025	5:30 pm Regular Meeting	AHS Annex Recital Hall



DATE: January 6, 2025
TITLE: Official Newspaper Designation
TYPE: Action
PRESENTER: Chairperson

BACKGROUND:

School districts are required to select an official newspaper for the purpose of publication of official notices and meeting minutes.

RATIONALE:

School districts are legally and morally responsible for keeping the public informed of business being conducted.

RECOMMENDATION:

The Austin Daily Herald meets the requirements for an official newspaper designation and has served as Austin Public School’s official newspaper designation for many years. It is recommended the board approve the Austin Daily Herald as the school district’s official newspaper for 2025 at a rate of \$5.64 per column inch for display ads and a rate of .32 per word for public notice line ads. The rate remains the same as 2024.



DATE: January 6, 2025

TITLE: Legal Counsel

TYPE: Action

PRESENTER: Chairperson

BACKGROUND:

In order to ensure the District is doing everything within its power to handle difficult matters in a fair and lawful manner, legal counsel is sought on an as-needed basis.

RATIONALE:

The law firm of Ratwik, Roszak & Maloney has provided trusted legal advice to the District for numerous years, allowing us to build a strong business relationship with their firm.

RECOMMENDATION:

I recommend the law firm of Ratwik, Roszak & Maloney continue to serve as the District's legal counsel for 2025. Counsel is used only by District level administration and only after receiving superintendent approval.

DATE: January 6, 2025

TITLE: Depositories

TYPE: Action

PRESENTER: Todd Lechtenberg, Executive Director of Finance & Operations

Background:

A government entity that receives and disburses funds may deposit the funds only in financial institutions designated by its governing body. The governing body may authorize its treasurer or chief financial officer to make such designations. The government entity may deposit funds in amounts that are federally insured or, if it deposits more than this amount, it must either have the depository furnish a bond or assign collateral to protect the excess deposit.

Rationale:

Each calendar year the School Board establishes official depositories in accordance with Minnesota Statute 118A.02 subd. 1.

Recommendation:

It is recommended that the school board designate the following banks as depositories for the School District's checking accounts:

Bremer Bank
Alerus
US Bank

And the following banks and financial institutions as depositories for the investment of School District funds:

Bremer Bank- Austin
US Bank – Austin

Wells Fargo Bank – Austin
Sterling State Bank – Austin
Alerus – Austin
Security State Bank – Austin
First Farmer’s State Bank – Austin
MBT – Austin
Wells Fargo Bank – Minneapolis
MN School District Liquid Asset Fund Plus – PFM Asset Management – Harrisburg, PA
Putnam Investor Services – Providence, RI
PMA Financial Network – Naperville, FL
MN Trust – Albertville, MN

And that the Superintendent, Executive Director of Finance and Operations,
Controller, and Financial Specialist to be authorized to deposit and withdraw money on
behalf of the District to the checking and investment accounts.

DATE: January 6, 2025

TITLE: Authorization of Contract Signers

TYPE: Action

PRESENTER: Todd Lechtenberg, Executive Director of Finance & Operations

Background:

The School Board may resolve to delegate the authority to lease, purchase, and contract for goods to management as allowed under Minnesota Statute. The School Board of Austin Public Schools has historically delegated this authority to the Superintendent, Executive Director of Finance and Operations, and the Controller each January.

Rationale:

The School Board authorization allows management to conduct the daily business affairs of the District between the business meetings in an effective and efficient manner.

Recommendation:

It is recommended that the School Board of Independent School District #492 authorize Dr. Joey Page, Superintendent; Todd Lechtenberg, Executive Director of Finance and Operations; and Amy Hauser, Controller, to lease, purchase and contract for goods and services within the budget as approved by the School Board, provided any transaction in an amount exceeding the amount for which bids are required, must first be authorized by the School Board and fulfill other applicable requirements pursuant to Minnesota Statutes governing municipal contracting.



DATE: January 6, 2025

TITLE: Authorizing Cosigners of Checks

TYPE: Action

PRESENTER: Todd Lechtenberg, Executive Director of Finance and Operations

BACKGROUND:

The district is required to designate co-signers of checks and the use of their signatures on its check signing file.

RATIONALE:

With the change in school board officers, comes the need to update the signatures for the District issued checks and its check signing file. The co-signers are the newly elected chair, clerk and treasurer of the board.

RECOMMENDATION:

I recommend the newly elected chair, clerk and treasurer of the board be designated co-signers of checks and their signatures be used for the check signing file.



DATE: January 6, 2025
TITLE: Cost Savings and Efficient Operations Resolution
TYPE: Action
PRESENTER: Todd Lechtenberg, Executive Director of Finance and Operations

BACKGROUND:

School Districts are required to comply with Minnesota Statutes, section 123B.83 – Expenditure Limitations, which requires that a district must limit its expenditures so that the calculated net unreserved general fund balance or “operating debt” as of June 30 does not constitute Statutory Operating Debt (SOD). According to Minnesota Statutes, section 123B.81, subdivision 2, SOD exists if the school’s operating debt is more than 2 ½ percent of the most recent fiscal year’s (FY) expenditure amount.

RATIONALE:

The School Board holds fiduciary duty over the financial stability of the District. Administration is charged with implementing the budget as approved by the School Board. In efforts to foster this work between the School Board and Administration, the following resolution presents expectations for efficient and effective operations in alignment with the strategic priorities of the District.

RECOMMENDATION:

Recommend the School Board approve the “Resolution Directing the Administration to Make Recommendations for Cost Savings and Efficient Operations.”

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION DIRECTING THE ADMINISTRATION TO MAKE RECOMMENDATIONS
FOR COST SAVINGS AND EFFICIENT OPERATIONS**

WHEREAS, the School Board of Independent School District No. 492, Austin, anticipates that it will need to reduce programs and positions and/or reorganize departments due to financial limitations and operational needs;

WHEREAS, the School Board would like the administration to explore methods to run a more efficient and effective operation;

WHEREAS, among other things, the School Board would like the administration to explore the cost savings that could be realized by restricting departments, eliminating positions, and/or reassigning duties;

BE IT RESOLVED, by the School Board of Independent School District No. 492, as follows:

The administration is directed to make recommendations that will result in a more efficient and effective operations and to present such recommendations at a future School Board meeting.

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.



DATE: January 6, 2025
TITLE: Board Annual Allowance
TYPE: Action
PRESENTER: Chairperson

BACKGROUND:

The Board established an annual allowance of \$4,000 per board member. The Board added \$1,200 to the annual allowance for the position of Chair. The annual allowance is dispersed over 26 pay periods.

Current Big 9 School Board Annual Allowances

	<u>Board Member</u>	<u>Chairperson</u>
Albert Lea	3,600	4,200
Austin	4,000	5,200
Faribault	3,300	3,600
Mankato	3,400	4,000
Northfield	4,000	5,000
Owatonna	3,700	4,300
Red Wing	4,300	5,600
Rochester	16,000	17,600
Winona	1,500	1,800

RATIONALE:

The Board is required to set their annual allowance for the year.

RECOMMENDATION:

I recommend the Board establish an annual allowance of _____ per board member with an additional _____ allowance for the position of Chair for the year 2025.

COMMITTEE DESCRIPTIONS

Activities Council – Committee of board members, coaches, parents and students who discuss policy and procedure as well as ways to improve the co-curricular experiences for our students. Meeting schedule to be determined.

Austin Albert Lea Area Special Education Cooperative – Meets as needed in Austin or in Albert Lea (often via Teams) to review bills, budget and other business.

Austin Leaders Council – Meet with area business leaders the fourth Thursday of each month at 7:00 am in the lower level of the Chamber office to discuss community issues.

Austin Park and Recreation Board - Serve as liaison with Park and Recreation Board. Meetings held the first Wednesday of each month at 5:15 p.m. Appointment approved by City Council.

Austin Public Education Foundation – Meets the first Tuesday of each month at 4:00 p.m. in the AHS museum.

Austin Aspires Advisory Board – Meets the last Tuesday of each month from 4 – 5:30 pm.

Calendar Council – Meets annually to establish calendar for upcoming school year.

Community Education Advisory Council – This council of APS staff and community members meets every other month at Woodson Education Center. The purpose of this advisory council is to promote Community Education in the community, seek opportunities for partnership, and gather feedback on current programming. Remaining meetings for 2024-25 school year include 4:00 pm on February 13, 2025 and May 8, 2025.

County Collaborative – Quarterly meetings with area superintendents typically held in the afternoon. The purpose of the committee is to develop a comprehensive system of collaborative service delivery to improve the ability of families to meet the needs of their children.

Curriculum/CRCA – Committee is established by Minnesota law to provide parents and community members' involvement and input in respect to school programs and curricular offerings. Committee consists of parents, community members, staff, teachers, administrators and school board members. Meetings held every other month from 4 – 5:30 pm in the AHS Conference Room A. Remaining meetings for 2024-25 school year include January 14, March 18, and May 13.

Early Childhood Family Education Council (Council for Little Packers) The purpose of this advisory council is to seek input from parents and community members to guide programming and learn about and be an advocate for early childhood in the community. Remaining meetings for 2024-25 school year are 4 pm on January 9, 2025 and April 10, 2025 at Woodson Education Center.

Facilities - Meets as needed to review district facilities and discuss needed improvements. Meetings currently scheduled for March 12 at 3:30 pm and June 11 at 10 am.

Finance – Meets as needed to discuss school finance issues. Meeting currently scheduled for February 17 at 4 pm and May 19 at 4 pm. Additional meetings scheduled as needed.

Insurance – Reviews the operation of current insurance programs and studies and recommends changes in coverage, renewal rates, and the HITA bid process. Meetings scheduled January 22 at 4 pm and March 5 at 4 pm.

Minnesota State High School League – Districts are required to have a designated school board representative who is an authorized voting member of the MSHSL. No meetings to attend.

Personnel – Meets the Tuesday prior to each regular monthly school board meeting at 1:30 pm to discuss personnel issues. Additional meetings scheduled as needed. Also serves as Meet and Confer representatives for meetings taking place two times per year. Upcoming Meet and Confer meetings include January 29 at 4 pm and May 28 at 4 pm.

Schools for Equity in Education (SEE) – General membership meetings held approximately 3 times a year in Minneapolis and regional meetings held three times a year in Owatonna. Meetings include idea sharing, legislative updates and other speakers on important school topics.

Special Education Advisory Council – Meetings held October thru May on the third Wednesday of the month from 12 – 1 pm in the District Office Conference Room. Virtual link also an option for these meetings.

Technology Advisory Council – Meetings held the first Monday of October, December, February, and April at 3:30 pm. This group is made up of community partners, staff, parents, and students/alumni. They provide important feedback and recommendations as the district moves forward with implementing the 2024-2027 Technology Plan.

Wellness – The committee consists of staff and community members who work to promote healthy practices throughout the district. Remaining meetings for the 2024-2025 school year are February 11, 2025 and April 8, 2025 at 4:00 pm in the District Office Conference Room.

2025 Austin School Board Committee Appointments

School Board Committees

Comprehensive Achievement
and Civic Readiness

Katie Baskin

Facilities

Todd Lechtenberg

Finance

Todd Lechtenberg

Personnel

Katie Baskin

Wellness

Jen Lawhead

Representatives

Austin Albert Lea Area Special Education Cooperative

Austin Aspires

Austin Leaders Council

Austin Park and Recreation Board

Austin Public Education Foundation

County Collaborative

Insurance Committee

Minnesota State High School League

Schools for Educational Equity (SEE)

Advisory Council

Activities Council

Katie Carter

Calendar Council

Katie Baskin

Community Education Council

Jen Lawhead

Early Childhood Family Education
Council

Jen Lawhead

Special Education Advisory Council
(SEAC)

Sheri Willrodt

Technology

Amy Thuesen

2024 Austin School Board Committee Appointments

School Board Committees

Comprehensive Achievement and Civic Readiness	Katie Baskin	Cece Kroc Don Leathers Carolyn Dube
Facilities	Todd Lechtenberg	Evan Sorenson Don Leathers Peggy Young
Finance	Todd Lechtenberg	Kathy Green Cece Kroc Carol McAlister
Personnel	Katie Baskin	Cece Kroc Kathy Green Carolyn Dube
Wellness	Jen Lawhead	Kathy Green Carol McAlister

Representatives

Austin Albert Lea Area Special Education Cooperative	Don Leathers
Austin Aspires	Cece Kroc
Austin Leaders Council	Peggy Young
Austin Park and Recreation Board	Cece Kroc
Austin Public Education Foundation	Carolyn Dube
County Collaborative	Kathy Green
Insurance Committee	Cece Kroc
Minnesota State High School League	Evan Sorenson
Schools for Educational Equity (SEE)	Cece Kroc Don Leathers

Advisory Council

Activities Council	Katie Carter	Carol McAlister Don Leathers Evan Sorenson
Calendar Council	Katie Baskin	Carolyn Dube Peggy Young
Community Education Council	Jen Lawhead	Carol McAlister Kathy Green
Early Childhood Family Education Council	Jen Lawhead	Evan Sorenson Kathy Green
Special Education Advisory Council (SEAC)	Sheri Willrodt	Cece Kroc Don Leathers
Technology	Amy Thuesen	Don Leathers

CODE OF ETHICS

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I. PURPOSE

The purpose of this policy is to assist the individual school board member in understanding his or her role as part of a school board and in recognizing the contribution that each member must make to develop an effective and responsible school board.

II. GENERAL STATEMENT OF POLICY

Each school board member shall follow the code of ethics stated in this policy.

A. AS A MEMBER OF THE SCHOOL BOARD, I WILL:

1. Attend school board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other school board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.
8. Inform myself about the proper duties and functions of a school board member.

B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.

4. Recognize that my responsibility, exercised through the actions of the school board as a whole, is to see that the schools are properly run – not to run them myself.
5. Work through the superintendent – not over or around the superintendent.
6. Delegate the implementation of school board decisions to the superintendent.

C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE SCHOOL BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the school district and community.
2. Attempt to obtain adequate financial support for the school district's programs.
3. Insist that business transactions of the school district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my school district.

E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF, I WILL:

1. Hold the superintendent responsible for the administration of the school

district.

2. Give the superintendent authority commensurate with his or her responsibilities.
3. Assure that the school district will be administered by the best professional personnel available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open meeting of the school board.
5. Avoid conflicts of interest and refrain from using my school board

position for personal gain.

6. Take no private action that will compromise the school board or administration.
7. Guard the confidentiality of information that is protected under applicable law.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: None

Policy Adopted: 07.08.02
Policy Revised: 12.10.07
Policy Revised: 01.20.11
Policy Reviewed: 06.10.13
Policy Reviewed: 01.12.15
Policy Reviewed: 08.14.17
Policy Revised: 03.09.20
Policy Revised: 11.14.22
Policy Reviewed: 10.28.24

SCHOOL BOARD ELECTRONIC COMMUNICATIONS

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I. PURPOSE

The school board recognizes that electronic communications on issues related to official business of the school board between, by or among its members are classified as government data and must be collected, created, received, maintained and disseminated in accordance with state and federal law. The purpose of this policy is to provide guidelines to ensure that such electronic communications of school board members are compliant with applicable law.

II. GENERAL STATEMENT OF POLICY

- A. The use of electronic communications by members of the school board shall conform to the same standards of judgment, propriety and ethics as other forms of school board related communications.
- B. Because electronic communications by, between or to school board members may be subject to the Open Meeting Law as well as data privacy laws, copies of all electronic communications of school board members on issues related to official business of the school board shall be transmitted to the superintendent of schools or designee to maintain and administer in accordance with state and federal law.

III. DEFINITIONS

- A. “Electronic communications” are the transmittal of a communication between two or more computers or electronic devices, whether or not the message is converted to hard copy format, whether or not the message is viewed upon receipt or stored for later retrieval and whether or not the transmittal is through a local, school district or global computer network. Electronic communications include, but are not limited to, e-mail messaging, text messaging, the use of Internet Web forums and Internet chat rooms.
- B. “Meeting” means a gathering of at least a quorum or more members of the school board, or quorum of a committee or subcommittee of school board members, at which members discuss, decide or receive information as a group on issues relating to the official business of the school board. The term does not include a chance or social gathering.
- C. “Quorum” means the majority of the voting members of the school board.

IV. PROCEDURES

- A. School board members shall not use e-mail or other electronic communications as a substitute for deliberations at school board meetings or for other communications or business properly confined to school board meetings.

- B. School board members shall be aware that e-mail, e-mail attachments and other electronic communications received or prepared for use in school board business, or containing information relating to school board business, may be regarded as public data which may be inspected by any person upon request, unless otherwise classified as private or confidential data.
- C. School board members shall avoid reference to private or confidential information about employees, students or other school district matters in any written or electronic communications. Communications which must contain private or confidential information shall be made and maintained in accordance with School District Policy 515.
- D. School board members who engage in electronic communications relating to school district matters must comply with the School District Records Retention Act or other relevant laws.
- E. Written or electronic communications of school board members on issues related to official business of the school Board shall be made available to the public for inspection, subject to the redaction of private and/or confidential data, to the extent required by law. Such communications shall be maintained for a period of three years.

V. REVIEW OF ELECTRONIC COMMUNICATIONS

- A. The superintendent of schools or designee shall review all electronic communications provided by school board members for compliance with the Open Meeting Law and data privacy restrictions.
- B. The superintendent of schools or designee shall investigate any instance where a concern is raised that an electronic communication involving a school board member potentially violates the Open Meeting Law or data privacy laws based upon either a review of the documents provided to the superintendent of schools or designee or the receipt of an independent complaint. The investigation may be conducted by school district officials or by a third party designated by the school district.
- C. The superintendent of schools or designee shall advise the school board chair of the pending investigation as well as the results of the investigation. The school board chair may take immediate steps to address possible concerns as to violations of this policy pending completion of an investigation.
- D. The investigation will be completed as soon as practicable. The superintendent of schools or designee shall make a written report to the school board chair upon

completion of the investigation. If the complaint or concern involves the school board chair, the report may be filed directly with the school board vice chair. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

- E. Upon receipt of a report, the school board will take appropriate action. Such action may include, but is not limited to, warning, censure or removal from the school board.

VI. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be given to each school board member at the time each board member takes office.
- B. The school board will review this policy with its members on an annual basis.
- C. The school district will provide school board members with training as to their obligations under the Open Meeting law and data privacy laws.
- D. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References:

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. Ch. 13D (Minnesota Open Meeting Law)
- Minn. R. 1205.0100–1205.2000
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
- 34 C.F.R. § 99.1–§ 99.67
- Moberg v. ISD 281, 336 N.W.2d 510 (Minn. 1983)
- St. Cloud Newspaper, Inc. v. Dist. 742 Cmty. Sch., 332 N.W.2d 1 (Minn. 1983)
- Minn. Dept of Administration Advisory Op. 01-075 (Sept. 27, 2001)

Policy Approved: 01/22/07

Policy Reviewed: 08/09/10

Policy Reviewed: 1/12/15

Policy Reviewed: 9/11/17

Policy Reviewed: 3/9/20

Policy Revised: 12/9/24