I. Call to Order
II. Roll Call
III. Pledge of Allegiance
IV. District Mission Statement and School Board Goals
V. Approval of the Agenda
VI. Superintendent’s Report
VII. Introductory Items
   A. District Recognition - National School Public Relations Association Award

VIII. Open Forum

IX. Consent Agenda
   A. Minutes of July 12, 2018 School Board Meeting
   B. Disbursement Register July 1 through August 10, 2018
   C. Human Resources Personnel Report

X. Reports
   A. Second Reading: Series 300 Policies School District Administration – Policy Working Group
   B. District Memberships 2018-2019 – Chair Pelletier

XI. Action Items
   A. Resolution Calling an Election – Clerk O’Loughlin
   B. Appoint District Legal Counsel – Superintendent Pontrelli
   C. Resolution Ratifying and Approving TIES Reorganization and Definitive Agreements – Superintendent Pontrelli
   E. Series 200 Policies School Board – Policy Working Group
      1. 209 Code of Ethics
      2. 209.1 Board Policy Violation
      3. 210 Conflict of Interest – School Board Members
      4. 211 Criminal of Civil Action Against School District, School Board Member, Employee or Student
      5. 212 School Board Member Development
      6. 213 School Board Committees
      7. 214 Out-of-State Travel by School Board Members
      8. 215 School Board Resignation / Vacancy

XII. Board Member Reports
   A. Board Chair Report
   B. Board Member Reports
   C. Working Group Reports

XIII. Adjournment
   A. Adjourn
Agenda Item I.
Date Prepared: July 23, 2018
ISD 834 Board Meeting

Agenda Item: Call to Order
Meeting Date: August 9, 2018

Background:
The School Board Chair will call the meeting to order.

Recommendation:
Board action is not required.
Agenda Item: Roll Call
Meeting Date: August 9, 2018

Background:
The School Board Chair will ask the secretary to take the roll. A quorum must be established in order for the meeting to proceed.

Board Members

Jennifer Pelletier, Board Chair
Sarah Stivland, Vice Chair
Shelley Pearson, Treasurer
Paula O'Loughlin, Clerk
George Hoeppner, Director
Mike Ptacek, Director
Denise Pontrelli, Superintendent of Schools (ex-officio)

Recommendation:
Board action is not required.
Agenda Item: Pledge of Allegiance
Meeting Date: August 9, 2018

Background:
The Pledge of Allegiance will be recited prior to the approval of the meeting agenda.

I pledge Allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation under God, indivisible,
with Liberty and Justice for all.

Recommendation:
Board action is not required.
Agenda Item: District Mission and School Board Goals
Meeting Date: August 9, 2018

_A School Board member will read the District Mission statement._

The mission of Stillwater Area Public Schools, in partnership with students, family and community, is to develop curious individuals who are active and engaged leaders in an ever-changing world by challenging all students as they travel along their personalized learning pathways.

_A School Board member will read the School Board Goals_

The Stillwater Area Public Schools’ Board of Education ensures outstanding learning opportunities for the social, emotional and academic growth of every student in our school district through authentic partnerships and meaningful communication with our community, parents and students. Every decision is made with a commitment to equity for all students and for future generations impacted by our actions.

We provide our stakeholders with regular updates on student achievement along with continual plans to enhance student learning in our district.

We ensure that our systems of management and oversight are clearly defined.

We invite ongoing dialogue and partnership with our community to learn from their knowledge and to enhance learning for our students.

_Recommendation:_

Board action is not required.
Agenda Item: Approval of the Agenda
Meeting Date: August 9, 2018

Background:
Once quorum has been established the School Board Chair will request approval of the meeting agenda.

Recommendation:
A motion and a second to approve the meeting agenda will be requested.

Motion by: ___________________ Seconded by: ___________________ Vote: ___________________
Agenda Item: Superintendent Report
Meeting Date: August 9, 2018

**Background:**
Each meeting the Superintendent will provide an update on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed, and the meeting date. Topics generally include announcement of attendance at district events, communications items, informational items and correspondence items worth noting. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities.

**Recommendation:**
Board action is not required.
Agenda Item: Introductory Items
Meeting Date: August 9, 2018
Student Report and District Recognition

Background:
A. Each meeting the Student Board Members will provide updates on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed and the meeting date. Topics generally include announcement of academics, activities, arts and athletics. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities.

B. Each meeting an individual, team, or program will be recognized for their excellence.

Recommendation:
Board action is not required.
Agenda Item: Open Forum
Meeting Date: August 9, 2018

Background:

If you wish to speak to the School Board, you will be able to do so at the start of the school board meeting during Open Forum. You may sign in only for yourself, not other individuals or groups, and only in person. The sign in sheet is made available 30 minutes prior and up to the start of the meeting. Due to time limitations, we will limit the number of speakers to 12. If you spoke at the last meeting, please consider allowing others to sign in before you. After you address the Board, please leave the podium.

Stillwater Area School District welcomes input from citizens as community involvement fosters better decision making and improved learning experiences for all students. While comments and questions are welcome during Open Forum, law prohibits the Board from discussing concerns about individual employees or students in a public meeting. We will stop the proceedings immediately if employee or student privacy issues are raised and direct the speaker to forward comments regarding individual employees or students to the superintendent.

Because we are modeling civil discourse for our community, speakers must present their testimony in a respectful manner. Vulgarity, character attacks, malice or specific complaints identifying staff or students by name or implication will not be permitted.

The Board will not deliberate, discuss, or engage in conversation with speakers during open forum.

However, the Board may ask administration to review the concern(s) presented.

Recommendation:
This is for informational purposes only.
Agenda Item IX. A. B. C.
Date Prepared: July 23, 2018
ISD 834 Board Meeting

Agenda Item: Consent Agenda
Meeting Date: February 8, 2018
Contact Person: Varies by item

Background:
The consent agenda is a meeting practice which packages routine reports, Board meeting minutes, and other non-controversial items not requiring discussion or independent action as one agenda item. The Board will approve this ‘package’ of items together in one motion.

A. School Board Meeting Minutes July 12, 2018
Contact Person: Paula O'Loughlin, Clerk or Barbara Proulx, Secretary
A copy of the Minutes is included for your review.

B. Disbursement Register July 1 through August 10, 2018
Contact Person: Kristen Hoheisel, Executive Director of Finance and Operations
A copy of the register has been distributed to board members.

C. Human Resources Personnel Report
Contact Person: Cathy Moen, Executive Director of Administrative Services
A summary of personnel transactions for the month is included for your review.

Recommendation:
BE IT RESOLVED by the School Board of Independent School District 834 that Consent Agenda Items A B and C, be approved as written, and a copy of the agenda items is attached to the minutes.

Motion by: ____________________ Seconded by: ____________________ Vote: ____________________
I. Call to Order: The meeting was called to order at 6:00 p.m.

II. Roll Call: Present: Jennifer Pelletier, chair; Sarah Stivland, vice chair; Shelley Pearson, treasurer; Paula O'Loughlin, clerk; George Hoeppner, director; Mike Ptacek, Superintendent Pontrelli (ex-officio)

III. Pledge of Allegiance: Board chair Pelletier led Pledge of Allegiance.

IV. District Mission and School Board Goals: The mission statement was read by Member Stivland and the goals were read by Member O'Loughlin.

V. Approval of the Agenda
Motion by: Member O'Loughlin; Second by: Member Stivland; Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

VI. Superintendent’s Report
Superintendent Pontrelli reported two directors attended a school safety seminar, principals have been in literacy training all week, she attended the Council of City Mayors meeting with Mayor McComber. She invited everyone to come out to Summer Tuesdays and stop by the Stillwater Pony booth. She thanked communications fill-in person Barb Nicol for work while Mrs. Keister was on maternity leave.

VII. Introductory Items
A. Student Report
There was no student report.
1. The State Champion Girls Softball and Boys Baseball Teams were recognized for their accomplishments.

VIII. Open Forum
There were no speakers.

IX. Consent Agenda
A. Minutes of June 21, 2018 School Board Meeting
B. Minutes of June 22, 2018 Special Board Meeting
C. Disbursement Register June 14-30, 2018
D. Human Resources Personnel Report
E. Amend Polling Locations and Combined Polling Locations for 2018
F. Identify Official with Authority for MDE – the School Board identified Barbara Proulx as the Official with Authority for the 2018-2019 school year.
Motion by: Member Hoeppner; Second by: Member Pearson; Vote: 6 ayes, 0 nays, Motion Carried.

X. Reports
A. Second Reading: Series 200 School Board Policies 209-215
The school board has its second reading of policies 209-215. Action on the policies will be requested at the August 9 business meeting.
B. First Reading: Series 300 Policies – School District Administration
The school board discussed the 300 series policies for the first reading. The second readings of these policies are expected at the August 9, 2018 meeting.

C. Resolution Reauthorizing Referendum Authority
Ms. Hoheisel presented the resolution and requested that action be taken at the August 23, 2018 business meeting. The 2018 legislative session considered adopting a recommendation made by Governor Dayton to simplify the $300 board-approved authority by including it in Local Optional Revenue rather than requiring boards to reauthorize the $300 at least every five years. This provision was vetoed, as it was packaged in the E-12 Omnibus Spending Bill.

D. Designation of Legal Counsel for 2018-19
Superintendent Pontrelli presented the need for the designation of legal counsel. This item will be brought for action to the August 9, 2018 business meeting.

B. Long-Term Facilities Maintenance Plan
Mr. Willger, Manager of Facilities and Site Operations, provided information on the required Long-term Facility Maintenance application. The application must include a Long-term Facilities Maintenance Revenue Application-Ten-year Expenditure, Long-Term Facilities Maintenance Projection, Statement of Assurances and School Board resolution/meeting minutes adopting the LTFM ten-year plan.
To qualify for a 2019 payable property tax levy, the 2020 Ten Year Plan must be adopted and submitted to the Department of Education. Approval of the plan will be requested at the July 12, 2018 business meeting.

XI. Action Items
A. School Board Vacancy Appointment Resolution
Board Chair Pelletier presented the following resolution:
WHEREAS, on June 22, 2018 the School Board of Independent School District No. 834 declared a vacancy to exist on the School Board following the resignation of Board member Tom Lehmann; and
WHEREAS, the vacant position expires on the first Monday in January 2019; and
WHEREAS, upon the existence of a vacancy Minn. Stat §123B.09, subd. 5b requires the School Board, by resolution, to appoint an individual to serve in the vacant position until an individual is elected by special election at the time of the next general election; and
WHEREAS, the School Board has completed the process to consider applicants to serve in the vacant School Board position; and
WHEREAS, the School Board has determined that Donald G. Hovland is an individual who is eligible and qualified to serve in the vacant position until a successor is elected by special election at the time of the next general election.
NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 834 that Donald G. Hovland is hereby appointed to fill the vacant position and serve on the School Board until a special election is held and a successor qualifies for office. The appointment shall be effective on the 31st day following this resolution, absent receipt of a valid petition rejecting the appointee in compliance with the requirements under Minn. Stat. §123B.09, subd 5b(b).
NOW, THEREFORE, BE IT FURTHER RESOLVED that the School Board declares that a special election for the vacant School Board position shall be held in conjunction with the School Board’s next regular general election.
Motion by: Member Pearson; Second by: Member Stivland; Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

B. Election Filing Dates Resolution
Ms. Proulx presented the following resolution:
BE IT RESOLVED by the School Board of Independent School District No.834, State of Minnesota, as follows:
1. The period for filing affidavits of candidacy for the office of school board member of Independent School District No. 834 shall begin on July 31, 2018 and shall close on August 14, 2018. An affidavit of candidacy must be filed in the office of the school district clerk and the $2 filing fee paid prior to 5:00 o’clock p.m. on August 14, 2018.
2. The clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the district, at least two (2) weeks prior to the first day to file affidavits of candidacy.
3. The clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the school district at least ten (10) days prior to the first day to file affidavits of candidacy.
4. The notice of said filing dates shall be in substantially the following form:

NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD

INDEPENDENT SCHOOL DISTRICT NO. 834 STILLWATER AREA PUBLIC SCHOOLS STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN that the period for filing affidavits of candidacy for the office of school board member of Independent School District No. 834 shall begin on July 31, 2018 and shall close at 5 o'clock p.m. on August 14, 2018.

The general election shall be held on Tuesday, November 6, 2018. At that election, four (4) members will be elected to the School Board for terms of four (4) years each.

Affidavits of Candidacy are available from the school district clerk, at 1875 South Greeley Street, Stillwater, MN. The filing fee for this office is $2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the school district from which the candidate seeks election for thirty (30) days before the general election, and must have no other affidavit on file for any other office at the same primary or next ensuing general election.

The affidavits of candidacy must be filed in the office of the school district clerk and the filing fee paid prior to 5 o'clock p.m. on August 14, 2018.

Dated: July 2, 2018
BY ORDER OF THE SCHOOL BOARD
Ms. Paula O’Loughlin
School District Clerk

Motion by: Member O’Loughlin; Second by: Member Pearson Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

C. Long Term Facility Maintenance Ten Year Plan
Ms. Hoheisel requested approval of the plan in the form of this resolution:

RESOLUTION APPROVING STILLWATER AREA PUBLIC SCHOOL DISTRICT NO. 834’S LONG TERM FACILITY MAINTENANCE REVENUE TEN YEAR PLAN

BE IT RESOLVED by the School Board of Independent School District No. 834, State of Minnesota as follows:
The school board of Stillwater Area Public School District No. 834 has approved a long term facility maintenance revenue ten year plan for its facilities for the 2019-2020 school year in the amount of $7,642,500. The various components of this program are attached as EXHIBIT A hereto and are incorporated herein by reference. Said budget is hereby approved.

Motion by: Member O’Loughlin; Second by: Member Hoeppner; Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

D. Series 200 Policies School Board – Policy Working Group
1. 201 Legal Status of School Board
2. 202 School Board Officers
3. 203 Operation of the School Board – Governing Rules
4. 203.1 School Board Procedures; Rules of Order
5. 203.2 School Board Meeting Agenda
6. 203.3 Consent Agendas
7. 204 School Board Meeting Minutes
8. 205 Open Meetings and Closed Meetings
9. 206 Public Participation in School Board Meetings
10. 207 Public Hearings

Motion by: Member Hoeppner; Second by: Member O’Loughlin; Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

11. 208 Development, Adoption, and Implementation of Policies

Motion by: Member Hoeppner; Second by: Member O’Loughlin; Vote: 6 ayes, 0 nays, Motion Carried Unanimously.

XII. Board Member Reports
A. Board Chair Report
1. Evaluation summary. Board Chair Pelletier read a summary of the superintendent’s evaluation for the 2017-18 school year. The summary noted strengths and suggested areas of growth in the four goals areas.

B. Board Member Reports
1. Mr. Hoeppner reported on the EMID meeting.
2. Mr. Ptacek Reported on the NE Metro 916 meeting and the announced the upcoming SEE Legislative meeting.

C. Working Group Reports
1. Mr. Hoeppner reported the policy group will meet again next Friday.
2. Ms. O'Loughlin reported on the Finance Working Group meeting and announced that the board will begin working budget reductions to balance the budget.

XI. Adjournment
The meeting adjourned at 8:37 p.m.
Respectfully submitted, Paula O’Loughlin, school board clerk.
## Personnel Changes: Board Meeting 8/9/18

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<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
<th>ASSIGNMENT</th>
<th>GROUP</th>
<th>EFFECTIVE DATE</th>
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<tr>
<td>Abrahamson, Wallace</td>
<td>Retirement</td>
<td>Custodian, 8.0 hrs/day</td>
<td>Custodian</td>
<td>October 31, 2018</td>
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<td></td>
<td>34 Years</td>
<td>Central Services</td>
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<td>Benz, Stacey</td>
<td>Resignation</td>
<td>Elementary Principal, Anderssen Elementary</td>
<td>Principals'</td>
<td>August 17, 2018</td>
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<tr>
<td>Fry, Michele</td>
<td>Resignation</td>
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<td>SCEA</td>
<td>July 27, 2018</td>
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<tr>
<td>Hernandez, Claudia</td>
<td>Resignation</td>
<td>Paraprofessional, 5.0 hrs/day Lake Elmo Elementary</td>
<td>SCPA</td>
<td>June 22, 2018</td>
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<tr>
<td>Hirsch, Angela</td>
<td>Resignation</td>
<td>Community Education Assistant, 5.0 hrs/day Early Childhood Family Center</td>
<td>CE Leads &amp; Assistants</td>
<td>August 17, 2018</td>
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<tr>
<td>Ingham, Linda</td>
<td>Retirement</td>
<td>Health Care Specialist, 6.5 hrs/day Rutherford Elementary</td>
<td>CSS</td>
<td>August 1, 2018</td>
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<tr>
<td>Jakupicak, Noah</td>
<td>Terminated</td>
<td>Summer Grounds, 8.0 hrs/day District Wide</td>
<td>Casual</td>
<td>July 16, 2018</td>
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<tr>
<td>Majeski, Tara</td>
<td>Resignation</td>
<td>Paraprofessional, 6.0 hrs/week Lake Elmo Elementary</td>
<td>SCPA</td>
<td>July 10, 2018</td>
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<tr>
<td>Schultz, Hannah</td>
<td>Resignation</td>
<td>Assistant Volleyball Coach Stillwater Middle School</td>
<td>Co-Curricular</td>
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<tr>
<td>Wolfe, Brandon</td>
<td>Resignation</td>
<td>ABE Teacher, 303.28 hours per year Stillwater Middle School</td>
<td>SCEA</td>
<td>June 27, 2018</td>
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<tr>
<td>Wurm, Lloyd</td>
<td>Resignation</td>
<td>School Patrol Supervisor, Lilly Lake Elementary</td>
<td>SCEA</td>
<td>July 2, 2018</td>
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## Leaves of Absence

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<tr>
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<tr>
<td>Kempenich, Tracy</td>
<td>Approve</td>
<td>1.0 FTE Elementary Education Teacher Lake Elmo Elementary</td>
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<td>August 20, 2018 - June 3, 2019</td>
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## Hires/Rehires

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<th>NAME</th>
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<th>REASON</th>
<th>GROUP</th>
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<td>Begin, Abigail</td>
<td>Community Education Casual District Wide</td>
<td>$12.00 / hour</td>
<td>Casual</td>
<td>Casual</td>
<td>July 13, 2018</td>
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<tr>
<td>Bursik, Rachel</td>
<td>1.0 FTE English Teacher Oak-Land Middle School</td>
<td>$43,728.00</td>
<td>2018-2019 Staffing</td>
<td>SCEA</td>
<td>August 14, 2018 - June 3, 2019</td>
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<tr>
<td>Cha, Merci</td>
<td>1.0 FTE ELL Teacher Lake Elmo Elementary</td>
<td>$76,329.00</td>
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<td>Chau, Jill</td>
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<td>$15.79 / hour</td>
<td>2018-2019 Staffing</td>
<td>SCPA</td>
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<tr>
<td>Collins Selvig, Teresa</td>
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<td>$13.25 / hour</td>
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<td>Casual</td>
<td>July 21, 2018</td>
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<tr>
<td>Embree, Aimee</td>
<td>Accounts Processing Technician, 8.0 hrs/day Central Services</td>
<td>$20.04 / hour</td>
<td>Replacement Tech Support</td>
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<tr>
<td>Enriquez, Yvette</td>
<td>Paraprofessional, 6.0 hrs/day Lake Elmo Elementary</td>
<td>$15.61 / hour</td>
<td>2018-2019 Staffing</td>
<td>SCPA</td>
<td>August 27, 2018</td>
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<tr>
<td>Ford, Katie</td>
<td>.60 FTE English Teacher Stillwater Area High School</td>
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<td>2018-2019 Staffing</td>
<td>SCEA</td>
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<tr>
<td>Germann, Debra</td>
<td>Paraprofessional, 6.0 hrs/day Brookview Elementary</td>
<td>$15.79 / hour</td>
<td>2018-2019 Staffing</td>
<td>SCPA</td>
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<tr>
<td>Gustafson, Cynthia</td>
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<td>Ford, Katie</td>
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<td>Hanawalt, Jesse</td>
<td>Paraprofessional, 5.5 hours/day Brookview Elementary</td>
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<td>August 27, 2018</td>
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<td>Name</td>
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<td>Department</td>
<td>Contract Dates</td>
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<td>Harvey, Bronwyn</td>
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<td>$12.00 / hour</td>
<td>Casual Casual</td>
<td>July 2, 2018</td>
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<tr>
<td>Hassani, Robyn</td>
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<td>SCPA</td>
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<td>July 20, 2018</td>
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<td>Johnson, Emily</td>
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<td>$15.61 / hour</td>
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<td>1.0</td>
<td>$73,286.00</td>
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<td>Lecuyer, Marie</td>
<td>Community Education Casual</td>
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<td>$12.00 / hour</td>
<td>Casual Casual</td>
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<td>Lehnen, Kassidy</td>
<td>Long Term Paraprofessional Sub, 6.0 hrs/day</td>
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<td>$15.61 / hour</td>
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<td>6.0</td>
<td>$15.79 / hour</td>
<td>2018-2019</td>
<td>SCPA</td>
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<td>Lynner, Jenna</td>
<td>Paraprofessional, 6.25 hrs/day</td>
<td>6.25</td>
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<td>SCPA</td>
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<td>Madline, Carrie</td>
<td>Paraprofessional, 5.15 hrs/day</td>
<td>5.15</td>
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<td>2018-2019</td>
<td>SCPA</td>
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<td>Majeski, Tara</td>
<td>Paraprofessional, 6.5 hrs/day</td>
<td>6.5</td>
<td>$15.79 / hour</td>
<td>2018-2019</td>
<td>SCPA</td>
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<td>Marentic, Alec</td>
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<td>6.0</td>
<td>$15.43 / hour</td>
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<td>Melchoir, Melissa</td>
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<td>5.75</td>
<td>$15.61 / hour</td>
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<td>Meyer, Suzie</td>
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<td>SCPA</td>
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<td>12</td>
<td>$17.36 / hour</td>
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<tr>
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<td>Nass, Jonas</td>
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<td>Nelson, Haley</td>
<td>Community Education Casual</td>
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<td>$12.00 / hour</td>
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<td>July 9, 2018</td>
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<tr>
<td>Palmquist, Shalee</td>
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<tr>
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<td>Peterson, Halle</td>
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<td>TO</td>
<td>REASON</td>
<td>GROUP</td>
<td>EFFECTIVE DATE</td>
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<td>Sell, Hannah</td>
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<td>August 14, 2018 - June 3, 2019</td>
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<tr>
<td>Skillings, Katherine</td>
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<td>Oak-Land Middle School</td>
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<td>August 27, 2018</td>
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<tr>
<td>Smieja, Shannon</td>
<td>Paraprofessional, 6.0 hrs/day</td>
<td>Lily Lake Elementary</td>
<td></td>
<td>2018-2019 Staffing</td>
<td>August 27, 2018</td>
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<tr>
<td>Smith, Priscilla</td>
<td>Paraprofessional, 6.0 hrs/day</td>
<td>Stillwater Middle School</td>
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<td>2018-2019 Staffing</td>
<td>August 27, 2018</td>
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<tr>
<td>Tacheny, Jaqueline</td>
<td>Paraprofessional, 7.0 hrs/day</td>
<td>Lake Elmo Elementary</td>
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<td>August 27, 2018</td>
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<tr>
<td>Teillard-Cui, Shumian</td>
<td>Paraprofessional, 5.9 hrs/day</td>
<td>Stillwater Area High School</td>
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<td>2018-2019 Staffing</td>
<td>August 27, 2018</td>
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<tr>
<td>Terpstra, Vanessa</td>
<td>Paraprofessional, 6.5 hrs/day</td>
<td>Stillwater Area High School</td>
<td></td>
<td>2018-2019 Staffing</td>
<td>August 27, 2018</td>
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<tr>
<td>Tollefsbol, Michaela</td>
<td>Assistant Football Coach</td>
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<td>Weis, Kristen</td>
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<td>Weber, Kimberly</td>
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<td>Willis, Caitlyn</td>
<td>Assistant Director of Student Support Services</td>
<td>Oak Park</td>
<td>Replacement Director</td>
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<td>August 24, 2018</td>
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<td>Woodard, Latoya</td>
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<td>Brookview Elementary</td>
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<td>2018-2019 Staffing</td>
<td>August 27, 2018</td>
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**ASSIGNMENT CHANGES**

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<thead>
<tr>
<th>NAME</th>
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<th>REASON</th>
<th>GROUP</th>
<th>EFFECTIVE DATE</th>
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<tr>
<td>Byland, William</td>
<td>IT Project Management Specialist</td>
<td>Supervisor of Technical Support Services</td>
<td>Restructure of Tech Dept</td>
<td>CSS</td>
<td>July 2, 2018</td>
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<td>Hansen, Alexa</td>
<td>PAC Receptionist, 8.0 hrs/day</td>
<td>CE Technician - PAC &amp; Facilities, 8.0 hrs/day</td>
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<td>Tech Support</td>
<td>July 5, 2018</td>
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<td>Kirby, Carolyn</td>
<td>Paraprofessional, 2.5 hrs/day</td>
<td>Paraprofessional, 2.91 hrs/day</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<tr>
<td>Leo, Monica</td>
<td>Paraprofessional, 6.0 hrs/day</td>
<td>Paraprofessional, 6.25 hrs/day</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<tr>
<td>Meidl, Ramona</td>
<td>Paraprofessional, 6.7 hrs/day</td>
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<td>August 27, 2018</td>
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<td>Olson, Eric</td>
<td>Cafeteria, 5.0 hrs/day</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<td>Rosewicz, Angela</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<td>Scherlock, Michell</td>
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<td>Cafeteria, 5.0 hrs/day</td>
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<td>Schlesuner, Pamela</td>
<td>Cafeteria, 5.75 hrs/day</td>
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<td>Thompson, Tina</td>
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<td>August 27, 2018</td>
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<tr>
<td>Verduin, Shannon</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<td>Welsh-Click, Colleen</td>
<td>Paraprofessional, 2.5 hrs/day</td>
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<td>Wilcek, Anna</td>
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<td>Williams, Alma</td>
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<td>Wodaszewski, Charmaine</td>
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<td>SCPA</td>
<td>August 27, 2018</td>
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<td>August 27, 2018</td>
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<tr>
<td>Zepper, Dawn</td>
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<td>Title</td>
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<td>301</td>
<td>School District Administration</td>
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<td>302</td>
<td>Superintendent</td>
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<td>303</td>
<td>Superintendent Selection</td>
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<td>304</td>
<td>Superintendent Contract, Duties, and Evaluation</td>
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<td>305</td>
<td>Policy Implementation</td>
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<td>306</td>
<td>Administrator Code of Ethics</td>
<td></td>
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</tbody>
</table>
301 School District Administration
The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

302 Superintendent
The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

303 Superintendent Selection
The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

304 Superintendent Contract, Duties, and Evaluation
The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description and the use of an approved instrument to evaluate performance.

305 Policy Implementation
The purpose of this policy is to clarify the responsibility of the school administration for implementation of school board policy.

306 Administrator Code of Ethics
The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.
I. PURPOSE

The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

II. GENERAL STATEMENT OF POLICY

A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school district administration to develop a school environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services.

B. The school board expects all activities related to the operation of the school district to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school board.

C. The school board shall seek specific recommendations, background information and professional advice from the school district administration, and will hold the administration accountable for sound management of the schools.

D. Although the school board holds the superintendent ultimately responsible for administration of the school district and annual evaluation of each principal, the school board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school building level.

E. The school board and school administration shall work together to share information and decisions that best serve the needs of school district students within financial and facility constraints that may exist.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)

Cross References: — MSBA Service Manual, Chapter 3, Superintendent of Schools
I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent who shall serve as an ex officio, nonvoting member of the school board and as chief executive officer of the school system.

III. GENERAL RESPONSIBILITIES

A. The superintendent is responsible for the management of the schools, the administration of all school district policies, and is directly accountable to the school board.

B. The superintendent shall annually evaluate each principal assigned responsibility for supervising a school building in the district, consistent with statutory requirements.

C. The superintendent may delegate responsibilities to other school district personnel, but shall continue to be accountable for actions taken under such delegation.

D. Where responsibilities are not specifically prescribed, nor school board policy applicable, the superintendent shall use personal and professional judgment, subject to review by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 202 (School Board Officers)
MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies
MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)
MSBA/MASA Model Policy 301 (School District Administration)
MSBA/MASA Model Policy 303 (Superintendent Selection)
MSBA/MASA Model Policy 304 (Superintendent Contract, Duties, and Evaluation)
MSBA/MASA Model Policy 305 (Policy Implementation)
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)
MSBA/MASA Model Policy 412 (Expense Reimbursement)
MSBA/MASA Model Policy 510 (School Activities)
MSBA/MASA Model Policy 511 (Student Fundraising)
MSBA/MASA Model Policy 513 (Student Promotion, Retention, and Program Design)
MSBA/MASA Model Policy 602 (Organization of School Calendar and School Day)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
MSBA/MASA Model Policy 802 (Disposition of Obsolete Equipment and Material)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)
MSBA/MASA Model Policy 905 (Advertising)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA/MASA Model Policy 907 (Rewards)
MSBA Service Manual, Chapter 3, Superintendent of Schools
I. PURPOSE

The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent to serve as the chief executive officer of the school district and to conduct the daily operations of the school district.

III. QUALIFICATIONS

A. The school board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.

B. The school board will consider professional preparation, experience, skill, and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

A. A process for recruitment, screening, and interviewing of candidates shall be developed by the school board.

B. The school board may contract for assistance in the search for a superintendent.

C. The school board shall provide the employment contract for the superintendent and specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the school board shall observe all requirements of state and federal law and school board policy.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Rules, Chapter 3512

Cross References: MSBA Service Manual, Chapter 3, Superintendent
I. PURPOSE

The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description and the use of an approved instrument to evaluate performance.

II. GENERAL STATEMENT OF POLICY

A. The superintendent’s contract shall be used to formalize the employment relationship and to specifically identify and clarify all terms and conditions of employment with the superintendent.

B. The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the school board in consultation with the superintendent. The school board shall use this instrument to periodically evaluate the performance of the superintendent.

C. The school board may use the model contract approved by the boards of the Minnesota School Boards Association and the Minnesota Association of School Administrators as a model instrument.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools (See Model Contract, Sample Performance Appraisals, and Model Job Description)
I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school board policy.

II. GENERAL STATEMENT OF POLICY

A. It shall be the responsibility of the superintendent to implement school board policy and to recommend additions or modifications thereto. The administration is authorized to develop guidelines and directives to effectuate the implementation of school board policies. These guidelines and directives shall not be inconsistent with said school board policies. At least annually, these written procedures shall be presented to the school board for review.

B. Employee and student handbooks shall be subject to annual review and approval by the school board.

C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within handbooks shall be reviewed by the superintendent to assure compliance with school board policy and shall be approved by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)
I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

A. An educational administrator’s professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all, and all administrators are responsible for providing professional leadership for that purpose in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the school board recognizes that an administrator’s actions are will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.

B. The Educational Administrator:

1. Makes the well-being of students the fundamental value of all decision-making and actions.

2. Fulfills professional responsibilities with honesty and integrity, and does not engage in any form of fraud or misrepresentation in the performance of professional duties.

3. Provides professional educational and administrative services in a nondiscriminatory manner. Supports the principle of due process and protects the civil and human rights of all individuals.

4. Obeys local, state, and federal national laws. and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.

5. Implements the school board’s policies.

6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.

7. Shall not misuse professional relationships with students, parents and caregivers, staff or colleagues to private advantage. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Shall not accept gratuities, gifts or favors that impair professional judgment, nor offer any favor, service, or item of value to obtain special advantage, and shall comply with state law prohibiting the acceptance of gifts.

9. Accepts academic degrees or professional certification only from duly accredited institutions.

10. Shall not knowingly falsify or misrepresent records or facts relating to the Administrator’s qualifications, or to the qualifications of other staff or personnel.

11. Shall only accept a contract for a position when licensed for the position or when the School District is granted a variance or letter of approval.

12. In filling positions requiring licensure, shall employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been granted a variance by the appropriate state board or agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be filled to meet a legitimate emergency educational need.

13. Shall disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws, and school district policies.

14. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.

15. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.


Legal References: Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Cross References:
Action Item: Renewal of District Memberships 2018-2019  
Meeting Date: August 9, 2018  
Contact Person: Board Chair Heppner

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**Background:**

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<th>Member Organization</th>
<th>Membership Fee</th>
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<tr>
<td>MN School Boards Association (MSBA)</td>
<td>$13,874</td>
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<tr>
<td>Services include: policy formats, legal advice, election advice and legislative updates to support school districts and Boards of Education.</td>
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<tr>
<td>MN State High Schools League (MSHSL)</td>
<td>No Fee</td>
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<tr>
<td>Supervises and regulates interscholastic athletic and fine art events. <em>There is no fee however, board action is required for participation.</em></td>
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<tr>
<td>Association of Metropolitan School Districts (AMSD)</td>
<td>$11,045</td>
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<td>AMSD’s primary task is to lobby at the state level for the needs of metropolitan school districts. However, AMSD’s Board believes that its lobbying efforts are most effective when the organization plays a role in shaping the broader public debate on K-12 issues and advocates for policies that benefit the State as a whole.</td>
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<tr>
<td>Schools for Equity in Education (SEE)</td>
<td>$8,701.55</td>
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<tr>
<td>Schools for Equity in Education (SEE) is a vibrant organization with a mission that all public school children must have equal access to a high quality education regardless of where they live in Minnesota. The success of this mission does not depend on geography, but relies on school districts with similar characteristics coming together to form a political mass that can and will impact Minnesota education finance and policy.</td>
<td></td>
</tr>
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**Recommendation:**

A motion and a second to approve the district memberships for 2018-19 will be requested.

*Motion by: __________________________  Seconded by: __________________________  Vote: __________________________*
June 18, 2018

Dear Superintendent:

Thank you for your membership in the Minnesota School Boards Association for the past year. MSBA’s Board and staff have worked hard to become your go-to organization. MSBA will always go the extra mile for our members:

- Our dedicated staff prides itself on anticipating member needs through engagement, analyzing national and state directives, working with other educational organizations, and providing training to build high-performing boards.

- If you have a question, you can call or email. We’ll find the answer promptly or get you to someone with the answer. In all our interactions, we strive to make your board a high-performing board that can meet the high expectations of your staff, students, and community.

- Legal and legislative advocacy is a big part of MSBA, whether for large metro districts or small rural districts. We work until we can find a path forward that benefits districts of all shapes and sizes.

- Like you, we care deeply about the success of all Minnesota’s public school students. Through our collective, member-driven mission, our goal is to meet and exceed the needs of our members.

Our Association is stronger when our members are stronger. Now is the time to continue investing in your future. Your dues invoice is enclosed, along with a renewal notice for those districts in MSBA’s Policy Services. We wish you a successful 2018-2019 school year and hope to continue as your valued and trusted Association. If you have any questions, please don’t hesitate to call your Association office at 800-324-4459.

Sincerely,

Kirk Schneidawind  
MSBA Executive Director  
kschneidawind@mnmsba.org

Kathryn A. Green (Austin)  
MSBA President  
kathyannegreen@gmail.com

enc.

MINNESOTA SCHOOL BOARDS ASSOCIATION  
1900 West Jefferson Avenue, St. Peter, MN 56082-3015  Phone: 507-934-2450 or 800-324-4459  
www.mnmsba.org
Minnesota School Boards Association  
1900 West Jefferson Ave  
St. Peter, MN 56082-3015  
507-934-2450 or 800-324-4459

ATTN: Accounts Payable  
I.S.D. 834  
1875 GREELEY ST S  
STILLWATER, MN 55082-6079

Invoice No: 19927W8T4S1  
Invoice Date: 7/2/2018  
Acct No: 402  
Due Date: 11/15/2018  
PO Number:

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Subtotal: $13,874.00  
Amount Paid: $0.00  
Balance Due: $13,874.00

Dues for **ISD #834** are based on 8449.85 "Average Daily Membership of Students Served" for the fiscal year ended June 30, 2017, as provided by the Minnesota Department of Education.

**MSBA is not able to accept Credit, Debit, or Procurement Cards as a method of payment of your 2018-19 Dues Invoice. Please remit payment of this invoice to MSBA by CHECK. Thank you for your cooperation.**

In accordance with IRS Code Sec. 6113, contributions or gifts (including membership dues) to MSBA are not deductible as charitable contributions for Federal income tax purposes.
THE POWER OF MEMBERSHIP

LAST YEAR, MSBA:

1. Responded to more than 15,000 calls and emails, and logged 696,754 web views

2. Provided timely and relevant communication to 4,012 members who subscribe to the Journal magazine, 3,416 who subscribe to The Leader and 1,914 who subscribe to eClippings

3. Trained 1,072 members in our Learning to Lead (Phase) workshops

4. Protected 366 school districts, co-ops, and charter schools through the Minnesota School Boards Association Insurance Trust (MSBAIT)

5. Championed 47 bills through the Legislature
6. Educated and connected 2,663 members at Leadership Conference, and many more through Summer Seminar and other tailored trainings that focus on goal-setting for individual school boards.

7. Kept our 845 Facebook members and 3,713 Twitter followers informed and up-to-date with the latest education news and events.

8. Led 13 school districts through Strategic Planning to set the course for the future.


10. Directed and supported 7 school boards with superintendent searches.
May 2018

Dear Superintendent:

Minnesota Statutes, Section 128C.01, requires individual school boards to authorize membership in the Minnesota State High School League. The Resolution for Membership (Resolution) affirms (1) that your school board delegates the control, supervision and regulation of League-sponsored athletic and fine arts activities to the Minnesota State High School League; (2) that your school board adopts the MSHSL Constitution, Bylaws and Rules and Regulations; and, (3) that the administration and responsibility for supervising your registered activities is assigned to your official school representative(s).

Section 208.00 of the MSHSL Constitution found in the Official Handbook and online at mshsl.org provides that each member school shall identify a Designated School Representative and Designated School Board Member. In addition, each school must identify individuals to represent boys' sports, girls' sports, speech and music; schools are also urged to form a Local Advisory Committee to address MSHSL matters. Page 2 of the Resolution provides language from the Constitution and space for your school to identify those persons who will represent your school.

Please return one copy of pages 1 and 2 of the 2018-2019 Resolution for Membership for each high school to the Minnesota State High School League and retain one copy of each for your school files. The deadline for returning the Resolution Form(s) is as soon as possible but not later than August 31, 2018. If your Designated School Board Member, Designated School Representative, Activity Representatives or Mailing Representative has changed from the previous year, please have your school’s activity director make the change on your school’s page on the MSHSL website database. If the Resolution is not received by the above date, a $250 late fee will be assessed. No school is eligible to compete in regular or post-season tournaments unless the completed Resolution is on file in the League office.

A billing for services, rule books, and other supplies ordered for your school will be mailed in mid-August.

Please be reminded of the following:

1. August 1 begins the MSHSL fiscal year and the Resolution for Membership for the 2018-2019 school year must be approved by your local school board.

2. **August 31, 2018 is the due date for return of the Resolution Form.** A late fee will be assessed if the Resolution is not returned by that date: **your students WILL NOT BE COVERED** by the catastrophic insurance plan; your school district must assume that responsibility; and your students will not be allowed to participate in League-sponsored events.

3. **The Resolution must be completed in full**, including viewing of the **WHY WE PLAY** training video and a review of the Code of Conduct Statement. Signatures of the superintendent and clerk/secretary of the school board affirm such compliance. The video is available on the homepage of the MSHSL website or you may contact League staff.
2018-2019 RESOLUTION FOR MEMBERSHIP
IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE

The following is taken from the MSHSL Constitution:

208.00 LOCAL CONTROL

208.01 Designated School Representatives
At the beginning of the League’s fiscal year, the governing board of each member school shall designate two (2) representatives who are authorized to vote for the member school at all district, region and section meetings and on mail ballots where member schools are called upon to vote, such as district meetings, region meetings, and mail ballots.

One of the designated representatives shall be a member of the school’s governing board and the other shall be an administrator or full-time faculty member of the member school.

In school districts with multiple schools, the designated representative from the school district’s governing body may represent more than one school and is entitled to one vote for each school they represent.

208.02 Designated Activity Representatives
At the beginning of the League’s fiscal year, the governing board of each member school shall select individuals to represent its school in the following areas: (a) boys sports; (b) girls sports; (c) speech; and (d) music.

208.03 Local Advisory Committee
Each school is urged to form an advisory committee for League activities. Committee membership is not limited to but shall include a school board member, a student, a parent, and a faculty member, to advise the designated school representatives on all matters relating to the school’s membership in the MSHSL.

Please complete and return this form with your school’s 2018-2019 Resolution for Membership. If the school board is responsible for more than one (1) high school, please complete a form for EACH high school.

Name of School (Please Print)

208.01 VOTE ON BEHALF OF THE HIGH SCHOOL

Designated School Board Member
(Please Print)

Designated School Representative
(Please Print)

Email Address

Email Address

208.02 ACTIVITY REPRESENTATIVES

Boys’ Sports
(Please Print)

Girls’ Sports
(Please Print)

Speech
(Please Print)

Music
(Please Print)

*Mailing Representative (Please Print)

* The Mailing Representative is the person to whom all mailings from the League office will be sent. Schools usually name the activity director as the primary recipient of the mailings or email messages.

208.03 LOCAL ADVISORY COMMITTEE MEMBERS

Board Member (Please Print)

Student (Please Print)

Parent (Please Print)

Faculty Member (Please Print)
RESOLVED, that the Governing Board of School District Number __________, County of ______________, State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

FURTHER RESOLVED, that the high school(s) listed below (name all high schools in the district):

__________________________________________

__________________________________________

is/are authorized by this, the Governing Board of said school district or school to:

1. _____ Make new application for membership in the Minnesota State High School League;
   School Enrollment (9-12): ________
   OR;
   _____ Renew its membership in the Minnesota State High School League; and,

2. Participate in the approved interschool activities sponsored by said League and its various subdivisions.

FURTHER RESOLVED, that this Governing Board hereby adopts the Constitution, Bylaws, Rules and Regulations of said League and all amendments thereto as the same as are published in the latest edition of the League's Official Handbook, on file at the office of the school district or as appears on the League's website, as the minimum standards governing participation in said League-sponsored activities, and that the administration and responsibility for determining student eligibility and for the supervision of such activities are assigned to the official representatives identified by this Governing Board.

Signing the Resolution for Membership affirms that this Governing Board has reviewed the WHY WE PLAY training video which defines the purpose of education-based athletic and activity programs and will assist school communities in communicating a shared common language as it relates to the value of these said programs.

Member schools must develop and publicize administrative procedures to address eligibility suspensions related to Code of Student Conduct violations for students participating in activity programs by member schools.

The above Resolution was adopted by the Governing Board of this school district and is recorded in the official minutes of said Board and hereby is certified to the State Commissioner of Education as provided for by law.

Signed: _______________________________ Signed: _______________________________
Clerk/Secretary - Local Governing Board   Superintendent or Head of School

Date: ____________________________ Date: ____________________________

District Office Address, City, Zip: ____________________________________________

School Superintendent's Phone: _______________ School Superintendent's Email: _______________

RETURN ONE COPY TO THE MSHSL NOT LATER THAN AUGUST 31, 2018
Retain one copy for the school files.
June 12, 2018

Stillwater Area Public Schools
Superintendent Denise Pontrelli
1875 Greeley Street S.
Stillwater, MN  55082

Dear Superintendent Pontrelli:

I am enclosing a copy of your AMSD dues statement for the 2018-19 school year. The original statement was mailed to your business office. Also enclosed is a copy of my annual report to the AMSD Board of Directors which summarizes many of the initiatives and activities we engaged in over the past year.

The budget approved by the AMSD Board of Directors once again prioritized keeping membership dues increases as low as possible. As a reminder, the AMSD dues structure has two components, a fixed fee that is the same for all members, and a variable fee that is based on the resident student count from the previous year.

AMSD continues to be the leading voice for metropolitan school districts. We maintain strong working relationships with state policymakers, legislative staff, state agency officials and our sister education organizations. Our members consistently cite the benefit of networking with colleagues and sharing best practices at AMSD board meetings and events as highlights of AMSD membership. An added benefit is that AMSD Board of Directors meetings have been approved for 1.5 CEU hours by the Board of School Administrators.

I look forward to continuing our partnership in the coming year. We have already begun to prepare for the 2019 legislative session and we will be seeking input and guidance from AMSD board members regarding legislative priorities in the coming weeks. Our annual organizational board of directors meeting is scheduled for Friday, August 10 from 7 – 9 AM in the TIES Conference Center.

Please feel free to contact me if you have any questions or if you would like additional information.

Sincerely,

Scott Croonquist
Executive Director

Enclosure
Stillwater Area Schools  
Kristin Hoheisel, Business Services  
1875 South Greeley Street  
Stillwater, MN  55082

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**Total**  
$11,045.00
May 29, 2018

To: AMSD Board of Directors

From: Scott Croonquist

RE: Annual Report

In what has become an all too common experience, the closing days of the 2018 legislative session were fiercely partisan and rancorous. As has become the norm, serious negotiations between the Governor and legislative leaders did not begin until the final days of the session. With the clock winding down toward the mandated date of adjournment and no agreement in hand, legislative leaders moved forward with an omnibus supplemental budget bill and tax bill despite the Governor’s vow to veto them. The Governor carried out his threat to veto the bills. Consequently, most of the issues the Governor and legislative leaders had identified as priorities for the session – school safety, tax conformity, opioid abuse and elder care – were left unaddressed. The omnibus pension bill and the bonding bill also passed in the final minutes of the legislative session. The Governor has indicated that he will sign the pension bill but has not yet announced his intent on the bonding bill.

When the November budget forecast was released projecting a $188 million deficit for the 2018-19 biennium, passage of the pension bill and no new mandates would have sounded like a decent outcome for the 2018 session. However, the Stoneman Douglas High School shooting tragedy on February 14 and a February budget forecast projecting a $329 million surplus, raised expectations that the Governor and Legislature would pass a comprehensive school safety package and perhaps begin to address the growing special education cross-subsidy.

However, there were several major complicating factors that proved, in the end, to be insurmountable. Number one was tax conformity. Following the passage of the Federal Tax Cuts and Jobs Act, conforming state tax law to the federal changes was a top priority for all parties. However, there were major differences between the Governor and legislative leaders about how to accomplish that. In addition, the Governor wanted to revisit some of the tax breaks that were included in last year’s tax bill but legislative leaders were adamantly opposed.

A second complicating factor was the debate over the Governor’s proposal to provide $138 million in emergency school funding. The Governor had responded to AMSD’s annual budget survey which had garnered considerable media attention. The AMSD budget survey showed that 26 AMSD member districts faced a combined budget gap of more than $108 million for
the 2018-19 school year. Dozens of rural school districts also reported projected shortfalls. The Governor tied action on the tax bill to emergency funding for schools and insisted he would not sign a tax bill without emergency school aid.

Another challenge was the slim, 34-33, divide between the majority Republicans and minority Democrats in the Senate. Whether or not the majority would hold through the session was also in question following the appointment of former Lieutenant Governor Tina Smith to the U.S. Senate following the resignation of former Senator Al Franken. As prescribed in the State Constitution, Senate President Michelle Fischbach ascended to lieutenant governor. Senate Democrats contended that the State Constitution did not allow Fischbach to serve as both state senator and lieutenant governor while Fischbach and Senate Republicans argued that she could serve in both rolls. A pending lawsuit was recently withdrawn when Sen. Fischbach resigned her senate seat and took the oath of office to become lieutenant governor.

A final complicating factor was what has become the Legislature’s practice in even numbered years to develop a single omnibus supplemental finance bill that includes, education, higher education, health and human services, agriculture, environment, public safety, jobs, state government, etc. This year’s bill was 989 pages long and contained numerous policy proposals in addition to finance issues.

From the start, it was clear that the Governor and the House and Senate majorities had significant differences about how to best address tax conformity as well as some of the other priority issues such opioid abuse and reforming elder care. There was less disagreement about addressing school safety. There was a general agreement that expanding safe schools revenue should be the centerpiece of a school safety package but the Senate proposal was largely one-time resources while the Governor and House proposed more robust permanent funding increases. The Governor proposed to double the safe schools levy from $36 per pupil to $72 per pupil while the House proposed adding $18 per pupil of aid to the existing $36 per pupil safe schools levy. All sides agreed on expanding the allowable uses of safe schools revenue to include debt redemption and they also agreed to increased funding for school-linked mental health grants. The House also proposed allowing revenue from the Long-Term Facilities Maintenance Revenue Program (LTFMR) to be used on safety and security enhancement – something AMSD strongly supported.

As is the case almost every legislative session, a significant amount of time and effort was spent opposing harmful legislation. That was certainly the case this year as AMSD actively opposed the proposed constitutional amendment to dedicate existing general fund resources to roads and bridges. If approved, the amendment would have eventually reduced available general fund resources by more than $650 million in the 2026-27 biennium. The bill was approved by the House but did not advance in the Senate so it will not be on the ballot this fall.

We also successfully opposed legislation that would have required very onerous ballot language for referendum elections and restrictions on the dates school bond elections could be held. We testified in opposition to a proposed 5 star rating system which would have required the commissioner of education to rate every school and school district based largely on MCA test results and graduation rates. The proposal was amended as it moved through the committee process but still would have required a summative school rating of between 0 – 100 for every school and district. This was included in the omnibus supplemental budget bill that was vetoed. In addition, numerous new mandates related to curriculum, school board policies and reporting requirements were included in the initial House and Senate bills. While
some were dropped as the bills moved through the committee process, several remained in the bill that was ultimately vetoed.

What happens next? While a special session is always possible, the Governor and legislative leaders have expressed doubts about the prospects for reaching an agreement that could lead to a special session. In addition, the recent resignation from the Senate by Lieutenant Governor Michelle Fischbach, makes a special session even less likely.

Below is a recap of activities and events from the past year.

**Legislative Session Preview**

We again had a packed House for AMSD’s Annual Legislative Session Preview. The Preview provides a great opportunity to share AMSD’s Legislative Platform with legislators as well as highlight some of the needs and challenges facing AMSD member school districts. Osseo Superintendent Kate Maguire, Mounds View Superintendent Chris Lennox, Robbinsdale Superintendent Carlton Jenkins, North St. Paul-Maplewood-Oakdale Superintendent Christine Osorio and Edina Superintendent John Schultz shared presentations that highlighted some of the key provisions in AMSD’s Legislative Platform and shared an overview of Reimagine Minnesota.

**Special Education Cross-Subsidy**

Osseo Superintendent Kate Maguire kicked off the program by discussing the AMSD platform position to increase special education funding to reduce the state share of the special education cross-subsidy by 10 percent and create a working group charged with developing a plan to eventually eliminate the cross-subsidy. Superintendent Maguire noted that reducing the special education cross-subsidy could free up resources to implement initiatives such as lower class sizes, an increase in the number of counselors and social workers or an increase in course offerings and activities. Special education costs exceeded state and federal special education aid by almost $425 million for AMSD member districts fiscal year 2016.

**School Board Renewal of an Existing Referendum**

Mounds View Superintendent Chris Lennox discussed the AMSD platform position to allow locally-elected school boards to renew an existing operating referendum. Superintendent Lennox noted that other locally elected governing bodies such as city councils, county boards and town boards have levy authority that does not require voter approval. School districts, on the other hand, must conduct a referendum election even when seeking to renew a previously approved levy that would not result in a tax increase. Superintendent Lennox shared an excellent advocacy video that was produced by Mounds View Communications Director Colin Sokolowski.

**Reimagine Minnesota**

Edina Superintendent John Schultz provided legislators an overview of the history of the Reimagine Minnesota initiative and shared the Reimagine Minnesota video with the audience.
North St. Paul-Maplewood-Oakdale Superintendent Christine Osorio outlined the nine strategies that are included in the Roadmap for Action plan that was released in December at AMSD’s annual conference.

Robbinsdale Superintendent Carlton Jenkins talked about the next steps for the Reimagine Minnesota initiative and shared that the group plans to re-engage stakeholders, share best practices and plans for implementing the strategies and creating a subcommittee to develop policy and funding recommendations for state and local policymakers.

The Legislative Preview agenda also included an update from Minnesota Department of Education Commissioner Brenda Cassellius and a legislative panel consisting of Representative Sondra Erickson, Representative Carlos Mariani, Senator Eric Pratt and Senator Susan Kent. The Commissioner and Legislators shared an overview of their goals and expectations for the 2018 legislative session and answered questions from AMSD members.

**Annual Conference**

Over 200 education leaders, advocates, students and community members gathered on December 8, 2017 for the Association of Metropolitan School District’s (AMSD) annual conference. The theme of the 2017 conference was Reimagine Minnesota.

**Why Reimagine Minnesota?**

Edina Superintendent John Schultz and Robbinsdale Area Schools Superintendent Carlton Jenkins kicked off the conference by providing background on the Reimagine Minnesota initiative. They noted that the effort began in March of 2016, when a group of AMSD superintendents gathered together to discuss the future of education in the State of Minnesota. Specifically, the superintendents were determined to create a plan that would ensure equity and excellence for all students.

In October 2016, 17 superintendents and educational leaders asked AMSD to support their goal of developing a collective education action plan. The AMSD Board of Directors approved the creation of an Ad Hoc Committee on Equity and Integration to support the work of the superintendents.

The superintendents worked together to collect community voice that would inform the work of the committee as it created a plan and recommendations for new local and statewide policies and practices in the hope of creating a model of education designed for the success of all students. The committee hired Paula Forbes and her team at Forbes Solutions as consultants to help organize community meetings and identify the issues most important to students and families in creating an equitable and excellent education for all.

**Community Conversations and Listening to Students**

Paula Forbes and St. Paul Superintendent Joe Gothard provided an overview of the community conversations that were conducted throughout the metropolitan area from January through May of 2017. They shared that students, parents, community members, cultural leaders and business leaders were invited to reimagine the way schools deliver education and share their vision for achieving these goals. Community participants were asked to identify the various challenges that need to be overcome as well as the most urgent changes that need to be made to give all students the best chance of being successful. Over
2,000 stakeholders of all ages and backgrounds attended one of the 12 world café style community gatherings to share their thoughts, hopes and dreams for improving learning outcomes for all Minnesota students.

Following the community gatherings, superintendents worked with teachers, curriculum specialists, administrators, equity directors and school board members to synthesize and analyze the input and data that had been collected. The result is the identification and prioritization of three overarching themes – SEE ALL, SERVE ALL and SUPPORT ALL – that serves as the foundation of a collective education action plan.

Conference attendees also heard about the student conference and the value of student voice in this process. Four students from Saint Paul Public Schools, South St. Paul Public Schools, Roseville Area Schools, and Hopkins Schools, wowed conference attendees with their insights and vision for reimagining the way we deliver education to meet the needs of all students.

**Collective Education Plan**

In response to the input received from students, parents and other school community stakeholders, superintendents and their teams joined together to develop a plan for achieving the goals of SEE, SERVE and SUPPORT ALL students. Nine AMSD superintendents presented the following strategies outlined in the draft plan:

- **Strategy A:** Develop, sustain and evaluate cultural competence for teachers  
  Superintendent Chace Anderson, Wayzata Public Schools
- **Strategy B:** Prioritize and ensure personalized education with emphasis on acceleration vs. intervention  
  Superintendent Christine Osorio, North St. Paul-Maplewood-Oakdale School District
- **Strategy C:** Develop and implement culturally inclusive standards, curriculum and comprehensive system of assessment  
  Superintendent Teri Staloch, Prior Lake-Savage Area Schools
- **Strategy D:** Develop teacher preparation, recruitment and retention for staff of color  
  Superintendent Mark Bonine, Brooklyn Center Community Schools
- **Strategy E:** Elevate student voice and leadership and improve/ensure inclusiveness in the school culture and environment  
  Superintendent Astein Osei, St. Louis Park Public Schools
- **Strategy F:** Eliminate adult behaviors and policies that lead to disproportionately; provide growth-oriented student, staff and family support  
  Superintendent Aldo Sicoli, Roseville Area Schools
- **Strategy G:** Build bridges between school and community  
  Superintendent Ed Graff, Minneapolis Public Schools
- **Strategy H:** Create and sustain continuous/consistent shared understanding of equity and high level of skill application for leaders at all levels  
  Superintendent Dennis Peterson, Minnetonka Public Schools
- **Strategy I:** Statewide funding that ensures equity, access, and opportunity for all students  
  Superintendent Dave Webb, South St. Paul Public Schools

Conference attendees also heard from Executive Director Jean Lubke, Equity Alliance MN and Executive Director Kimberly Matier, West Metro Education Program, on building equity-centered capacity and measuring results.
The conference concluded with an engaging panel discussion centered on the theme, Building Momentum for Educational Excellence for All. The panel was moderated by Dr. Ric Dressen and panelists included Rep. Carlos Mariani, executive director, MN Education Equity Partnership, James Burroughs II, Chief Inclusion Officer, Office of Governor Mark Dayton and Lt. Governor Tina Smith, Dr. Muhammad Khalifa, Department of Organizational Leadership, Policy and Development, University of Minnesota, and Superintendent David Law, Anoka-Hennepin Schools.

**Board of Directors Meetings**

We again had a wide variety of guest speakers at AMSD Board of Directors meetings during the past year:

- Last August, we heard an overview of the Cruz-Guzman vs. State of Minnesota lawsuit from attorneys Paula Forbes and Nell Matthews. We also heard from Jody Hauer from the Office of the Legislative Auditor who shared an overview of an evaluation she would be leading on Minnesota’s early childhood programs.

- In September, we welcomed Bill Morris for his always entertaining and informative presentation of his recent polling data. In addition, Rod Zivkovich, director of finance from Bloomington Public Schools, and Lisa Wheeler, vice president of finance and operations for Normandale Community College, shared a presentation on PSEO by contract.


- During the November meeting, Dan Solomon from U.S. Senator Al Franken’s office provided an overview of federal education issues and Commissioner Brenda Casselius accepted AMSD’s Friend of Education Award on behalf of Governor Mark Dayton.

- In December, we heard from Rep. Erin Koegel and Rep. Randy Jessup, two first-term legislators, who shared their experiences and offered a preview of the 2018 legislative session.

- In January we heard from Erich Martens, the new executive director of the MN State High School League and from Amy Walstien from the MN Precision Manufacturing Association and Rich Wessels from the MN Department of Labor & Industry, who shared an overview of the Youth Skills Training Program.

- Our guest speakers in March were Senators Paul Anderson and Karla Bigham who shared an update on the legislative session.

- The guest speaker in April was Rick Kaufman, executive director of community relations and emergency management for Bloomington Public Schools. Rick, a nationally renowned expert on school safety issues, shared an informative presentation on school safety issues.

- Jody Hauer, from the Office of the Legislative Auditor, was the guest speaker at the May 4 board meeting. Jody shared a presentation of the evaluation report of Minnesota’s Early Childhood programs.

- Finally, Dr. Tom Melcher and Adosh Unni from the MDE reviewed the E-12 Education related legislation from the 2018 session and TRA Executive Director Jay Stoffel shared an overview of the omnibus pension bill at the May 25 board meeting.
Member Services

AMSD members benefit from a great team at AMSD. Senior Policy Advocate Alice Seuffert and Office Manager Sara O'Rourke provide a wide array of valuable services to AMSD board members and school district staff. After 7 1/2 years with AMSD, Alice recently accepted a position with Mahtomedi Public Schools. I want to thank Alice for her many contributions to AMSD and wish her the very best in her new role. We are also fortunate to have excellent legislative consultants in Kris Amundson and Lori Grivna. Kris and Lori are highly respected at the Capitol and provide valuable assistance covering committee hearings, meeting with legislators, developing strategy and assisting with the drafting of advocacy materials.

Below is a list of some of the services the AMSD team provides to our members:

- The AMSD website continues to provide a wealth of information for our member school districts and is frequently updated to stay current. This year, Alice and Sara worked with a consultant to redesign the AMSD website. The updated website has met with very favorable reviews. One significant change to the website was converting our pdfs into a document library. This change has improved the user experience and organization of the web page. The website continues to include updated summaries of major legislation, spreadsheets and district runs as well as a bill tracker. The bill tracker overviews relevant education bills and includes basic information and current bill action that is often unavailable on the legislative pages.

- I send regular email updates to AMSD members throughout the year and especially during the legislative session to help them stay up to date on legislative activity and to assist members in engaging in the legislative process. The updates included links to bills, summaries, press conferences and legislative hearings.

- Side-by-side documents summarizing education policy and finance proposals from the Governor, House and Senate. This year, a separate summary of the school safety proposals was developed to easily compare the proposals from the Governor, House and Senate.

- The website also includes a list of the legislative districts and legislators for each AMSD member school district. We also made available a contact list of the members of the pertinent conference committees as well as legislative leadership to assist the advocacy efforts of our members.

- We supported the activities of local legislative action coalitions from AMSD member school districts. This year the Hopkins, Robbinsdale, Wayzata, and Orono LACs held a joint day at the Capitol and Alice Seuffert provided significant assistance in scheduling legislative appointments, room reservations, and speakers.

- Alice continued to increase our social media presence. She created and maintained social media lists of legislators and member districts. She also created a social media instructional/how-to document that is used at our annual conference and Legislative Session Preview. We also encouraged social media interaction at our conference by randomly rewarding people engaged with social media with coffee gift cards.

- This year we ventured into video advocacy and it was a resounding success. We hired a consultant to develop a video explaining the special education cross-subsidy and urging state policymakers to take action. The video was shared with our members and on social media and received great interaction. The video was even shared by the Commissioner of Education.

- The Connections Newsletter continues to be a great resource and vehicle to share best practices in our member school districts, new research and highlight AMSD's legislative priorities throughout the legislative session.
Voice For Metro Schools

AMSD continues to be the voice for metropolitan school districts. We enjoy excellent working relationships with our sister education organizations and we worked collaboratively on many initiatives this past year including the omnibus pension bill, the proposed constitutional amendment and opposing efforts to subsidize non-public education. Yet, there are times in the legislative process that AMSD needs to advocate for and protect the interests of our member districts. One such example was covering the increased employer cost in the pension bill. AMSD initiated, advanced and advocated for using the pension adjustment mechanism in the funding formula to make sure AMSD members had their cost increase covered. It took great effort, but we were ultimately able to convince the other education organizations and legislators that this was the fairest method to treat all school districts equitably.

It continues to be an honor to work with AMSD board members and your outstanding school district staff. Thank you for your assistance, support and partnership!
Brad Lundell
Executive Director
1884 Como Avenue
St. Paul, MN 55108

June 5, 2018

Superintendent Denise Pontrelli
Stillwater Area Public Schools
1875 Greeley Street S.
Stillwater, MN 55082

Denise,

I want to start by thanking you for your support of SEE’s mission during the past year. It has certainly been a challenging year and the state government’s inability to provide meaningful funding for school safety, special education, and tax fairness for low property wealth school districts is truly a disappointment. SEE was in the mix fighting for your interests until the bitter end, but given the political tension, all the work went for naught.

The years ahead will be at least as challenging as the year we have just left behind. There seems to be rising skepticism about the effectiveness and efficiency of many school districts, which causes policymakers to all too often lump all public schools together in their assessment of Minnesota’s public education system. Further, there will be turnover in state government, with a new governor in place come 2019 and perhaps a change in the House majority.

It is in times of challenge and uncertainty that belonging to the SEE organization brings great value to member districts. SEE provides on-going analysis of what is happening at the Legislature and works to connect member districts with their local legislators to build a strong coalition working toward adequate and equitable education funding. Further, SEE does its best to provide members with valuable information on education trends and insight on political developments at its slate of general membership and regional meetings held throughout the program year.

Together, we can face the challenge ahead and create an education funding system that is truly adequate and equitable and treats taxpayers in low property wealth districts fairly as they consider referenda for operations or building issues.

Thank you. I look forward to working with you again in the coming year.

Sincerely,

Brad
May 25, 2018

Stillwater Area School District
Superintendent Denise Pontrelli
1875 Greeley Street S.
Stillwater, MN 55082

Invoice
Membership Fee for 2018-19
Schools for Equity in Education

Following is the membership fee for the Stillwater Area School District commencing July 1, 2018 through June 30, 2019.

<table>
<thead>
<tr>
<th>Fall 2017 Enrollment</th>
<th>Base Fee</th>
<th>Per Pupil Fee</th>
<th>Total Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,250</td>
<td>$2,432.12</td>
<td>$6,269.43</td>
<td>$8,701.55</td>
</tr>
</tbody>
</table>

Please make check payable to *Schools for Equity in Education* and mail to:

Schools for Equity in Education
Attn: Membership
1884 Como Avenue
St. Paul, MN 55108

If you have any questions, please contact Brad Lundell at 612/220-7459 or Deb Griffiths at 612/309-0089.

Thank you for your interest and support. We look forward to serving you and your district during the coming year.

www.schoolsforequity.org
Schools for Equity in Education (SEE) is a vibrant organization with a mission that all public school children must have equal access to a high quality education regardless of where they live in Minnesota. The success of this mission does not depend on geography, but relies on school districts with similar characteristics coming together to form a political mass that can and will impact Minnesota education finance and policy.

Working together, we have and can continue to make a difference!

About SEE Districts

- SEE is a coalition 58 Minnesota school districts. SEE districts serve approximately 237,000 children, one-third of Minnesota's K-12 students.
- SEE districts range in size from less than 1,000 pupils to over 37,000. SEE districts span across the state, including many suburban and outstate districts.
- Two common characteristics bring SEE districts together.

Advantages of SEE Membership

A constant presence at the State Capitol lobbying on issues that impact your districts.

- Speaking with one voice on shared issues enhances the ability to influence state funding and policy.
- SEE districts retain high-caliber, experienced lobbyists by leveraging their buying power with other districts.
- SEE lobbyists have a deep understanding of the legislative process and expertise in education funding and policy.

Understandable data and resources to support communication on the issues that impact SEE districts.

- SEE’s staff has the ability of making complex issues understandable. For example, SEE’s Capitol Pizza video simplified the issue of equity without having to understand the complexities of school finance.
- Excellent website with information specific to individual SEE districts to assist communications with your community and legislators. MinnPost declared the SEE website was the go-to place for education funding information that, “... is home to an impressive collection of documents that might well be titled, “School Finance for Dummies.”
- Timely and accurate information through weekly newsletters, daily blogs and action alerts during the legislative session and continued research throughout the year.
More Advantages of SEE Membership

Professional development and networking at SEE meetings and events

- Excellent programming at SEE general membership meetings connects administrators and board members with educational experts and political insiders to discuss timely and relevant issues. CEUs are available. Previous program speakers included:
  - Key legislators including House and Senate leadership and E-12 chairs.
  - A panel discussion on pre-K and all-day kindergarten programs that have proven success in increasing student achievement.
  - Dr. Bill Morris, one of Minnesota’s leading analysts of public opinion and political trends.
  - Dr. Clayton Cook, an expert on social-emotional learning from the University of Minnesota.

- Members from the Career Pathways and Technical Education Task Force outlining their recommendations.
- With SEE regional meetings, SEE staff meets directly with members in small group settings around the state to provide current information in a format that promotes questions and a free exchange of ideas.
- Seventy to ninety members attend each of our six SEE general membership meetings providing excellent networking opportunities with colleagues that share similar interests and challenges.
- Members become better informed and prepared to address funding and equity issues with their communities and legislators.

A community outreach liaison who educates and engages a growing network of education advocates including parents, community members, and business leaders within SEE districts and stands ready to support community engagement in your district.

- The liaison organizes and hosts highly-effective “SEE Days at the Capitol”, bringing community members and their legislators together with direct liaison support to discuss K-12 issues specific to their districts.

- The liaison is ready to travel to SEE districts to share a powerful, yet easy to understand, presentation for community members, school boards or staff that explains how schools are funded, why they continue to struggle financially and what can be done to help.

Schools for Equity in Education

Brad Lundell, Executive Director
Phone: 651-647-6251
Cell: 612-220-7459
E-mail: brad.lundell@schoolsforequity.org
1884 Como Avenue
St. Paul, MN 55108

All public school children must have equal access to a high quality education regardless of where they live in Minnesota.

Visit SEE’s website! www.schoolsforequity.org
Report for Action: Resolution Relating to the Election of School Board Members
Meeting Date: August 9, 2018
Contact Person: Paula O'Loughlin, School Board Clerk

Report Purpose:
The school board has four board member seats expiring on the first Monday, of January 2019.

This resolution is necessary to begin the election process.

Recommendation:
A motion and a second to approve the Resolution Relating to the Election of School Board Members will be requested.

Motion by: ___________________ Seconded by: ___________________ Vote: ___________________
RESOLUTION RELATING TO THE ELECTION OF SCHOOL BOARD MEMBERS 
AND CALLING THE SCHOOL DISTRICT GENERAL ELECTION

BE IT RESOLVED by the School Board of Independent School District No. 834, State of Minnesota as follows:

(a) 1. It is necessary for the school district to hold its general election for the purpose of electing four (4) school board members for terms of four (4) years each.

(b) The clerk shall include on the ballot the names of the individuals who file or have filed affidavits of candidacy during the period established for filing such affidavits, as though they had been included by name in this resolution. The clerk shall not include on the ballot the names of individuals who file timely affidavits of withdrawal in the manner specified by law.

2. The general election is hereby called and elected to be held in conjunction with the state general election on Tuesday, the 6th day of November, 2018

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

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

The clerk is hereby authorized and directed to cause notice of said general election to be posted at the administrative offices of the school district at least ten (10) days before the date of said general election.

The clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the school district at least four (4) days before the date of said general election and to cause two sample ballots to be posted in each polling place on Election Day. The sample ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling place must reflect the offices, candidates and rotation sequence on the ballots used in that polling place.

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

The clerk is authorized and directed to cause the rules and instructions for use of the optical scan voting system to be posted in each polling place on Election Day.

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

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

General Election Ballot

Independent School District No. 834
STILLWATER AREA PUBLIC SCHOOLS

November 6, 2018

Instructions to Voters:

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

School Board Member Vote for Up to four

- Candidate U
- Candidate V
- Candidate W
- Candidate X
  write-in, if any
  write-in, if any
  write-in, if any
  write-in if any

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

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

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

9. The individuals designated as judges for the state general election shall act as election judges for this election at the various polling places and shall conduct said election in the manner described by law. The election judges shall act as clerks of election, count the ballots cast and submit them to the school board for canvass in the manner provided for other school district elections. The general election must be canvassed between the third and the tenth day following the general election.

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

Date: August 9, 2018

_____________________________________________________
Jennifer Pelletier, School Board Chair

_____________________________________________________
Paula O’Loughlin, School Board Clerk
Report for Action: Appoint District Legal Counsel for 2018  
Meeting Date: August 9, 2018  
Contact Person: Superintendent Pontrelli  

**Report Purpose:**  
Each year the district utilizes the professional services of legal counsel for a variety of legal needs. The district recognizes that it is good practice to compare the pricing of the professional services. We have requested proposal from five legal firms. The proposal information is attached.

The district has a long-standing professional relationships with Kennedy & Graven, Chartered and Booth Law Group for their legal needs and is recommending them for 2018.

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Managing Attorney</th>
<th>Senior Attorney</th>
<th>Senior Shareholder</th>
<th>Senior Associate</th>
<th>Associates</th>
<th>Paralegals</th>
<th>Law Clerks</th>
<th>Assistants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Booth Law Group</td>
<td>$230.00</td>
<td>$220.00</td>
<td>$205.00</td>
<td>$205.00</td>
<td>$205.00</td>
<td>$140.00 - $165.00</td>
<td>$140.00 - $165.00</td>
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<td>Kennedy &amp; Graven, Chartered</td>
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<td>Knutson, Flynn &amp; Deans, P.A.</td>
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<td>Rupp, Anderson, Squires &amp; Waldspurger, P.A.</td>
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<td>$200.00</td>
<td>$185.00</td>
<td>$95.00</td>
<td>$95.00</td>
<td>$95.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Recommendation:**  
A motion and a second to approve Kennedy & Graven, Chartered and Booth Law Group for 2018 will be requested.

Motion by: ____________________________  Seconded by: ____________________________  Vote: ____________________________
June 22, 2018

Denise Pontrelli
Superintendent
Stillwater Area Public Schools
1875 Greeley Street South
Stillwater, MN 55082

Via U.S. Mail

Re: Annual Renewal - Agreement for the Provision of Legal Services

Dear Superintendent Pontrelli,

We have appreciated the opportunity to provide legal services to the Board in the past school year. Annually we send our clients an agreement for the provision of legal services. We have attached that agreement for your review. There has been a slight increase in our hourly rates. These new rates will be effective starting on July 1, 2018.

As you know, our firm focuses on the representation of public schools. The Board may choose to retain our firm as general counsel to provide advice on all school matters or the Board may choose to retain us for a specific project or for all issues regarding a specific topic such as employment or governance or special education. In addition, the Board may select us to serve in a neutral capacity such as conducting an investigation of a student or employment matter or serving as a hearing officer in a student expulsion hearing. We are happy to serve in whatever capacity works best for the Board and the school.

Please call us if you have any questions or if you would like to discuss the terms of the agreement. We would be happy to discuss customized terms as well. That might include a flat fee work on training or a monthly retainer amount for certain agreed upon services. Please return the agreement to us if the school wishes to continue receiving legal services from Booth Law Group. Thank you.

Very truly yours,

Laura Tubbs Booth
Booth Law Group LLC
(763) 253-4155

Enclosure
AGREEMENT FOR THE PROVISION OF LEGAL SERVICES TO
STILLWATER AREA PUBLIC SCHOOLS BY BOOTH LAW GROUP LLC

THIS AGREEMENT is made and entered into by and between Stillwater Area Public Schools
and Booth Law Group LLC.

ARTICLE I: SERVICES TO BE PROVIDED

Section 1. Scope of Services. Stillwater Area Public Schools hereby retains Booth Law Group
LLC to represent the Board in its legal matters or in select legal matters as they arise. Stillwater
Area Public Schools has delegated ____________________, its ____________________, the
power to engage the services of counsel.

ARTICLE II: COMPENSATION

Section 1. Rate of Compensation. The parties agree that the billing rate for Booth Law Group
LLC’s managing attorney is $230.00 per hour and the billing rate for senior attorneys is $220.00
per hour. All associate attorneys will be billed at the rate of $205.00 per hour. The law clerk and
senior paralegal with the firm will be billed at the rate of $140.00-$165.00 per hour. Legal
assistants with the firm will be billed at the rate of $125.00 per hour.

Section 2. Billing. Booth Law Group LLC will keep an accounting of hours billed in increments
of 1/10th of an hour. An invoice detailing the work done and the time spent will be sent to
Stillwater Area Public Schools or its business office at the end of each month.

ARTICLE III: TERMS OF THE AGREEMENT

Section 1. Term. The contract will be valid for one year from the date this agreement is
executed by both parties.

Section 2. Termination of Agreement. The contract may be terminated by either party 30 days
from the date the other party receives notice of termination.

ARTICLE IV: GENERAL RESPONSIBILITIES OF THE PARTIES

Section 1. General Provisions Related to Legal Services. Booth Law Group LLC agrees:

a. To decline any subsequent employment if the exercise of independent professional
judgment on behalf of Stillwater Area Public Schools is likely to be adversely affected by
the acceptance of the offered employment;

b. To keep confidential information obtained in the professional relationship that would
likely be detrimental to Stillwater Area Public Schools;
c. To faithfully represent the interests of Stillwater Area Public Schools and to not bring any legal action, conduct a defense or assert a position in litigation merely for the purpose of harassing or maliciously injuring any person;

d. To seek the objectives of Stillwater Area Public Schools through reasonably available means permitted by law. Booth Law Group LLC may agree to the reasonable requests of opposing counsel which do not prejudice the rights of Stillwater Area Public Schools.

e. To continue and not to withdraw from employment until they have taken reasonable steps to avoid foreseeable prejudice to the rights of Stillwater Area Public Schools, including giving due notice to Stillwater Area Public Schools, allowing time for the employment of other attorneys and delivering to Stillwater Area Public Schools all papers and property to which it is entitled.

f. Upon withdrawal from employment, Booth Law Group LLC shall promptly refund any part of the fee paid in advance that has not been actually earned and Stillwater Area Public Schools shall pay promptly for any legal services which have been actually rendered.

g. Adjustment of fees. Booth Law Group LLC annually adjusts the hourly fees for attorneys. We will provide notice to you if the hourly fees change.

Section 2. General Provisions Related to Duties of Stillwater Area Public Schools.

a. Stillwater Area Public Schools understands that Booth Law Group LLC’s compensation in this matter does not include expenses and costs such as filing fees, deposition or transcript costs, mileage costs, document reproduction costs, witness fees, service fees, medical examinations, records or reports, expert witness fees, photographs, police records, private investigator fees, etc. Stillwater Area Public Schools understands that it will be billed monthly for expenses and costs as set forth in this agreement and further agrees to submit payment within 30 days of the date of that billing.

b. Stillwater Area Public Schools understands that Booth Law Group LLC need not continue further with legal work until satisfactory fee and expense arrangements have been made in writing and that Booth Law Group LLC may discontinue representation and has the right to withdraw based on the nonpayment of legal fees or other charges.

c. Stillwater Area Public Schools agrees to submit payment for invoices from Booth Law Group LLC within 30 days of receipt of the date of billing.

d. Insurance. If Stillwater Area Public Schools has insurance that applies to attorneys’ fees and costs, Stillwater Area Public Schools will notify Booth Law Group LLC. If the insurer does not cover any part of the billed fees or costs, Stillwater Area Public Schools agrees to pay the remainder when notified by Booth Law Group LLC.

e. Records. Booth Law Group LLC maintains the pleadings and any settlement documents from any case handled by Booth Law Group LLC on behalf of Stillwater Area Public
Schools for three years. All other records will be returned to Stillwater Area Public Schools upon completion of the matter.

WHEREFORE this Agreement was entered into on the date set forth below and the undersigned, by execution hereof, represent that they are authorized to enter into this Agreement on behalf of the respective parties and state that this Agreement has been read by them and that the undersigned understand and fully agree to each, all and every provision hereof, and hereby acknowledge receipt of a copy hereof.

DATED: ____________________________

By: ________________________________

Title: ______________________________

Stillwater Area Public Schools

DATED: 6/30/18

By: ________________________________

Laura Tubbs Booth
Title: Attorney

Booth Law Group LLC
July 6, 2018

Denise Pontrelli, Superintendent
and School Board Members
Stillwater School District
1875 Greeley Street S.
Stillwater, MN 55082-6094

Re: Legal Services

Dear Superintendent Pontrelli and School Board Members:

This letter outlines the legal services that Kennedy & Graven provides to Independent School District No. 834, Stillwater, Minnesota. Our Firm has extensive experience and success in meeting the complex and varied legal needs of public school districts. We welcome the opportunity to provide you with information about Kennedy & Graven and the attorneys who concentrate their practices in education law and in related areas of the law in which school districts may have a need for legal services.

1. Information about the Firm:

   a. Name of Firm

      Kennedy & Graven, Chartered

   b. Mailing Address

      470 U.S. Bank Plaza
      200 South Sixth Street
      Minneapolis, MN 55402

   c. Telephone Numbers

      (800) 788-8201
      (612) 337-9300
d. Fax Number

(612) 337-9310

e. Website/Email Contact

www.kennedy-graven.com

f. Name and Title of Contact Person

Maggie R. Wallner, Shareholder
mwallner@kennedy-graven.com
(612) 337-9301 (direct)

g. Overview of Firm

Kennedy & Graven is a full service law firm of 31 attorneys providing representation to school districts, cities, municipalities and townships throughout the State of Minnesota. Since 1958, our Firm has focused its practice on representing public sector clients effectively and efficiently. We have offices in Minneapolis, St. Cloud and St. Paul. Our attorneys have extensive experience and knowledge in all areas of law that affect school districts, and four of our attorneys devote their practices almost exclusively to serving school district clients.

2. Areas of Practice

Our strength lies in the depth of our knowledge and experience in representing school districts and the breadth of the services we offer. Two of our four education law attorneys have been working with Minnesota schools for more than 25 years. Through the use of a team approach, we take maximum advantage of this experience. In many instances, a short interoffice conference with a colleague may avoid what would otherwise take other attorneys hours of research. In a similar manner, our representation of school districts throughout Minnesota often means that one of us has previously reviewed a school law issue for a different matter. As a result, we are able to address our clients’ needs more efficiently and effectively.

In addition to the attorneys who practice primarily in the school law area, several Kennedy & Graven lawyers specialize in services to school districts, such as bond and school finance, real estate, construction law, and election law. This enables Kennedy & Graven to be a true “one stop shop” for meeting all the needs of its school district clients.

a. Special Education – We have extensive experience in the area of special education. Our attorneys provide counsel and advice to school districts with regard to compliance with complex federal and state special education laws and regulations and help school districts deal with difficult situations that arise in educating disabled students. We emphasize reasonable problem solving using creative solutions to preserve resources and maintain relationships with families. We have defended school districts in numerous
due process hearings, and when matters result in litigation, we have successfully defended school districts in state and federal court proceedings.

b. **Human Resources Matters** – Our Education Law Group has decades of experience advising school districts on a variety of labor and employment matters including: labor negotiations, unit determinations, and administration and interpretation of collective bargaining agreements; development and review of personnel policies and employee handbooks; employee discipline and discharge; teacher tenure and contract issues; employee benefits; and, accommodation/leave issues under the Americans with Disabilities Act and Family Medical Leave Act. We have conducted hundreds of employee investigations at the request of our clients and have devised methods for providing such services in a cost-effective and expeditious manner. Our attorneys have successful records of representing school districts in employee discipline/discharge proceedings, including grievance arbitration and veterans’ preference hearings. We also have a proven track record of successfully defending school districts against state and federal claims of race and national origin discrimination, sexual harassment, gender discrimination, age discrimination and disability discrimination brought before administrative agencies such as the Minnesota Department of Human Rights and the Equal Employment Opportunity Commission, as well as claims pursued by employees in state and federal court.

c. **Business Services (contracts, real estate, school finance, bonds)** – Our Firm has the knowledge and experience to provide school districts with advice and representation regarding business issues encountered by school districts, including contract drafting and review, bidding process, real estate matters and construction law. Our bond attorneys are among the most active and highly-regarded bond counsel in the state. They are informed on the full range of bond and other financing tools available to school districts.

d. **Teaching and Learning** – Our attorneys regularly provide counsel and advice to school districts regarding student-related issues, including discipline, expulsion, open enrollment, data privacy issues, extra-curricular and co-curricular activities, athletic eligibility, constitutional claims, and policies and procedures.

e. **Administration (school policies, elections)** – Our attorneys are experienced in areas of law unique to school districts, such as election law, referendum and ballot issues, the Minnesota Government Data Practices Act and the Minnesota Open Meeting Law. Our knowledge base in these areas allows us to assist our clients and provide legal advice in a timely and efficient manner. We also regularly develop and review school board policies and procedures and assist with implementation issues.

3. **Attorney List** (*Attorney resumes are attached by practice areas*)

**Education Law**

Greg Madsen, Shareholder, gmadsen@kennedy-graven.com
Maggie Wallner, Shareholder, mwallner@kennedy-graven.com
Alex Ivan, Associate, aivan@kennedy-graven.com
Adam Wattenbarger, Associate, awattenbarger@kennedy-graven.com

**Real Estate & Business**
Sarah Sonsalla, Shareholder, ssonsalla@kennedy-graven.com
Doug Shaftel, Shareholder, dshaftel@kennedy-graven.com
Brian Lehinger, Associate, blehinger@kennedy-graven.com

**Construction Law**
Peter Mikhail, Shareholder, pmikhail@kennedy-graven.com
Jim Strommen, Shareholder, jstrommen@kennedy-graven.com

**Finance & Bonds**
Jenny Boulton, Shareholder, jboulton@kennedy-graven.com
Martha Ingram, Shareholder, mingram@kennedy-graven.com
Sofia Lykke, Shareholder, slykke@kennedy-graven.com

In addition to our knowledge of legal issues impacting public schools, our attorneys are particularly attuned to the practical needs of the school districts that we serve. While we vigorously represent our school clients, we believe the best, most lasting results often come by anticipating and addressing legal problems before they escalate into lawsuits. We are also well aware of the financial and political concerns that our clients face. Consequently, we always take into consideration how our legal representation and advice will impact school resources and the school community.

At Kennedy & Graven, we know that school districts want to spend their resources where they are most needed—in the classroom, not the courtroom. To that end, we offer a variety of educational services aimed at preventing legal problems. Our attorneys provide in-service training for school districts tailored to the district’s needs. Every summer Kennedy & Graven hosts a “Back to School” legal seminar for school administrators, covering a wide range of topics.

4. **Fees Proposal**

Because we are experienced attorneys who have dedicated our careers to representing school districts, we are able to provide highly effective representation at a very reasonable cost. We provide an overall value to our clients that we believe is unmatched by any other law firm.

The chart below reflects the rates for attorney legal services:

<table>
<thead>
<tr>
<th>Role</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shareholders</td>
<td>$215.00</td>
</tr>
<tr>
<td>Associates</td>
<td>$190.00</td>
</tr>
<tr>
<td>Paralegals</td>
<td>$150.00</td>
</tr>
<tr>
<td>Law Clerks</td>
<td>$105.00</td>
</tr>
</tbody>
</table>
The rate plan applies to all services (including labor and employment matters, student discipline, real estate, construction, business matters, special education, etc.) except bond and levy referendum work. There is a special method for calculating the fees for those matters.

5. Terms of Relationship

We do not require our clients to sign a retainer. All bills are itemized with detailed descriptions of all legal services performed, the amount of time in 6-minute (.10 of an hour) intervals, and the name and hourly rate of the individual performing services. The monthly bills also include a description and amount of any reimbursable expenses. Mileage fees are charged at the current IRS rate. We do not charge our clients for photocopies of 50 pages or less, faxes, postage, or long distance charges. We charge $.10 per page for photocopies over 50 pages. Computer-assisted research using Westlaw or Lexis will be charged at the actual cost. Messengers and express mail will also be charged at the actual cost.

6. Client References

The following is a list of just some of the dozens of school district clients for which we provide legal services:

<table>
<thead>
<tr>
<th>School District</th>
<th>Contact Person</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aitkin</td>
<td>Brad Kelvington</td>
<td>(218) 927-2115</td>
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<td></td>
<td>Superintendent</td>
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<tr>
<td>Alexandria</td>
<td>Julie Critz</td>
<td>(320) 762-2141</td>
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<td></td>
<td>Superintendent</td>
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<tr>
<td>Bagley</td>
<td>Steve Cairns</td>
<td>(218) 694-6184</td>
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<td></td>
<td>Superintendent</td>
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<tr>
<td>Becker</td>
<td>Steve Malone</td>
<td>(763) 261-6316</td>
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<tr>
<td>Belle Plaine</td>
<td>Ryan Laager</td>
<td>(952) 873-2400</td>
</tr>
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<td></td>
<td>Superintendent</td>
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<tr>
<td>Bemidji Regional Interdistrict Council (BRIC)</td>
<td>Brenda Story</td>
<td>(218) 751-6622</td>
</tr>
<tr>
<td></td>
<td>Executive Director</td>
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<tr>
<td>Bertha-Hewitt</td>
<td>Eric Koep</td>
<td>(218) 924-3262</td>
</tr>
<tr>
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<tr>
<td>Burnsville-Eagan-Savage</td>
<td>Cindy Amoroso</td>
<td>(952) 707-2005</td>
</tr>
<tr>
<td></td>
<td>Superintendent</td>
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<tr>
<td>Caledonia</td>
<td>Ben Barton</td>
<td>(507) 725-3389</td>
</tr>
<tr>
<td></td>
<td>Superintendent</td>
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<tr>
<td>Cambridge-Isanti</td>
<td>Raymond Queener</td>
<td>(763) 689-6201</td>
</tr>
<tr>
<td></td>
<td>Superintendent</td>
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<tr>
<td>Crosby-Ironton</td>
<td>Jamie Skjeveland</td>
<td>(218) 545-8801</td>
</tr>
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<td></td>
<td>Superintendent</td>
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<tr>
<td>School District</td>
<td>Contact Person</td>
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<tr>
<td>Detroit Lakes</td>
<td>Doug Froke</td>
<td>(218) 847-9271</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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</tr>
<tr>
<td>Eastern Carver County</td>
<td>Clint Christopher</td>
<td>(952) 556-6110</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Eden Prairie</td>
<td>Josh Swanson</td>
<td>(952) 975-7115</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Forest Lake</td>
<td>Steve Massey</td>
<td>(651) 982-8103</td>
</tr>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Fridley</td>
<td>Peggy Flathmann</td>
<td>(763) 502-5002</td>
</tr>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Goodridge</td>
<td>Galen Clow</td>
<td>(218) 378-4133</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Grand Rapids</td>
<td>Joni Olson</td>
<td>(218) 327-5704</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Grygla</td>
<td>Galen Clow</td>
<td>(218) 378-4133</td>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Houston</td>
<td>Krin Abraham</td>
<td>(507) 896-5323</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
<td></td>
</tr>
<tr>
<td>Janesville-Waldorf-Pemberton</td>
<td>Bill Adams</td>
<td>(507) 234-5181</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
<td></td>
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<tr>
<td>Lewiston-Altura</td>
<td>Jeff Apse</td>
<td>(507) 522-3401</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Le Sueur-Henderson</td>
<td>Jerry Jensen</td>
<td>(507) 665-4601</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
<td></td>
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<tr>
<td>Mankato</td>
<td>Sheri Allen</td>
<td>(507) 387-1868</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Menahga</td>
<td>Kevin Wellen</td>
<td>(218) 564-4141</td>
</tr>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Milaca</td>
<td>Tim Truebenbach</td>
<td>(320) 982-7191</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Minnetonka</td>
<td>Dennis Peterson</td>
<td>(952) 401-5004</td>
</tr>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Montevideo</td>
<td>Luther Heller</td>
<td>(320) 269-8833</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Mountain Lake</td>
<td>Bill Strom</td>
<td>(507) 427-2325</td>
</tr>
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<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Moorhead</td>
<td>Brandon Lunak</td>
<td>(218) 284-3335</td>
</tr>
<tr>
<td></td>
<td><em>Interim Superintendent</em></td>
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<tr>
<td>New Ulm</td>
<td>Jeff Bertrang</td>
<td>(507) 359-8414</td>
</tr>
<tr>
<td></td>
<td><em>Superintendent</em></td>
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<tr>
<td>Northwest Regional Interdistrict Council (NRIC)</td>
<td>Kyle Erickson</td>
<td>(218) 874-8215</td>
</tr>
<tr>
<td></td>
<td><em>Director of Special Education</em></td>
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<tr>
<td>School District</td>
<td>Contact Person</td>
<td>Phone Number</td>
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<tr>
<td>Onamia</td>
<td>Jason Vold, Superintendent</td>
<td>(320) 532-6701</td>
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<tr>
<td>Pine River-Backus</td>
<td>Dave Endicott, Superintendent</td>
<td>(218) 587-4720</td>
</tr>
<tr>
<td>Proctor</td>
<td>John Engelking, Superintendent</td>
<td>(218) 628-4934</td>
</tr>
<tr>
<td>Red Lake</td>
<td>Melinda Crowley, Superintendent</td>
<td>(218) 679-3353</td>
</tr>
<tr>
<td>Red Wing</td>
<td>Karsten Anderson, Superintendent</td>
<td>(651) 385-4502</td>
</tr>
<tr>
<td>Roseville</td>
<td>Aldo Sicoli, Superintendent</td>
<td>(651) 628-6452</td>
</tr>
<tr>
<td>Runestone Area Education District</td>
<td>Carla Ptacek, Executive Director</td>
<td>(320) 762-0627</td>
</tr>
<tr>
<td>St. Anthony-New Brighton</td>
<td>Robert Laney, Superintendent</td>
<td>(612) 706-1000</td>
</tr>
<tr>
<td>St. Francis</td>
<td>Troy Ferguson, Superintendent</td>
<td>(763) 753-7040</td>
</tr>
<tr>
<td>St. Louis Park</td>
<td>Astein Oseiz, Superintendent</td>
<td>(952) 928-6003</td>
</tr>
<tr>
<td>St. Peter</td>
<td>Paul Peterson, Superintendent</td>
<td>(507) 934-5703</td>
</tr>
<tr>
<td>Sartell-St. Stephen</td>
<td>Jeff Schwiebert, Superintendent</td>
<td>(320) 656-3715</td>
</tr>
<tr>
<td>Spring Lake Park</td>
<td>Jeff Ronneberg, Superintendent</td>
<td>(763) 600-5020</td>
</tr>
<tr>
<td>Staples-Motley</td>
<td>Ron Bratlie, Superintendent</td>
<td>(218) 894-5400</td>
</tr>
<tr>
<td>Stillwater</td>
<td>Denise Pontrelli, Superintendent</td>
<td>(651) 351-8301</td>
</tr>
<tr>
<td>SouthWest Metro Intermediate District 288</td>
<td>Darren Kermes, Superintendent</td>
<td>(952) 567-8102</td>
</tr>
<tr>
<td>Walker-Hackensack-Akeley</td>
<td>Eric Pingrey, Superintendent</td>
<td>(218) 547-4201</td>
</tr>
<tr>
<td>Watertown-Mayer</td>
<td>Ron Wilke, Superintendent</td>
<td>(952) 955-0480</td>
</tr>
<tr>
<td>Wheaton</td>
<td>Daniel Posthumus, Superintendent</td>
<td>(320) 563-8282</td>
</tr>
<tr>
<td>Zumbro Education District</td>
<td>Patrick Gordon, Executive Director</td>
<td>(507) 775-2037</td>
</tr>
</tbody>
</table>
If you need additional information or have questions, please do not hesitate to contact me at (612) 337-9301.

Sincerely,

KENNEDY & GRAVEN, CHARTERED

By Maggie Wallner
Maggie R. Wallner

Enclosures
Maggie R. Wallner

EDUCATION LAW

J.D. William Mitchell College of Law, 1988

PRIMARY PRACTICE AREAS
Maggie R. Wallner has provided legal counsel to numerous Minnesota school districts for almost two decades. She concentrates her practice in the areas of employment and labor law, administrative hearings, the administration of collective bargaining agreements and grievance arbitration, discrimination and civil rights law, student discipline, education law and employee benefits. She has also represented school districts in litigation matters in state, federal and appellate courts.

BACKGROUND
Ms. Wallner is a frequent lecturer, most prominently in the areas of discrimination and civil rights laws, the Americans With Disabilities Act, the Minnesota Government Data Practices Act, public sector employment law, teacher tenure law and sexual harassment.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
A graduate from the University of Minnesota-Duluth, Ms. Wallner received her law degree from William Mitchell College of Law in 1988. She formerly worked as a county child protection social worker and in the labor relations department of Northwest Airlines, Inc.

PERSONAL
Ms. Wallner resides in Inver Grove Heights with her husband, son and Golden Retriever. She enjoys outdoor activities, including gardening, hiking and skiing. Ms. Wallner's volunteer activities include the Minnesota High School Mock Trial Program and Habitat for Humanity.

"My clients are dedicated administrators and school boards who face a myriad of challenges in providing education to our children. I consider it a privilege to work with clients as part of their "team" to prevent or, when necessary, solve legal problems that detract from their goals."
Gregory S. Madsen

EDUCATION LAW
LABOR AND EMPLOYMENT LAW
LABOR ARBITRATION AND NEGOTIATIONS
CIVIL LITIGATION AND APPEALS

J.D. University of Minnesota, 1981
B.A. (magna cum laude/Phi Beta Kappa) University of Minnesota, 1978

PRIMARY PRACTICE AREAS
For more than three decades, Greg Madsen has represented school districts and other employers in employment, discrimination, labor and commercial litigation and arbitration matters and has advised them on practices designed to prevent lawsuits. Greg is a Minnesota State Bar Association Board-Certified Specialist in Labor and Employment Law. Greg represents Minnesota school districts in virtually all phases of education law, including student disciplinary matters, employee discipline and discharge proceedings, discrimination and harassment claims, and data privacy, constitutional, and collective bargaining issues.

BACKGROUND
Greg has a special appreciation for the needs of employers seeking assistance in establishing preventive labor and employment practices. He served as Director of Employee Relations and Labor Relations Counsel at Republic Airlines, Inc. from 1983-1985. Greg is a frequent speaker at seminars and provides training on various labor, employment, and education law issues.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Greg served as a school board member of the Mounds View School District from 2008-2018. While attending the University of Minnesota, Greg covered the Minnesota State Legislature, the Minneapolis City Council and other governmental, legal, and political affairs as a reporter and editor for the Minnesota Daily. He received his undergraduate degree in Journalism, magna cum laude, from the University of Minnesota and was selected as a Phi Beta Kappa scholar. Greg also received his law degree from the University of Minnesota, where he taught legal research and writing.

PERSONAL
Greg lives in Arden Hills, Minnesota with his wife, Ellie. They have three sons, Andy, Quinn, and Ethan.

"I've been honored to have spent most of my professional life representing School Districts and other institutions that are dedicated to the needs of the people they serve. Kennedy & Graven strives to provide that same dedication to the clients it serves."
Alex D. Ivan

EDUCATION LAW

J.D., Sandra Day O'Connor College of Law, Arizona State University, 2015
M.Ed., Mary Lou Fulton Teachers College, Arizona State University, 2012
B.A. (Summa cum Laude/Phi Beta Kappa), Baylor University, 2009

PRIMARY PRACTICE AREAS
Alex D. Ivan is an associate attorney with Kennedy & Graven, Chartered. Prior to joining Kennedy & Graven, he practiced in Arizona with a firm representing over 40 public school districts throughout that State. Alex's practice is concentrated primarily in the areas of education law and civil litigation, with a particular emphasis on special education law.

BACKGROUND
A Colorado native, Alex earned his B.A. in economics and political science, summa cum laude, from Baylor University where he was selected as a Phi Beta Kappa scholar. Before entering law school, he taught high school English and obtained his M.Ed. in Secondary Education from Mary Lou Fulton Teachers College, Arizona State University. Alex received his J.D. from the Sandra Day O'Connor College of Law, Arizona State University. While a law student, he worked in the Arizona Department of Education's Special Education Dispute Resolution Unit. Alex is licensed to practice in Minnesota and Arizona, and is a member of the National School Boards Association Council of School Attorneys.

PERSONAL
In his spare time, Alex enjoys hiking, cooking, and traveling with his wife, Jill, and son, Peter.

"I am honored to be a part of Kennedy & Graven, and I consider it a privilege to provide legal counsel to Minnesota’s public school districts which dedicate themselves daily to the success of all students in their care."
Adam C. Wattenbarger

EDUCATION LAW, MUNICIPAL LAW
J.D. (magna cum laude), University of Minnesota Law School, 2014
B.S. (High Distinction), University of Nebraska-Lincoln, 2009

PRIMARY PRACTICE AREAS
Adam Wattenbarger is an associate at Kennedy & Graven, Chartered, and practices in the areas of education law and municipal law.

BACKGROUND
Adam is a recent graduate of the University of Minnesota Law School. Prior to joining Kennedy & Graven as an associate, Adam spent a year clerking for Chief Justice Lorie Gildea on the Minnesota Supreme Court. As a clerk he assisted the Chief Justice with research and writing on a variety of important cases and legal issues before the Court. During law school, Adam gained experience working as a law clerk for Kennedy & Graven. He was also an articles editor for the Minnesota Law Review and the assistant head writer for T.O.R.T., the law school musical. Prior to law school, Adam received his B.S. in secondary education from the University of Nebraska-Lincoln, and spent time in the classroom student teaching and substituting.

PERSONAL
Adam lives in Minneapolis with his wife Micaela. He enjoys watching TV, going to movies, and tries to stay active by running and occasionally playing tennis and racquetball.

"I greatly enjoy working with local governments and school districts to resolve the legal issues they face as they serve their students, citizens, and employees. I am honored and excited to be a part of the team at Kennedy & Graven and to have the opportunity to do this important and rewarding work."
Sarah J. Sonsalla

MUNICIPAL LAW, REAL ESTATE, LABOR AND EMPLOYMENT LAW

J.D. (Dean's List), University of Minnesota Law School, 2001
B.A. (Highest Honors), Philosophy and Political Science, University of Wisconsin-La Crosse, 1998

PRIMARY PRACTICE AREAS
Sarah Sonsalla is a Shareholder at Kennedy & Graven. Sarah has over 13 years' experience in representing cities and townships. Sarah is currently the city attorney for the cities of Lake City and Sandstone and general counsel for Local Government Information Systems (LOGIS), a joint powers entity. Sarah has significant experience in drafting and reviewing ordinances, resolutions, and contracts and attending all types of city council, town board, commission and staff meetings. Sarah also has significant real estate experience including drafting real estate documents such as purchase agreements, easements, and deeds and bringing quiet title actions, proceedings subsequent actions and Torrens registration actions.

BACKGROUND
Sarah received her B.A. in Philosophy and Political Science from the University of Wisconsin – La Crosse in 1998. She received General Honors along with Departmental Honors in Philosophy and Political Science. In 2001, Sarah received her J.D. from the University of Minnesota Law School. During law school, Sarah served as the Executive Editor of the Minnesota Intellectual Property Review. After law school, Sarah practiced for four years at a law firm in St. Paul as an associate attorney, practicing primarily in the areas of municipal law, labor and employment law, and real estate before joining Kennedy & Graven as an associate attorney in 2005.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Sarah is a member of the Minnesota State Bar Association, Ramsey County Bar Association, the International Municipal Lawyers Association (IMLA) and Minnesota Women Lawyers. Sarah served as a member of the Second Judicial District Ethics Committee from 2003-2007. Sarah presently serves on the Ramsey County Bar Association’s Youth & The Law Committee and mentors law students at the University of St. Thomas Law School.

PERSONAL
Sarah enjoys running, biking, and downhill skiing. She also enjoys playing the trumpet and has participated in many different bands. Sarah lives in Woodbury with her husband and two children.

"Working with local governments is very rewarding for me because the projects that I work on have the potential to benefit not only a select group of people, but the general public. In working with local governments, I have found that all of my colleagues at Kennedy & Graven are great resources due to their extensive knowledge of local government law. This allows me to serve our clients efficiently and effectively."
Douglas D. Shaftel

REAL ESTATE
EMINENT DOMAIN
ENVIRONMENTAL LAW

J.D. (Deans List), Northwestern University, 2002
B.A. (cum laude), History, University of Colorado, Boulder, 1997

PRIMARY PRACTICE AREAS
Doug Shaftel is a shareholder at Kennedy & Graven, Chartered, and practices in the areas of real estate, eminent domain, and environmental law.

BACKGROUND
Prior to joining Kennedy & Graven, Doug worked for over seven years as an Assistant Attorney General representing the Washington State Department of Transportation on eminent domain, environmental, land use and real estate matters. On behalf of public entities, he has litigated dozens of real property disputes in state and federal trial and appellate courts, including complex condemnation actions, challenges to land use decisions and construction claims. As a Deputy Prosecuting Attorney in Pierce County, the second-most populous county in Washington State, Doug acted as lead counsel to both the county sewer utility and road design divisions, which he advised on an array of real estate and public contracting issues. Doug’s environmental experience includes representing telecommunications, energy and public clients in disputes over costs of soil and groundwater remediation work. He has also overseen the performance of Phase I and II environmental assessments related to real property conveyance.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Doug is admitted to practice law in the states of Minnesota, Washington, in the U.S. District Court, Western District of Washington, and the U.S. Court of Appeals, Ninth Circuit. He is a member of the Minnesota State Bar Association and the Hennepin County Bar Association.

PERSONAL
Born and raised in Anchorage, Alaska, Doug enjoys a variety of winter activities, including cross-country and downhill skiing. In the summer, he keeps active by swimming, running and biking. Doug lives in Richfield with his wife, Mya, and daughter, Corahl.

"I take pride in providing public sector clients the quality representation necessary to achieve their important missions. At Kennedy & Graven, I am able to do so by collaborating with attorneys who have exceptional knowledge and experience in their respective areas of practice."
Brian D. Lehinger

MUNICIPAL LAW, REAL PROPERTY LAW

J.D. *cum laude*, University of Minnesota Law School, 2016
B.A., University of Chicago, 2009

PRIMARY PRACTICE AREAS

Brian Lehinger is an associate at Kennedy & Graven, Chartered, and practices in the areas of municipal and real property law.

BACKGROUND

Brian worked as a professional in real estate for over fifteen years before he became an attorney, mostly as a title examiner, and puts that experience to good use for his clients.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

Brian is a member of the Minnesota State Bar Association.

PERSONAL

Born and raised in Minnesota, Brian enjoys outdoor activities in all seasons, particularly playing hockey, which he does year-round. He lives in Roseville with his wife and two daughters.

"It is a tremendous privilege to work at Kennedy & Graven, where the cooperative ethos means I can provide my clients with the combined wisdom of the entire firm. It is deeply satisfying to help municipalities achieve their goals of improving their communities and the lives of their residents."
Peter G. Mikhail

EMINENT DOMAIN
CONSTRUCTION LITIGATION
REAL ESTATE/LAND-USE LITIGATION
MUNICIPAL LITIGATION
PUBLIC SCHOOL LITIGATION

J.D. cum laude, University of Minnesota, 1994
B.A. Washington University, St. Louis, 1991

PRIMARY PRACTICE AREAS

Peter Mikhail practices public sector litigation, including Eminent Domain, Construction Litigation, Real Estate/Land-Use Litigation, Municipal Litigation, and Public School Litigation.

BACKGROUND

Before joining Kennedy & Graven, Peter served as a Senior Attorney in the Civil Litigation Section of the Saint Paul City Attorney's Office, and spent several years in private practice representing clients in wide-ranging civil litigation matters. He represents public sector clients in cases involving condemnation, construction, real estate, employment, and civil rights. He has successfully tried cases and argued appeals in both state and federal courts and has been named a Super Lawyer by Minnesota Law & Politics Magazine.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

Peter is licensed to practice in Minnesota, Wisconsin, Pennsylvania, U.S. District Court (District of Minnesota), the U.S. Court of Appeals (8th Circuit), and the U.S. Supreme Court. He is a member of the American Bar Association, Minnesota State Bar Association, the State Bar of Wisconsin, and the Amdahl Inn of Court. He is a past chair of the MSBA Human Rights Committee, a past president and current member of the Hennepin County Bar Association Eminent Domain Section, and a founding board member of the Minnesota Eminent Domain Counsel's Association.
James M. Strommen

PUBLIC CONSTRUCTION
PUBLIC UTILITIES
JOINT POWERS
RIGHT-OF-WAY USE

J.D. (cum laude), University of Minnesota, 1983
B.A. (magna cum laude), Augsburg College, 1977

PRIMARY PRACTICE AREAS
Jim Strommen is well-regarded in the areas of construction and public utilities law. Since 1990, he has been general counsel to the Suburban Rate Authority, a joint powers organization of metropolitan area cities totaling over one million in population, which intervenes in electric, gas, and telecommunications matters before the Minnesota Public Utilities Commission. He also serves as general counsel to the Minnesota Valley Transit Authority. In his litigation practice, he represents cities and school districts in all phases of and delivery systems used in public construction projects. During his career, Mr. Strommen has prosecuted criminal cases, won large damage awards and established significant legal precedent in appellate courts for his clients.

BACKGROUND
Mr. Strommen was raised in Richfield, Minnesota and graduated from high school in 1971. He served in the U.S. Army after high school, studying German at the Defense Language Institute in Monterey, California (in 1972-73) and was attached to the Army Security Agency until 1977. He graduated from Augsburg College in 1977 and taught high school for three years before entering the University of Minnesota Law School in 1980.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Mr. Strommen is a past president of Kennedy & Graven. He is a member of the Minnesota State Bar Association, the Minnesota Defense Lawyers Association and the Public Utility Law Section of the MSBA. He has been admitted to state and federal courts, including the Eighth and Ninth Circuit Courts of Appeals. He has drafted or advised on legislation concerning utility franchises and municipal right-of-way authority. Mr. Strommen has been a frequent presenter in his specialty areas for Minnesota city attorneys and public works organizations and has assisted in trial practice classes at the William Mitchell College of Law.

PERSONAL
Mr. Strommen lives in Minnetonka with his wife. They have three adult children, one of whom has multiple special needs. He is active on behalf of special needs children and adults, having served on the Minneapolis and St. Paul Children's Health Care Hospitals Institutional Review Board and the Board of Directors of Mount Olivet Rolling Acres. He served as President of the Music Association of Minnetonka and as a member of the Board of Westwood Lutheran Church Foundation. In running six marathons, he has raised significant funds for charitable causes. Mr. Strommen also served as a volunteer arbitrator for the Minnesota Better Business Bureau for over 25 years.

"Public bodies face many challenges when carrying out public improvement projects. Addressing these challenges, which often interconnect with public utility use, introduces many issues unique to the cities and school districts we represent."
Jenny Boulton

PUBLIC FINANCE, ECONOMIC DEVELOPMENT AND REDEVELOPMENT, HOUSING, HEALTH CARE, EDUCATION

J.D., University of Michigan Law School, 1998
B.A., cum laude, Rice University, 1994

PRIMARY PRACTICE AREAS
Ms. Boulton is a member of the Public Finance Section practicing principally in the areas of 501(c)(3) bond financing, rental housing bonds, industrial development revenue bonds, general obligation bonds, revenue bonds, tax-exempt lease financing, tax increment financing, and economic development. Jenny serves as counsel to bond underwriters, as well as bond counsel and special development counsel to numerous cities, HRAs, EDAs, and other governmental entities. Jenny represents the cities of Blaine, Brooklyn Center, Rosemount, Mendota Heights, Victoria, Rochester, Lilydale, Elk River and Willmar, Town of White Bear, St. Paul Housing and Redevelopment Authority, Meeker County Economic Development Authority and Detroit Lakes Development Authority in finance and economic development matters.

BACKGROUND
Born in Port Huron, Michigan, Jenny received her undergraduate degree cum laude in mathematical economic analysis from Rice University. She received her law degree from the University of Michigan Law School. Prior to joining Kennedy & Graven, Jenny practiced public finance and economic development law at another Twin Cities law firm for 12 years.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Jenny is a former president of and served on the board of directors for the Minnesota Institute of Public Finance for over 10 years. Jenny is a member of the Ramsey County and Minnesota State Bar Associations. She is also a member of the National Association of Bond Lawyers, Minnesota Women Lawyers, and the Economic Redevelopment Association of Minnesota.

PERSONAL
Jenny and her family live in the Como Park neighborhood of Saint Paul. She enjoys the cultural opportunities of the Twin Cities, travel, gardening, and home improvement.
Martha N. Ingram
PUBLIC FINANCE, ECONOMIC DEVELOPMENT AND REDEVELOPMENT
J.D., University of Minnesota, 2004
M.A., University of Michigan, Ann Arbor, 1992
B.A., St. Olaf College, Northfield, 1988

PRIMARY PRACTICE AREAS
Martha Ingram's practice focuses on Public Finance and Economic Development and Redevelopment. Martha advises cities, school districts, towns, and development authorities on the issuance of bonds; development and redevelopment activities, including tax increment financing, tax abatement, tax-exempt lease financing, and business subsidy law; and referendum questions including authorization of building bonds, capital levies, and operating levies.

BACKGROUND
Martha joined Kennedy & Graven in 2005. Born and raised in Lincoln, Nebraska, Martha attended St. Olaf College in Northfield, Minnesota where she was elected to Phi Beta Kappa and graduated magna cum laude in 1988 with a double major in French Language and Literature and Religion. She went on to receive her M.A. in French from the University of Michigan-Ann Arbor, and worked as a translator of legal and medical documents until 2001, when she entered law school at the University of Minnesota. During law school, Martha worked as a law clerk at the Office of the General Counsel of the University of Minnesota and served as a Note and Comment Editor of the Minnesota Journal of Global Trade. She earned her law degree cum laude in 2004. Martha clerked for the Honorable Helen M. Meyer of the Minnesota Supreme Court before joining the public finance group at Kennedy & Graven.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Martha is a member of the Minnesota State and Hennepin County Bar Associations, Minnesota Women Lawyers, the National Association of Bond Lawyers, the Sensible Land Use Coalition, the Minnesota Institute of Public Finance, and the Economic Development Association of Minnesota.

"It is deeply satisfying to work with Minnesota municipalities and school districts toward accomplishing projects that will help their communities continue to grow and thrive. Kennedy & Graven is an exciting place to practice because there is such great depth of knowledge about public finance and commitment to meeting our clients' needs."
Sofia E. Lykke
PUBLIC FINANCE

J.D., William Mitchell College of Law, 2010
B.A. (magna cum laude), University of Minnesota, 2000

PRIMARY PRACTICE AREAS
Sofia Lykke is a shareholder at Kennedy & Graven, Chartered, practicing in the area of public finance, with particular focus on governmental bonds, conduit bonds, school district financing, and economic development.

BACKGROUND
Sofia emigrated from the Philippines as a preschooler to Saint Paul, Minnesota. During college, Sofia studied abroad for one year at the University of Amsterdam in the Netherlands. Sofia graduated magna cum laude from the University of Minnesota, with a B.A. in Cultural Studies and Comparative Literature. Sofia first joined Kennedy & Graven, Chartered in 2004 as a bond paralegal. In 2007, she left the firm to attend law school. Sofia received her law degree in 2010 from William Mitchell College of Law in Saint Paul, where she was a member and later an assistant editor for the William Mitchell Law Review, and served as a judicial extern for the Honorable Gordon W. Shumaker, Minnesota Court of Appeals. Sofia spent summers during law school clerking at Winthrop & Weinstine, P.A. and worked there as a litigation associate for nearly five years. Sofia rejoined the bond department at Kennedy & Graven in 2015.

Since returning to Kennedy & Graven, Sofia has acted as bond counsel to a variety of counties, cities, and townships in general obligation bond transactions and conduit revenue bond transactions, including those providing for the financing of senior housing facilities, affordable housing facilities, and charter schools and other educational facilities, as well as tax increment revenue bond transactions. Sofia has also acted as bond counsel to school districts in school building bond transactions and other forms of school financing including lease-purchase transactions, and has advised school districts regarding referendum questions. In addition, Sofia has acted as counsel to economic development authorities and housing and redevelopment authorities in connection with municipal economic development and redevelopment.

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Sofia was admitted to practice law in the state of Minnesota in 2010. She is a member of the Minnesota State Bar Association, the Hennepin County Bar Association, the National Association of Bond Lawyers, and the Minnesota Women's Lawyer's Association.

PERSONAL
Sofia lives in Saint Paul with her husband and two sons. Her interests include cooking, youth sports, including hockey, baseball, and soccer, and travel.
Proposal for Legal Services

Independent School District No. 834
Stillwater Area Public Schools

July 31, 2018
HISTORY AND BACKGROUND

Knutson, Flynn & Deans (KF&D) and its predecessor firms, have practiced law in
Minnesota since the founding of the firm in 1947, with an emphasis in representing school
districts and other public employers. The firm was founded by Fred N. Peterson, Jr.
deceased) and the Honorable Peter S. Popovich (deceased), former Chief Justice of the
Minnesota Supreme Court and first Chief Judge of the Minnesota Court of Appeals.

The firm has a broad-based background in public sector labor relations, employment,
finance, student and related matters, and our attorneys are experienced in all facets of
education law. Because we have dealt extensively with all aspects of education, labor and
employment law, our qualifications to assist school districts in these areas are the best
available.

In many instances we have represented school districts in cases that have formed the
basis of the law applicable to school districts up to the present day. We have addressed issues
such as harassment and civil rights, unfair labor practices, Veterans Preference, data privacy,
school construction, elections and competitive bidding. Our firm was instrumental in
establishing the procedures by which school district employees may challenge decisions
relating to their employment, issues which continue to be faced by public education
institutions. This history gives all the attorneys in our firm what we believe is a very distinct
advantage of collaboration with other attorneys who have a great depth of knowledge in
school/labor/employment issues. With this degree of specialized depth, a member of our firm
is always available to quickly respond to a client’s questions or concerns.

In addition to advising clients on these various legal issues, we also have served as
bond counsel for over 1,000 school district building bond and refunding bond issues since
1987, as well as levy referendums. We have worked extensively with all the major fiscal
consultants in the state. As a result, we are experienced with all pertinent issues relating to
school district election laws, school finance and all laws relative to the issuance of school
district obligations.

Our experience is further enhanced by the clients we have been honored to serve. Our
firm has been legal counsel for the Minnesota School Boards Association for more than
45 years. We prepared and updated research bulletins contained in the Service Manual of the
Minnesota School Boards Association as well as sample collective bargaining agreements
contained in the Service Manual. We assisted the Minnesota School Boards Association and
the Minnesota Association of School Administrators in developing and drafting all the model
policies in the MSBA/MAFA Policy Services Manual. We continue to assist MSBA annually
in reviewing and developing new policies, as well as updating and modifying existing
policies. As a result, we are aware of the issues faced by school districts throughout
Minnesota and regularly provide advice upon which many school districts base their policies
and practices.
Our attorneys have active affiliations in numerous associations and committees related to schools. We frequently give presentations regarding school/labor/employment law issues and recent developments to other attorneys and professionals through these groups, which include the following:

- Minnesota Council of School Attorneys
- Minnesota School Boards Association Management Services
- National Council of School Attorneys
- Minnesota Association of School Personnel Administrators
- Minnesota Association of School Business Officials
- Minnesota Association of Special Education Administrators
- Minnesota State Bar Association
- National Association of Bond Lawyers

Knutson, Flynn & Deans prides itself on its reputation of excellence. At all times, we represent our clients in a manner that exemplifies integrity, honesty, and firmness of purpose, coupled with sound, practical judgment in the process of achieving our clients’ goals. It is always our intent to be available to our clients. Any of our attorneys may be contacted at:

1155 Centre Pointe Drive, Suite 10
Mendota Heights, Minnesota 55120
Telephone: (651) 222-2811
Facsimile: (651) 225-0600
www.kfdmn.com
Knutson, Flynn & Deans is composed of highly qualified and experienced attorneys who concentrate in employment law, education law and insurance defense for public employers in Minnesota. Since our practice is focused primarily on the representation of school districts, all of our attorneys have a background in law as it applies to education, public employment, employee relations, collective bargaining, special education, finance issues, and other areas of the law applicable to school districts.

Our team brings together:

- Comprehensive knowledge in all areas of education law;
- Extensive experience in school district finance, including bonds, elections and bidding;
- Substantial experience as approved panel counsel for various insurance companies providing insurance defense on behalf of Minnesota school districts;
- Proven ability to proactively solve legal issues for school districts prior to reaching the litigation stage, and to communicate changes in the law effectively to school boards and administration; and
- Extensive experience in administrative proceedings, litigation and appellate advocacy in state and federal courts.

In providing legal services to our clients, the firm’s longstanding procedures involve selecting a responsible attorney, in consultation with the client, to coordinate all legal work for the client and handle questions or concerns. The responsible attorney, in consultation with the client, selects additional attorneys and legal assistants to work on legal matters as they arise. The responsible attorney regularly reviews each pending matter. This review includes verification that the matter is being handled in the most effective, efficient, and economical manner.

All of our attorneys have extensive experience in Minnesota school law and have represented numerous school districts throughout Minnesota for many years. The following attorneys, in consultation with the School District, are available to provide legal services to the School District:

ATTORNEY QUALIFICATIONS
THOMAS S. DEANS, PARTNER

Mr. Deans is general counsel to the Minnesota School Boards Association and served as part of the MSBA lobbying team from 1978 through 2011. He also represents the Minnesota School District Liquid Asset Fund Plus (MSDLAF) and the Minnesota Association of Governments Investing for Counties (MAGIC FUND). He is a nationally recognized bond counsel on hundreds of school district building bond and refunding bond issues and has worked extensively on bond and levy referendum elections, lease purchase financing, certificate of participation financing and tax and aid anticipation borrowing.

STEPHEN M. KNUTSON, PARTNER

Mr. Knutson serves as general legal counsel for many Minnesota school districts in all areas, including public sector employment, employee discipline and discharge, investigations, reductions in force, unfair labor practices, discrimination, student discipline and rights, data privacy, open meeting law, competitive bidding and public contracting, construction, and litigation.

MICHELLE D. KENNEY, PARTNER

Ms. Kenney represents school districts in the areas of labor and employment law, school district building bond and refunding issues, bond and levy referendum elections, election recounts and contests, school district reorganization, bidding and construction issues, employee discipline and discharge, discrimination and harassment, investigations, and student discipline and rights.

PETER A. MARTIN, PARTNER

Mr. Martin has provided advice and representation to school districts regarding special education matters, including mediation, due process hearings and appeals in state and federal courts. In addition he has represented school districts in complaints filed with the U.S. Office for Civil Rights, the Minnesota Department of Human Rights, and the U.S. Equal Opportunity Commission. He has extensive experience with personnel and student discipline matters, investigations, business contracts, collective bargaining, employment disputes, real estate transactions, and litigation.
In addition to the above attorneys, we have two Associate Attorneys to assist in all legal matters:

**KATHARINE M. SAPHNER, ASSOCIATE**

Ms. Saphner was a law clerk in the Minnesota Court of Appeals prior to joining Knutson, Flynn & Deans. She has a passion for representing government entities and experience with issues involving ethics, First Amendment protections, elections and employment.

**MINHQUANG N. TRANG, ASSOCIATE**

Mr. Trang has experience in employment and data security, due process, free speech, equal protection rights, and insurance coverage and litigation.
SCOPE OF LEGAL SERVICES

SPECIAL EDUCATION

Disabled Student Issues
Due Process Hearings
Extended School Year Issues
Individual Education Plans
Americans with Disabilities Act
Mediation and Conciliation
Litigation

HUMAN RESOURCES/EMPLOYMENT

Hiring
Discipline and Discharge
Harassment and Discrimination
Transfer and Assignment
Layoff and ULA
Labor Relations
First Amendment

BUSINESS SERVICES/

SCHOOL DISTRICT FINANCE

Construction
Contracts and Bidding
Elections
Real Estate
Bond Counsel Services
Taxation
Leasing

TEACHING AND LEARNING/

STUDENT ISSUES

Students’ Rights
Student Discipline
Expulsion/Suspension
Harassment/Discrimination
Search & Seizure
Student Disabilities/Accommodations
First Amendment
Religion in the Schools

ADMINISTRATION

Data Privacy
Civil Rights
Open Meeting Law
Policy Drafting
Reorganization of School Districts
Health and Safety Issues
Transportation Issues

OTHER AREAS

Litigation/Insurance Defense
Training and Education
Legal Research and Analysis
The following is a more detailed overview of the services we offer to our clients:

**SPECIAL EDUCATION**

1. **Special Education Compliance.** Our attorneys regularly advise school districts on a wide variety of special education issues arising under Minnesota law and the federal Individuals with Disabilities Education Act, including IEPs, related services, behavioral plans, and appropriate placements in the least restrictive environment. In addition, our attorneys have extensive experience in IEP meetings, resolution meetings, mediation, and due process hearings.

2. **Complaint Response.** Our attorneys are experienced in negotiating appropriate resolutions to compliance complaints filed with the Minnesota Department of Education as well as complaints of discrimination based on disability with the federal Office of Civil Rights (OCR).

3. **Appeals.** We are experienced in all aspects of due process appeals to federal and state courts, including the handling of actions for attorneys’ fees.

4. **Student Access to Services.** Our attorneys can provide guidance with issues arising under Section 504 of the Rehabilitation Act, assistance in determining necessary and appropriate accommodations and modifications to existing curriculum and facilities, and also guidance regarding the drafting of Section 504 plans for students with disabilities.

**HUMAN RESOURCES/EMPLOYMENT**

1. **Discipline and Discharge.** Our attorneys are skilled in conducting sensible and comprehensive investigations relating to alleged employee misconduct and performance issues. Commonly, we provide recommendations regarding appropriate responsive action, including disciplinary action if warranted. We also have been successful in representing employers in grievance and arbitration hearings involving an employee’s discipline, including discharge and proposed discharge.

2. **Harassment and Discrimination.** Our attorneys investigate complaints involving allegations of harassment in a discreet and thorough manner. Our normal practice is to follow up an investigation with a report containing interview summaries, analysis of the issues, findings of fact, factual conclusions, credibility assessment of witnesses, and recommendations, when requested. We also represent and assist school districts in responding to charges before the Minnesota Department of Human Rights and Equal Employment Opportunity Commission.
3. **Veterans Preference.** We frequently advise public entities with respect to the employment rights of veterans and have represented numerous public employers in Veterans Preference hearings, including appeals.

4. **Labor Relations.**

   a. **Contract Administration and Interpretation.** Our clients often seek advice on issues regarding contract language. We commonly provide legal opinions regarding the drafting, administration, and interpretation of contract language.

   b. **Grievance and Arbitration.** Our attorneys regularly represent employers in labor arbitrations pursuant to the grievance and arbitration provisions of collective bargaining agreements. After presenting viable options to our clients, we work with them to form a strategy to effectively respond, whether through settlement or arbitration. When arbitration has been determined to be the best resolution, we have achieved favorable results for employers in a wide variety of issues.

   c. **Unit Determinations and Clarifications.** We represent employers in matters of unit determination, unit clarification, and employer petitions. In this regard, we have represented clients before the Bureau of Mediation Services and the Court of Appeals.

   d. ** Strikes.** We provide advice on contingency plans, employee resignation rights, employer communications systems, employer polling, and other active strategies related to strike planning.

   e. **Collective Bargaining.** Members of our firm have acted in the roles of chief negotiator as well as consultant to entities which prefer to conduct their own collective bargaining. In either role, the firm can provide preparation assistance and consultation during negotiations to strategize, draft language, and achieve client goals.

   f. **Mediation.** We represent clients in mediation with the Bureau of Mediation Services and other agencies when negotiations between the parties break down.

   g. **Unfair Labor Practices.** Our firm represents employers in unfair labor practice charges brought by an employee or a labor union, before the Bureau of Mediation Services and the Court of Appeals.
1. **Bonds.** We represent school districts and municipalities with respect to bonds, leases, tax and anticipation borrowing, and other numerous matters of public finance.

2. **Elections.** We prepare the Minnesota Public School District Election Manual for the Minnesota School Boards Association and have prepared election documents for hundreds of school district elections. We also have acted as legal counsel to the recount official and provided representation in election contests.

3. **Competitive Bidding.** As representatives of numerous public entities, our attorneys are familiar with state laws which apply to public entities in the purchase of goods and services. We frequently advise and represent clients with respect to the competitive bidding laws, including assisting in the preparation of bidding documents and advising and representing clients with respect to the competitive bidding process.

4. **Lease/Purchase of Equipment.** Our attorneys are experienced with state laws relating to lease/purchase agreements and regularly review lease/purchase agreements for school districts to ensure they not only comply with state laws, but also contain language beneficial to the school district.

5. **Construction Arbitration.** We have significant experience in advising and representing clients with respect to issues related to school construction projects, including claims for additional costs and performance and payment bond actions.

6. **Real Estate Transactions.** Our attorneys are experienced in the area of real property and real estate transactions and have represented both public and private entities in matters pertaining to leases, purchase agreements, use permits, variances, and other real estate matters.

7. **Condemnation.** We often represent public school districts in the acquisition of land for public purposes. We are familiar with the laws and procedures of eminent domain and frequently advise and represent clients in the acquisition of land by condemnation.
TEACHING AND LEARNING/STUDENT ISSUES

1. **Data Privacy/FERPA.** We commonly assist clients with questions related to the release of private educational data upon their receipt of a request, subpoena, or court order.

2. **First Amendment.** Our attorneys have provided advice to school districts with regard to issues involving religion and free speech, including the Equal Access Act. We assist in matters from policy-making decisions to defending school districts in legal challenges.

3. **Minnesota State High School League.** Attorneys at KF&D have guided school districts through the Fair Hearing Procedure and represented them in appeals to the Minnesota State High School League.

4. **Discipline.** In addition to advising school districts as to appropriate student discipline policies and procedures, we represent school districts in expulsion/exclusion proceedings and appeals to the Department of Education.

ADMINISTRATION

1. **Policy Drafting.** We frequently draft and review employee and supervisor handbooks, student handbooks, policy forms, and personnel procedures to ensure compliance with federal and state law. In doing so, we seek to provide policies and procedures that are functional, effective, sensible, and applicable. Our firm represents the Minnesota School Boards Association and authored the extensive set of Model Policies for school districts. We also regularly review and update those policies.

2. **Data Privacy.** We often assist public employers in complying with data practices laws and responding to data requests. We assist in the formulation of effective policies and procedures that comply with the data practices laws applicable to public entities and to private entities receiving federal funding. In addition, we prepared and continue to update the MSBA Law Bulletin and MSBA policies related to data privacy. We represent clients before state and federal courts as well as administrative law judges and state and federal agencies in issues involving the release or nondisclosure of data and the correction of data. In addition, on behalf of our clients, our attorneys have requested opinions from the Minnesota Department of Administration, the United States Department of Education and the Minnesota Attorney General’s Office regarding data practices issues.
3. **Open Meeting.** We frequently advise and represent public employers regarding their obligations and rights under the Open Meeting Law. We prepared, and continue to update, the MSBA Law Bulletin and MSBA policies related to the Open Meeting Law.

**OTHER AREAS**

1. **Litigation**
   a. **Discrimination.** We have represented employers in numerous claims of discrimination before the Minnesota Department of Human Rights, Equal Employment Opportunity Commission, Department of Labor, state and federal courts, and in administrative proceedings. We have successfully defended claims of discrimination, including gender, sex, sexual orientation, sexual harassment, age, disability, race, religion, national origin, and retaliation.

   b. **Defamation/Libel/Slander.** We have represented employers in claims of defamation, libel, and slander before the Minnesota courts. As our clients are primarily public entities, our attorneys are familiar with and experienced in presenting the particular defenses in such actions which relate to public employers.

   c. **Unemployment Benefits.** Our attorneys have assisted employers in preparing responses to the Minnesota Department of Economic Security in favor of disqualification. We have represented employers in hearings before unemployment benefit judges and successfully defended writs of certiorari to the Minnesota Court of Appeals.

   d. **Constitutional Claims.** As a representative of public agencies for over 65 years, our firm has represented public entities regarding claims brought by employees and other individuals with respect to various state and federal constitutional matters. Members of our firm are licensed to practice, and have represented clients in, all Minnesota and federal courts, including the United States Supreme Court.
2. **Training and Education**

   a. **Staff Training.** Our firm frequently provides on-site training to the employees of our clients to ensure that they have an understanding of their obligations to the employer with respect to workplace harassment, data privacy, and other employment-related topics.

   b. **Administrative Training.** In addition to providing on-site training to staff, we also provide training directed toward the needs of supervisors in responding to numerous employment issues, such as discrimination and harassment, employee discipline and discharge, employee evaluations, collective bargaining, and data privacy.

3. **Legal Research and Analysis.** We often provide answers and opinions to legal questions raised by clients, in either verbal or written form, depending upon the needs of the clients given the issue involved. We have a full legal library and numerous legal resources, including electronic research, available to our attorneys and staff members on site. We also have lengthy and vast experience in the areas of public employment and education law, which provides a unique and valuable resource to our clients.
FEES

Knutson, Flynn & Deans strongly believes in maintaining a partnership with its clients. We understand the financial constraints and pressures that school districts face and, with this in mind, we give full consideration to the needs of a school district while affording comprehensive and efficient service. Experience tells us that it is difficult for either the client or the law firm to anticipate the volume of legal services required because of the many variables that come into play. There may be times when there is a great deal of legal activity and other times where there is little legal activity. Therefore, we believe that an hourly billing rate is most fair to all parties, and we do not recommend or require a retainer for legal services.

Our fee structure is competitive with other law firms throughout Minnesota. This determination was made in recognition of the limited and restricted funding available to public school districts. At the same time, we assure our clients continuous quality legal service. Our hourly rates for legal services vary depending upon the background and experience of the attorney. Our legal fees for calendar year 2018 are as follows:

<table>
<thead>
<tr>
<th>Hourly Rate for Partners</th>
<th>$220</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hourly Rate for Associates</td>
<td>$195</td>
</tr>
</tbody>
</table>

One of our objectives in representing our clients is to minimize costs consistent with the services the client desires. Because of our extensive background and the volume of legal services provided, almost exclusively in representing school districts, we can provide effective and efficient legal services.

BILLING

KF&D bills time for legal services to the nearest quarter hour. Telephone calls and email communications are billed based on time, the same as any other communications. We can submit our invoices in any format desired. For example, due to the sensitive and confidential nature of legal services provided to school districts, many clients prefer to have a summary format for billings. However, billings can be itemized in any fashion as requested by the school district. In general, we bill our clients on a monthly basis.
EXPENSES AND COSTS

It may be necessary to incur costs on the School District’s behalf for items such as court filing or transcript fees, arbitration expenses, mileage, messengers, and other expenses. These items are billed at our actual cost and separately itemized on our statements. Expenses normally billed to the client include the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outside Consulting /Expert Witnesses</td>
<td>Actual Cost</td>
</tr>
<tr>
<td>Court Costs; Filing Fees</td>
<td>Actual Cost</td>
</tr>
<tr>
<td>Photocopies</td>
<td>$.10 per page</td>
</tr>
<tr>
<td>Mileage</td>
<td>$.545 per mile</td>
</tr>
<tr>
<td></td>
<td><em>(2018 IRS Allowable Rate)</em></td>
</tr>
<tr>
<td>Delivery/Messenger Service</td>
<td>Actual Cost</td>
</tr>
</tbody>
</table>

Please note that we do not bill for legal research through Westlaw. In addition, in order to make sure that our clients are informed of recent developments in education law as well as current issues, we provide periodic “Newsflash” updates by email at no cost to the client.

Knutson, Flynn & Deans is a full-service law firm focusing on the school district client. We are experienced and prepared to handle any of a school district’s legal needs. Our commitment is to provide the highest quality legal representation, at competitive rates, to the Stillwater School District’s complete satisfaction.

Please do not hesitate to contact us if you require additional information or if you have any questions regarding our firm.

KNUTSON, FLYNN & DEANS, P.A.

Michelle D. Kenney
651.225.0619
mkenney@kfdmn.com
INDEPENDENT SCHOOL DISTRICT NO. 834, STILLWATER

SUBMITTED BY:
RUPP, ANDERSON, SQUIRES & WALDSPURGER, P.A.
333 South Seventh Street, Suite 2800
Minneapolis, MN 55402

T: (612) 436-4300
F: (612) 436-4340
kevin.rupp@raswlaw.com

July 27, 2018
Rupp, Anderson, Squires & Waldspurger, P.A. (“RASW”) is the premier school law firm representing Minnesota and Wisconsin schools. Shareholders Kevin J. Rupp, Scott T. Anderson, Jay T. Squires, Michael (Mick) J. Waldspurger, Amy E. Mace, Trevor S. Helmers, and John P. Edison have dedicated their careers to working exclusively with school districts and other local units of government. The firm’s founding shareholders have more than 110 years of combined experience and have served more than 150 school districts and other public entities in Minnesota and Wisconsin. In addition to the shareholders, the firm employs eight associate attorneys with extensive experience in school law. The firm’s offices are centrally located in downtown Minneapolis.

RASW was founded with a common vision and a common commitment. Specifically, the firm is committed to:

Creative problem solving;
Tenacious representation of clients;
Goal-oriented advice;
Cost-effective service; and
Timely work product.

The attorneys at RASW have experience in virtually all areas of school law. By way of example, but without limitation, the firm’s attorneys have experience advising and representing schools in the following areas:

**General School Law**

- Board governance and training
- Charter school laws
- Open Meeting Law
- Data request responses
- Policy review
- Contracts and leases
- Joint powers agreements
- Election laws
- School closings
- Constitutional law (such as freedom of speech, due process, freedom of religion, search and seizure, and equal protection)
- Board member conflicts of interest
- In-services/presentations to school groups
- Investigations
- Litigation
Labor and Employment Law

- Drafting and reviewing employment agreements
- Drafting and reviewing personnel policies and employee handbooks
- Wage and overtime issues (Fair Labor Standards Act)
- Leave issues (ADA and Family Medical Leave Act)
- Reasonable accommodations
- Employee dress and hygiene
- Drug and alcohol testing
- Veterans’ preference in hiring and firing
- Negotiating collective bargaining agreements
- Interpreting collective bargaining agreements
- Unit clarification hearings
- Grievance arbitration hearings
- Interest arbitration hearings
- Teacher Tenure Act
- Employee discipline
- Responding to charges of discrimination
- Layoffs and restructuring

Student Rights/Discipline/Special Education

- Student discipline proceedings
- Access to school facilities (Equal Access Act)
- Athletic eligibility
- Responding to requests for educational data
- Student dress
- Pupil Fee Laws
- Open enrollment
- Transportation laws
- Section 504 of the Rehabilitation Act of 1973
- Rights and obligations under the Individuals with Disabilities in Education Act
- Responding to OCR complaints
- Due process hearings and appeals
- Litigation

Business Office

- Contract review, including AIA documents and energy efficiency contracts
- Bid law
- Best value purchasing
- Land purchase and sale
- Eminent domain
- Leases and lease purchase agreements
- Environmental issues
• Recreational use agreements

**Teaching and Learning**

• Teacher evaluations
• Staff development and in-services
• Data retention requirements
• Teacher licensing issues
• Student rights and student support services

### ATTORNEYS/QUALIFICATIONS

The firm’s fifteen attorneys and their areas of concentration include:

- **Kevin J. Rupp** is a shareholder. Before founding Rupp, Anderson, Squires & Waldspurger, P.A. (“RASW”), Kevin was an associate attorney and shareholder for 25 years at another law firm representing municipal clients. Kevin has extensive experience in labor and employment law. He has represented numerous employers as lead negotiator and consultant on collective bargaining matters, employee discipline, innumerable grievances and arbitrations, teacher tenure, layoffs, employment investigations, harassment and discrimination, constitutional rights, FMLA, veterans' preference, and unemployment compensation issues. He has represented dozens upon dozens of school districts as general counsel in all legal areas encountered by school districts, including issues involving school board powers and authority, open meeting law, school consolidations, elections, student rights and discipline, and other related matters. Kevin received his B.A. degree, *magna cum laude*, from St. Cloud State University and his J.D. degree, *cum laude*, from the University of Minnesota Law School.

- **Scott T. Anderson** is a shareholder. Before founding RASW, Scott was a shareholder and one of the managing attorneys at another law firm representing municipal clients, where he worked for 21 years. Scott’s primary client base consists of counties. Scott practices in the areas of municipal powers and duties, data privacy and open meeting law, labor and employment law, and general civil litigation in state and federal court with an emphasis on land use, employment, discrimination and police misconduct litigation. He is known throughout the State for his extensive experience in land use litigation, including zoning and environmental issues. He received his B.A. degree from the University of Minnesota and his J.D. degree, *cum laude*, from Hamline University School of Law.
• **Jay T. Squires** is a shareholder. Jay received his B.A. degree from the University of Minnesota, Duluth and his J.D. degree from William Mitchell College of Law in 1989. Prior to founding RASW, Jay was an associate and shareholder at another law firm representing municipal clients. Jay represents school districts, counties and cities throughout Minnesota and Wisconsin. His primary areas of practice and experience include general municipal and school law, real estate, land use and zoning, condemnation, construction disputes, and municipal litigation, including appellate work. He has argued over 50 cases to Minnesota's Appellate Courts. Jay has been a frequent presenter to professional groups and organizations in the areas of his practice. He is a Real Property Specialist certified by the Minnesota State Bar Association and is licensed to practice in both federal and state courts in Minnesota and Wisconsin.

• **Michael (Mick) J. Waldspurger** is a shareholder. Mick is dedicated to providing practical, proactive, and effective legal advice to his clients. He represents Minnesota and Wisconsin school districts in all areas of school law, including labor and employment law, special education, student discipline, data practices, board governance, and civil litigation. Mick also represents cities in labor and employment law matters and in civil litigation. Mick's successful litigation experience includes lawsuits, arbitration proceedings, due process hearings, and countless other administrative actions. Sharing the experience he has gained in the field, Mick frequently presents at school workshops, training sessions, and state-wide conferences. Mick has also been a keynote speaker at the national level on labor negotiations. Mick is a member of the Wisconsin School Attorneys Association and the Minnesota Council of School Attorneys. After graduating from law school, Mick had the honor of serving as a law clerk to the Honorable Justice Donald Steinmetz of the Wisconsin Supreme Court. Mick received his B.A., *cum laude*, from Knox College and his J.D., *cum laude*, from Marquette University Law School, where he was an Executive Editor of the Marquette Law Review.

• **Amy E. Mace** is a shareholder. She received her B.A. degree, *magna cum laude*, from the University of Minnesota and her J.D. degree, *magna cum laude*, from the University of Minnesota. Amy was an associate and shareholder at another law firm representing municipal clients. Amy represents cities, school districts, charter schools, and counties in Minnesota. Her areas of practice include general municipal law, labor and employment law, data practices and open meeting law, school law and municipal litigation. Amy frequently presents in-services to clients and speaks to professional groups in the areas of her practice.
• **Trevor S. Helmers** is a shareholder. He joined RASW with the founding shareholders after having worked with them as an associate attorney. Trevor practices in all areas of school law, municipal law, labor and employment law, and civil litigation, and also routinely conducts employment investigations. Trevor’s litigation experience includes lawsuits, arbitration proceedings, and other administrative actions. Trevor regularly presents training sessions and advises clients on all areas of his practice, and seeks to connect with clients and build relationships to creatively solve problems and avoid litigation. He is a member of the Minnesota Council of School Attorneys, the Minnesota Defense Lawyers Association, the Minnesota State Bar Association, and the Hennepin County Bar Association. He earned his B.A. degree with honors and distinction from Iowa State University, and his J.D. degree, *cum laude*, from the University of Minnesota Law School. Trevor is admitted to practice in Minnesota and Wisconsin.

• **John P. Edison** is a shareholder. He joined RASW with the founding shareholders after having worked with them as an associate attorney at another law firm representing municipal clients. John has devoted his entire legal career to working primarily with cities, counties, school districts and other government entities. As an advocate, John has experience making appearances in State and Federal District Court, the Minnesota Court of Appeals, administrative agency hearings, arbitration hearings and mediations. As an advisor, he works with clients to find practical, cost-effective solutions to a broad range of legal issues, such as open meetings and data privacy matters, conducting investigations, processing and analyzing land use applications, and drafting and reviewing contracts, ordinances, resolutions and other documents. Before transitioning to private practice, John worked as a law clerk and Assistant County Attorney in the Civil Division of the Ramsey County Attorney’s Office in St. Paul, Minnesota. John received a B.A. degree, *summa cum laude*, from the University of North Dakota and his J.D. degree, *summa cum laude*, from the Hamline University School of Law.

• **Tessa S. Wagner** is an associate attorney. Her areas of practice include general municipal law, school law, labor and employment law, data practices and open meeting law, and student discipline. Tessa regularly represents school districts in expulsion proceedings. She assists charter schools in addressing formation, operation, and merger issues. Tessa presents at school workshops, training sessions, and CLE courses on topics from all areas of her practice, including record retention requirements and student discipline. She earned her B.A. degree from the University of Wisconsin-Madison and her J.D. degree, *magna cum laude*, from William Mitchell College of Law. Prior to joining the firm, Tessa worked as an associate attorney at
another law firm representing municipal clients, and clerked for the Honorable Tony N. Leung and the Honorable Susan N. Burke. She is a member of the Minnesota State Bar Association, the Hennepin County Bar Association, Minnesota Women Lawyers, and the Phi Beta Kappa Honors Society.

- **Liz J. Vieira** is an associate attorney. Her areas of practice include general municipal law, school law, labor and employment law and civil litigation. She is admitted to practice in state courts in Minnesota and is a member of the Minnesota State Bar Association, Hennepin County Bar Association, Minnesota Women Lawyers, and the Phi Beta Kappa Honors Society. She earned her B.A. degree, *magna cum laude*, from the University of Minnesota and her J.D. degree from the University of Minnesota Law School. Prior to joining the firm, Liz served as a judicial law clerk for the Honorable Marilyn Brown Rosenbaum in Hennepin County District Court.

- **Kristin C. Nierengarten** is an associate attorney. Her areas of practice include school law, general municipal law, labor and employment, and civil litigation. She earned her B.A., *cum laude*, from Carleton College, and her J.D., *magna cum laude*, from William Mitchell College of Law. She is admitted to practice in state and federal courts in Minnesota and is a member of the Minnesota State Bar Association and Minnesota Women Lawyers. Prior to joining the firm, Kristin served as a judicial law clerk for the Honorable Terri J. Stoneburner and the Honorable Peter M. Reyes, Jr. at the Minnesota Court of Appeals.

- **Zachary J. Cronen** is an associate attorney. His areas of practice include general municipal law, school law, labor and employment, and civil litigation. He earned his B.A. from the University of Minnesota and his J.D., *summa cum laude*, from William Mitchell College of Law. While in law school, Zach served as an intern for Federal Magistrate Judge Tony N. Leung and for Minnesota State Colleges and Universities. Zach is admitted to practice in state court in Minnesota.

- **Michael J. Ervin** is an associate attorney. His areas of practice include school law, general municipal law, labor and employment law, and civil litigation. He earned his B.A., *magna cum laude*, from Bethel University and his J.D., *summa cum laude*, from William Mitchell College of Law. While in law school, Michael worked as a law clerk in the Washington County Attorney’s Office and in the United States Attorney’s Office. Before joining the firm, Michael clerked for the Honorable Matthew E. Johnson at the Minnesota Court of Appeals. Michael is admitted to practice in Minnesota state court.
• **Jacob J. Kimmes** is an associate attorney. His areas of practice include school law, general municipal law, labor and employment law, and civil litigation. He earned his B.A. from the University of Minnesota and his J.D., *magna cum laude*, from William Mitchell College of Law. Prior to joining the firm, Jacob served as a law clerk in the Washington County Attorney’s Office and as a judicial law clerk for the Honorable Robert A. Awsumb in Ramsey County District Court. Jacob is admitted to practice in Minnesota state court and is a member of the Minnesota State Bar Association and Hennepin County Bar Association.

• **Abigail R. Kelzer** is an associate attorney. Her areas of practice include general municipal law, school law, labor and employment, and civil litigation. Abbi is admitted to practice in Minnesota state courts. She received her B.A. degree, highest honors, from the University of Wisconsin-La Crosse and her J.D., *cum laude*, from the University of Minnesota Law School. Abbi previously served as a civil division law clerk in the Minneapolis City Attorney’s Office and as judicial law clerk to the Honorable Caroline H. Lennon in Scott County District Court.

• **Steven R. Gershone** is an associate attorney. His areas of practice include general municipal law, school law, labor and employment, and civil litigation. Steven is admitted to practice in Minnesota state courts. He earned his B.A. from the University of Wisconsin – Madison and his J.D., *summa cum laude*, from Mitchell Hamline School of Law. Throughout law school and prior to joining the firm, he served as a student attorney in the Hennepin County Public Defender’s Office and was the principal policy aide to Hennepin County Commissioner Mike Opat.

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**TEAM APPROACH**

• RASW represents all of its clients with a team approach. It is our belief that clients receive better service if we work together to ensure that someone in the firm is always available to respond to calls or emails within a reasonable amount of time. It is also more cost-effective to allow us to assign individual projects that may be within one of our attorney’s focus areas. Thus, we would consider school districts to be a client of RASW, and not a client of any individual attorney.
RASW is located in the SPS Tower (333 South Seventh Street) in downtown Minneapolis. Our office is equipped with conference rooms capable of hosting investigation interviews and meetings if an off-site location is needed to provide investigation services to Ramsey County.

In addition to a staff of fifteen attorneys, RASW employs one office manager, one bookkeeper, two legal secretaries, and one receptionist.

The firm and its attorneys assure that we are up-to-date and current in the law that affects our municipal client base. We subscribe to services and belong to multiple professional organizations that keep us abreast of new developments in the law. We attend seminars and training, and frequently provide training ourselves to our clients, to be sure we are current in the law.

We are fully internet-integrated. Our systems are compatible with Microsoft Word for Windows.

FEES

The firm would bill Stillwater at the following hourly rates for any services provided to Ramsey County, including time spent preparing for and providing witness testimony:

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Shareholder</td>
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<tr>
<td>Sr. Associate</td>
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<tr>
<td>Associate</td>
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<td>$95.00</td>
</tr>
<tr>
<td>Paralegal</td>
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</tbody>
</table>

The firm’s current senior associates are Tessa Wagner, Elizabeth Vieira, and Kristin Nierengarten. Attorney and billable staff time is billed for actual time incurred in 1/10 hour increments. In addition to the hourly rate, the firm charges for mileage, meals, photocopies, legal research fees, and long distance telephone charges. The firm does not charge for clerical or administrative support services.
Respectfully Submitted:

RUPP, ANDERSON, SQUIRES & WALDSPURGER, P.A.

/s/Kevin J. Rupp
Kevin J. Rupp
Stillwater Area Public Schools

Proposal for Legal Services
August 1, 2018
A. Name of firm:

Ratwik, Roszak, & Maloney, P.A.

B. Address, phone number, and fax number of the firm:

730 Second Avenue South, Suite 300
Minneapolis, MN 55402
Ph. (612) 339-0060
Fax (612) 339-0038
Website: www.ratwiklaw.com

C. Brief history of the firm:

Ratwik, Roszak & Maloney was formed more than 30 years ago as a law firm that focused its practice on all aspects of school law. The firm presently consists of eleven attorneys, who each specialize in representing public schools.

Over the last 30 years, our firm has provided high quality, cost effective legal counseling and advice to schools. Our firm represents school districts, charter schools and other school district related entities, such as special education cooperatives, intermediate school districts, and joint powers entities, throughout Minnesota.

The firm’s growth and outstanding reputation reflects the quality of our services, the experience on which our advice and counseling is based and the cost efficiency with which we represent our clients.

Our firm’s attorneys take pride in being responsive to the needs and desires of our clients. Our goal is to deliver quick and accurate responses to client inquiries. Naturally, response time will vary with the complexity of the facts and the issues of law. Whenever possible, however, we provide complete oral responses to telephone inquiries, supporting them with confirming letters when appropriate. Our overall familiarity with school law permits us to answer many questions immediately.

A broad range of legal services is available to school district clients, but the nature of services rendered can vary greatly depending upon the needs of the client. The client defines the exact services desired. The firm is available to serve as general counsel to clients,
covering the full scope of school law, including review of Board meeting agendas, rendering advice and counsel in personnel matters, and drafting and reviewing contracts. The firm is also available to serve the District as special counsel in limited areas such as special education, student expulsions, lease reviews, employment matters, labor negotiations, and as bond counsel.

**SPECIAL EDUCATION MATTERS**

School district rights and obligations under the Individuals with Disabilities Act (IDEA) and the Rehabilitation Act of 1973 (Section 504)
Conferring with clients to adapt strategies to avoid hearings
Conciliation conferences
Administrative hearings
Litigation in state and federal court, all levels

**EMPLOYMENT LAW**

EEOC, ADA, Section 504 and discrimination complaints and litigation
Employment agreements
Discipline and discharge of employees
Investigations
Employee benefits
Wage and overtime matters
Veteran’s preference issues
Personnel policy issues
Grievance and interest arbitration
Collective bargaining
Minnesota Government Data Practices Act

**BOARD POWERS AND DUTIES**

Board meetings & Board elections
Board governance issues
Open Meeting Law questions
Election issues
Review and updating of Board policies/procedures
Conflicts of interest

**SCHOOL BUSINESS AND FINANCE QUESTIONS**

School bonding issues
Lease review
Contract review
Bidding requirements
Transportation issues
Lease-Purchase and other finance agreements
Election issues

STUDENT RIGHTS AND RESPONSIBILITIES

Parent rights issues
Student discipline and expulsion
Student publications and speech
Student searches and seizure
Educational data issues

RISK MANAGEMENT AND LITIGATION

Investigation of potential claim
Responses to Human Rights Charges
Advice to the School Board and Administration regarding strategy
Conducting litigation, including discovery, motion practice and trial
Managing contacts with insurer
Civil rights actions and liability under 42 USC § 1983
Constitutional issues, including due process and the First Amendment

TEACHING AND LEARNING

Policy review
Consultation on case-by-case matters
MDE compliance issues

In addition to providing traditional legal services for our clients, we provide the following:

1. Free annual school law seminar for clients;
2. In-service presentations to staff on a wide variety of subjects, as specified by the client. These presentations, and the comprehensive outlines we distribute to staff, are designed to provide practical “how to” advice on critical topics;
3. General and specialized newsletters (special education and employment law) for board members and administrators;
4. Monitoring of changes in laws affecting school districts and drafting of legislation addressing client needs; and
5. Attending school board meetings as requested.
See Attachment A.

**HOURLY FEES**

Our current rates are:

<table>
<thead>
<tr>
<th>ATTORNEY</th>
<th>RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shareholders</td>
<td>$210/hr.</td>
</tr>
<tr>
<td>Associates</td>
<td>$180/hr.</td>
</tr>
<tr>
<td>Paralegal</td>
<td>$95/hr.</td>
</tr>
</tbody>
</table>

While we charge an hourly rate or pro rata portion thereof, we recognize that some requests for legal services carry with them a certain maximum value to the client. The actual time that we spend, however, may exceed that value to the client, in which case we reduce our bill.

In addition to the hourly fee for services, we also bill actual and necessary expenses incurred on behalf of the client. Common examples include mileage at the IRS rate, photocopying at $0.20 per page, filing fees and other litigation expenses. Actual legal research expense through Westlaw is also charged to the client. Travel expense could include actual and reasonable costs for lodging and food.

Bills for legal services are prepared monthly. They set forth a detailed description of the services rendered together with an itemized listing of any expenses.

We believe that our billing rates are competitive when compared to other firms of similar experience and skill. Our goal is to develop a continuing relationship with our clients. We spend a great deal of our time maintaining levels of expertise. We then perform our work as efficiently and accurately as possible.

No retainer agreement is required. All of our services, including telephone calls and time spent on e-mail correspondence with the client, are billed to the 1/10th of an hour. Bills are sent on a monthly basis.

Because our firm focuses on the representation of education-related entities, we are aware of and understand issues which are currently developing in education. We also make every attempt to represent our clients according to the labor-management strategy.
established by the school board and administrative team. Our goal is to provide the highest quality legal services to our clients in a cost-effective manner.

CONCLUSION

Ratwik, Roszak & Maloney represents hundreds of school districts, special education cooperatives and charter schools, as well as a number of municipalities and counties in the state of Minnesota. We have represented most of these entities for years and have provided all of the civil legal services typically required of a school attorney. School law gives rise to a wide variety of legal issues, which makes our work both challenging and interesting.

We pride ourselves on crafting legally appropriate solutions to accomplish the goals and mission of the client. Whenever possible, we provide a client with a range of options and an analysis of the associated risks and benefits, along with our recommendation and guidance on how to proceed. We assist our clients and weigh their options and work together in determining the best course of action for the particular situation.

Our attorneys are available to provide the School District with a full range of legal services to meet the School District’s needs. Each of the firm’s shareholders have extensive school law experience and are well-equipped to assist the School District. We strive to always have experienced counsel available to respond to inquiries.

The School District’s legal needs would be given the highest priority. We are well aware of our clients’ need for timely legal advice and strive to respond to inquiries as quickly as possible. Our firm’s successful history of representing clients demonstrates the high standards that Stillwater Area Schools can expect from us. With our extensive school district client base, we are often able to assign attorneys to work on legal issues for the School District that they have handled successfully in the past for other clients.

Our firm has the experience and depth of personnel to handle any and every type of legal matter that pertains to School law. Our firm’s size enables Stillwater Area Schools to call upon individual attorneys possessing specialized knowledge in a wide variety of areas, thereby keeping costs to a minimum. We look forward to the opportunity to provide legal services to Stillwater Area Schools.

Respectfully submitted,

RATWIK, ROSZAK & MALONEY, P.A.

[Signature]
Margaret A. Skelton, President
ANN R. GOERING

Education:
William Mitchell College of Law, J.D., *cum laude*, 1990
Hamline University, B.A., 1985

Legal Career:
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:
Labor and employment law, including employment litigation and arbitration, investigations, defense of harassment and discrimination claims, negotiation and administration of collective bargaining agreements; employee discipline and discharge; general school law; federal and state court civil litigation; data privacy and open meeting law.

JOSEPH J. LANGEL

Education:
University of Minnesota Law School, J.D., *cum laude*, 1994
University of Chicago, M.A., 1988
Loras College, B.A., *magna cum laude*, 1987

Legal Career:
Minnesota Court of Appeals, Judicial Law Clerk for Judge Thomas Kalitowski, 1994-95; Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:
General civil litigation (including construction litigation), general municipal and public contracting laws, planning and zoning, condemnation and real estate, and school bonding issues.

MARGARET A. SKELTON

Education:
William Mitchell College of Law, J.D., *cum laude*, 1993
University of Wisconsin, B.A., *with honors*, 1989

Legal Career:
Attorney, Torres Law Offices, 1994-1997
Assistant City Attorney, City of St. Paul, 1997-1999
Shareholder, Ratwik, Roszak & Maloney, P.A.
Primary Areas of Practice and Experience:
Civil litigation, labor and employment law, including labor negotiations, discrimination, harassment, constitutional torts, discipline, termination and arbitration.

JENNIFER K. EARLEY

Education:
William Mitchell College of Law, J.D., 1995
Winona State University, B.A., cum laude, 1989

Legal Career:
Shareholder, Knutson, Flynn & Deans, P.A.
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:
Labor and employment law, including employment litigation and arbitration, investigations, defense of harassment and discrimination claims, negotiation and administration of collective bargaining agreements; employee discipline and discharge; general school law; federal and state court civil litigation; data privacy, open meeting law, student discipline and rights and responsibilities issues.

ERIN E. BENSON

Education:
William Mitchell College of Law, J.D., cum laude, 2006
University of Minnesota, B.A., 2002

Legal Career:
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:
General municipal law, school law, and labor and employment law, civil litigation and investigations.

CHRISTIAN R. SHAFER

Education:
University of Minnesota Law School, J.D., magna cum laude, 2007
University of Michigan, B.A., 2004

Legal Career:
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice and Experience:
General municipal law, school law, and labor and employment law, student discipline, special education matters including representation in administrative hearings and litigation, and school bonding issues.
TIMOTHY A. SULLIVAN

Education:
Hamline University School of Law, summa cum laude, 2010
Winona State University, B.A. 2006; B.S. magna cum laude, 2007

Legal Career:
Shareholder, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:
General municipal law, school law, and labor and employment law, student discipline, civil litigation and investigations.

NATHAN B. SHEPHERD

Education:
University of Minnesota Law School, J.D., magna cum laude, 2011
Gustavus Adolphus College, B.A. 2004

Legal Career:
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:
General municipal law, school law, and labor and employment law, civil litigation and investigations, and school election issues.

TIMOTHY S. CHRISTENSEN

Education:
University of Iowa College of Law, J.D., High Distinction, Order of the Coif, 2013
University of Iowa School of Urban and Regional Planning, M.A., 2013
Luther College, B.A. 2009

Legal Career:
Assistant Attorney General, Minnesota Attorney General’s Office
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:
General municipal law, school law, and labor and employment law.

ELIZABETH M. MESKE

Education:
William Mitchell College of Law, J.D., cum laude, 2015
University of Minnesota, B.A., cum laude, 2011
Legal Career:
Attorney, Knutson, Flynn & Deans, P.A.
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:
General municipal law, school law, and labor and employment law.

EMMA L. OAKLEY

Education:
Mitchell Hamline College of Law, J.D., magna cum laude, 2016

Legal Career:
Attorney, Ratwik, Roszak & Maloney, P.A.

Primary Areas of Practice & Experience:
General municipal law, school law, and labor and employment law.
Report for Action: Resolution Ratifying and Approving TIES Reorganization and Definitive Agreements
Meeting Date: August 9, 2018
Contact Person: Superintendent Pontrelli

Report Purpose:
Stillwater Area Schools has been a member of TIES (Technology and Information Educational Services) which was created in 1965 as a Minnesota Joint Powers entity under Minnesota Statutes Section 471.59 to provide technology and information services to school districts. TIES currently operates at a financial deficit which has been determined to be unsustainable by the joint board of TIES.

On January 24, 2018 at a special board meeting, the TIES Board voted in favor of dissolving TIES. After substantial completion of due diligence, on April 27, 2018 the Boards of Sourcewell and TIES authorized the management team of each organization to proceed with discussions and the drafting and negotiations of all necessary and legal agreements to consummate a transaction. The attached resolution outlines the agreements and reorganization of TIES to complete this process which is expected in early September of 2018.

Recommendation:
A motion and a second to approve the Resolution will be requested.

Motion by: ___________________ Seconded by: ___________________ Vote: ___________________
Form of Member District Governing Board Resolutions

[Note: Each Member District shall insert the following recitals and resolutions into the proper format to be considered and approved by such Member District’s Governing Board:]

Ratifying and Approving TIES Reorganization and Definitive Agreements

WHEREAS, ____________________________, School District # ________ (the “District”) is a member of Technology and Information Educational Services (“TIES”), which was created in 1965 as a Minnesota joint powers entity under Minnesota Statutes Section 471.59 to provide technology and information services to school administrators, educators, and students; and

WHEREAS, TIES currently operates at a financial deficit which has been determined to be not sustainable by the Joint Board of TIES (the “TIES Board”), which is composed of representatives of the independent school districts who are currently members of TIES (collectively, the “Member Districts”) which are identified in Exhibit A;

WHEREAS, on January 24, 2018, at a special board meeting, the TIES Board voted in favor of dissolving TIES and authorized TIES management and the TIES Executive Committee (“EC”) to actively pursue potential business opportunities with third parties in order to achieve two objectives for the Member Districts: (1) minimize negative financial impact, and (2) minimize disruption of essential services (the “Objectives”); and

WHEREAS, the “potential business opportunities” authorized by the TIES Board within the scope of the Objectives were comprehensive: “Such opportunities may include a partnership, an asset sale, or a similar business deal with a third party consistent with applicable Minnesota law....”

WHEREAS, in connection with such efforts, TIES and Sourcewell, a service cooperative established pursuant to Minnesota Statutes Section 123A.21 and formerly known as National Joint Powers Alliance (“Sourcewell”) entered into a non-binding Letter of Intent (“LOI”) effective as of January 23, 2018 with respect to a possible transaction involving Sourcewell’s assumption of governance, management, and operational authority over TIES’ business operations; and

WHEREAS, after substantial completion of due diligence, on April 17, 2018 and April 19, 2018, respectively, the Boards of Sourcewell and TIES authorized the management team of each organization to proceed with discussions and the drafting and negotiation of all necessary legal agreements to consummate a transaction substantially as described in the LOI; and

WHEREAS, the authorized legal process required significant research and analysis to identify and evaluate options available under applicable law for how to structure the transaction
between Sourcewell and TIES and the Member Districts to best achieve the Objectives; and

WHEREAS, after consideration and discussion with TIES EC, management and District’s legal counsel (at District’s option), and review of the Definitive Agreements (defined below), and as duly authorized under the resolution template form approved by the EC during a regular meeting on May 16, 2018 and provided thereafter to each Member District for signature, District’s superindentent or other representative (“District’s Legal Representative”) determined that it is in the best interest of the District to structure the transaction as a “Reorganization” of the existing TIES joint powers entity in order to achieve the Objectives; and

WHEREAS, the District Legal Representative’s conclusion that Reorganization of TIES is the best structure for the Sourcewell transaction is based on the following findings since the resolution dated April 19, 2018:

(1) **Continuation of Member Districts’ levy authority.** Under current law (Minnesota Statutes Section 126C.40, subd. 1 (i)), if TIES is dissolved, the Member Districts would lose their legal authority to levy for funds to pay their proportionate share of the debt due through February 1, 2023 pursuant to the financing documents for improvements to the TIES Building with U.S. Bank dated October 1, 2012. Reorganization allows for the Member Districts to remain members of TIES for a limited time and purpose: to levy for and manage the TIES Building until it is sold at which time they will automatically cease to be members;

(2) **Continuity of services to Member Districts.** Reorganization allows for continuity of services to Member Districts wanting continuity of services;

(3) **Limits Member Districts’ financial obligations.** As part of the Reorganization, Sourcewell will assume all TIES operating expenses and debts incurred after July 1, 2018, thereby relieving the Member Districts of their obligation to provide financial support to TIES for regular operating expenses after July 1, 2018 for an unknown period of time (as with dissolution), other than assessed fees for management, operations, and maintenance of the TIES Building Assets and the other limited financial obligations described in the Definitive Agreements, as defined herein. Member Districts’ pro rata share of TIES’ past debt calculated as of July 1, 2018 based on a per student fee must be paid by July 27, 2018; and

WHEREAS, the purposes of the Reorganization include achieving the Objectives for the Member Districts based on the three (3) findings set forth above (included in the Definitive Agreements defined below); and

WHEREAS, at a special meeting on June 29, 2018, the Sourcewell Board of Directors authorized the proposal of the Reorganization as set forth in the Definitive Agreements; and
WHEREAS, the Reorganization of TIES’ membership and governance includes the admission of Sourcewell and Metropolitan Educational Cooperative Service Unit, a service cooperative established pursuant to Minnesota Statutes Section 123A.21 (“Metro ECSU”) as Governing Members of TIES, and the reclassification of the Member Districts as Limited Members of TIES for the sole purposes related to the TIES Building described above in Section (1); and

WHEREAS, after consideration and discussion with TIES management and legal counsel, and review of the TIES Reorganization Agreement attached hereto at Exhibit B and the Amended Joint Powers Agreement attached hereto at Exhibit C (the “Definitive Agreements”), each of which is incorporated herein without modification, at a special meeting on July 2, 2018, the EC accepted Sourcewell’s proposal and approved the Reorganization of TIES as set forth in the Definitive Agreements, authorized an officer of TIES to execute the Definitive Agreements on behalf of TIES, and approved the submission of such agreements to each Member District for consideration, approval and ratification pursuant to the resolutions herein; and

WHEREAS, the District’s Legal Representative has executed the Definitive Agreements on behalf of the District, subject to the approval and ratification of the District’s Board; and

WHEREAS, District’s Board desires to approve and ratify the Reorganization as set forth in the Definitive Agreements, and to approve and ratify the District’s Legal Representative’s execution of the Definitive Agreements on behalf of the District.

1. **Approval of Reorganization**

NOW, THEREFORE BE IT RESOLVED, that Reorganization as described in these resolutions and in the Definitive Agreements is hereby approved and authorized and ratified.

2. **Approval of Definitive Agreements**

RESOLVED FURTHER, that the Reorganization Agreement executed by the District’s Legal Representative, and presented to the District’s Board and attached hereto as Exhibit B, be, and the same hereby is, approved and ratified.

RESOLVED FURTHER, that the Amended Joint Powers Agreement executed by the District’s Legal Representative, and presented to the District’s Board and attached hereto as Exhibit C, be, and the same hereby is, approved and ratified.

3. **Continuation of TIES Entity**

RESOLVED FURTHER, that the District hereby acknowledges and approves the continuation of TIES as a joint powers entity under Minnesota Statutes Section 471.59 pursuant to the Definitive Agreements and recognizes that if the Reorganization is
consummated, TIES will not dissolve except according to the terms of the Amended Joint Powers Agreement.

4. Authorizing Resolution

RESOLVED FURTHER, that District’s Legal Representative is hereby authorized and directed to execute any and all other documents necessary to effectuate these resolutions and the Reorganization and to take or cause to be taken any and all other actions (including preparing, executing, issuing, delivering and filing any and all instruments, documents and agreements and amendments thereto) and to do any and all other acts or things in the name of and on behalf of TIES as any of them may deem necessary or appropriate in connection with the Reorganization and carrying into effect these resolutions.

RESOLVED FURTHER, that all actions taken to date by District’s Legal Representative that are consistent with the purpose and intent of these resolutions are hereby in all respects authorized, approved, ratified and confirmed.

RESOLVED FURTHER, that capitalized terms used but not defined herein shall have the meanings set forth in the Definitive Agreements.

CERTIFICATION

The foregoing resolutions were adopted by the governing board, ____________________________ of Member District, ____________________________ , SCHOOL DISTRICT # __________, at a duly held meeting at which a quorum was present on the ________ day of __________, 2018.

____________________________
Signed

____________________________
Name

____________________________
Title
Meeting Date: August 9, 2018
Contact Person: Ms. Carissa Keister, Manager of Community Engagement

Report Purpose:
Each year the district is required to inform parents/guardians of district policies, required notices, and student/parent rights and responsibilities. This information is included in the District Policy Handbook.

The district handbook contains summaries of the various required notices, as well as an overview and links to relevant school board-approved policies. The handbook is published electronically and can be found on the district website. Families receive multiple communications each fall directing them to the online handbook. By October 1 of each year, parents/guardians are required to sign off that they have reviewed the policies, procedures and required notices contained within this handbook.

Administration requests approval of the 2018-2019 District Policy Handbook, which is available for review at stillwaterschools.org/handbook

Recommendation:
A motion and a second to approve the District Handbook for 2018-2019 will be requested.

Motion by: _____________________  Seconded by: _____________________  Vote: _____________________
Meeting Date: August 8, 2018
Contact Person: Policy Working Group

Report Purpose:
The members of the policy working group will present the policies 209-215 for the final reading.

209 Code of Ethics
209.1 Board Policy Violation
210 Conflict of Interest – School Board Members
211 Criminal or Civil Action Against School District, School Board Member, Employee, or Student
212 School Board Member Development
213 School Board Committees
214 Out-of-State Travel by School Board Members
215 School Board Resignation/Vacancy

Recommendation:
A motion and a second to approve policies 209-215 will be requested.

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

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

203  Operation of the School Board – Governing Rules
The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

203.1  School Board Procedures; Rules of Order
The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

203.2  School Board Meeting Agenda
The purpose of this policy is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

203.3  Consent Agendas
The purpose of this policy is to allow the use of a consent agenda.

204  School Board Meeting Minutes
The purpose of this policy is to establish procedures relating to the maintenance of records of the school board and the publication of its official proceedings.

205  Open Meetings and Closed Meetings
The school board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct
its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the requirements of the Minnesota Open Meeting Law which require that meetings be closed to protect private data or permit closure to serve the public interest.

206 Public Participation in School Board Meetings
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. 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.

207 Public Hearings
The school board recognizes the importance of obtaining public input on matters properly before the school board. The purpose of this policy is to establish procedures to efficiently receive public input.

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

209 Code of Ethics
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.

209.1 Board Policy Violation
The Board and each of its members are committed to faithful compliance with the provisions of the Board’s policies. The Board recognizes that its failure to deal with violations of its policies and Board member misconduct risks the loss of public confidence in the Board’s ability to govern effectively.

210 Conflict of Interest – School Board Members
The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

211 Criminal or Civil Action Against School District, School Board Member, Employee, or Student
The purpose of this policy is to provide guidance as to the school district’s position, rights, and responsibilities when a civil or criminal action is pending against the school district, or a school board member, school district employee, or student.

212 School Board Member Development
In recognition of the need for continuing inservice training and development for its members, the purpose of this policy is to encourage the members of the school board to participate in professional development activities designed for them so that they may perform their responsibilities.
213 School Board Committees
The school board has determined that certain permanent standing committees or subcommittees (working groups), as described in this policy, facilitate the operation of the school board and the school district.

214 Out-of-State Travel by School Board Members
The purpose of this policy is to control out-of-state travel by school board members as required by law.

215 School Board Resignation/Vacancy
The purpose of this policy is fill a vacancy on the school board as required by state statute.
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. Recognize that disparaging remarks about fellow school board members undermines the board’s ability to govern.

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. Advocate for 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 led 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 professional concerns about 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 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.143 (Superintendent)
I. GENERAL STATEMENT OF POLICY

The Board and each of its members are committed to faithful compliance with the provisions of the Board’s policies. The Board recognizes that its failure to deal with violations of its policies and Board member misconduct risks the loss of public confidence in the Board’s ability to govern effectively.

II. DETERMINING A POLICY VIOLATION

If there is a question about a possible violation of policy, or other forms of misconduct, the Board shall proceed in the following manner:

A. A private conversation between the board member accused of misconduct or violation of policy and the Board Chair or Vice Chair, in lieu of the Board Chair.

B. The Board chair will respond in a timely manner whether the allegation should end after the initial conversation or be submitted to the entire Board for further review and possible action.

III. ADDRESSING A POLICY VIOLATION

Therefore, in the event of a member’s violation of policy, or other forms of misconduct, the Board shall determine the appropriate method to address the issue, including but not limited to the following options;

A. Conversation in a private setting between the offending member and the Board Chair or Vice Chair, in lieu of the Board Chair;

B. Public censure, by a majority vote, of the offending member of the Board;

C. Removal by the Board, by a majority vote, from any officer or leadership positions to which the offending member has been appointed or elected;

D. Before removal from an officer or leadership position, the possible removal shall be added as a Board agenda item, and the Board member who will be under consideration for removal shall be notified by the Board Chair of the reasons for possible removal. If the Chairperson is the subject of the possible removal from a leadership position, another Board member shall provide him/her notice.

E. Before action by the Board to remove a Board member from an officer or leadership position, the Board member shall have an opportunity to rebut the reasons for the removal.

F. Removal of the member from the Board by a vote of at least five members of the Board for
proper cause.

**GF.** The Board may remove, for proper cause, any member of the Board and fill the vacancy after notice to the Board member of his/her proposed removal and the reasons for proposed removal, and after opportunity to be heard in defense against the removal.

**HG.** The Board member being proposed for removal shall be duly notified of the time and place of the Board meeting(s) related to his/her removal.

*Legal References: Minn. Stat. §123B.09*
I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the school board will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

A. Under Minn. Stat. §471.87, a school board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom. Such circumstances constitute a “statutory” conflict of interest, which cannot be cured by a board member abstaining from a vote.

B. In the following circumstances, however, the school board may as an exception, by unanimous vote, contract for goods or services with a school board member notwithstanding a statutory conflict of interest:

1. In the designation of a bank or savings association, in which a school board member is interested, as an authorized depository for school district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. Any school board member having said interest shall disclose that interest and the interest shall be entered upon the minutes of the school board. Disclosure must be made when such bank or savings association is first designated as a depository or source of borrowing, or when such school board member is elected, whichever is later. Disclosure serves as notice of the interest and must only be made once;

2. The designation of an official newspaper, or publication of official matters therein, in which the school board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;
3. A contract with a cooperative association of which the school board member is a shareholder or stockholder but not an officer or manager;

4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:

   a. The school board must authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.

   b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.

   c. Before a claim is paid, the interested school board member must file with the clerk of the school board an affidavit stating:

      (1) The name of the school board member and the office held;

      (2) An itemization of the goods or services furnished;

      (3) The contract price;

      (4) The reasonable value;

      (5) The interest of the school board member in the contract; and

      (6) That to the best of the school board member’s knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.

C. A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.

D. In addition to the statutory conflict of interest prohibited under Minn. Stat. §471.87, a school board member may not participate in a decision when he/she has a direct interest in the outcome of the proceedings. Such determination shall be made on a case-by-case basis. School board members must abstain from voting on a matter in which he/she has a direct conflict of interest.

E. In the following circumstances, the school board may as an exception, by majority vote at a meeting where all school board members are present, contract for employment with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee where there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that school board member under that contract or employment relationship, will not exceed $8,000 in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in employment at a meeting where all school board members are present, that employment must be immediately terminated and that school board member will have no further rights to employment while serving as a school board member in the school district.
F. The school board may contract with a class of school district employees, such as teachers or custodians, where the spouse of a school board member is a member of the class of employees contracting with the school board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. In order for the school board to invoke this exception, it must have a majority of disinterested school board members vote to approve the contract, direct the school board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting where the contract is approved.

IV. LIMITATIONS ON RELATED EMPLOYEES

A. The school board can hire or dismiss teachers only at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full school board.

B. The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

V. CONFLICTS PRIOR TO TAKING OFFICE

A school board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the school board member took office and presents an actual or potential conflict of interest, shall immediately notify the school board of such interest. It shall thereafter be the responsibility of the school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the school board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

The determination as to whether a conflict of interest exists is to be made by the school board. Any school board member who has an actual or potential conflict shall notify the school board of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

Legal References: Minn. Stat. § 122A.40(Teacher Hiring, Dismissal)
Minn. Stat. § 123B.195 (Board Member’s Right to Employment)
Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty)
Minn. Stat. § 471.88, (Exceptions)
Minn. Stat. § 471.89 (Contract, When Void)
I. PURPOSE

The purpose of this policy is to provide guidance as to the school district’s position, rights, and responsibilities when a civil or criminal action is pending against the school district, or a school board member, school district employee, or student.

II. GENERAL STATEMENT OF POLICY

A. The school district recognizes that, when civil or criminal actions are pending against a school board member, school district employee, or student, the school district may be requested or required to take action.

B. In responding to such requests and/or requirements, the school district will take such measures as are appropriate to its primary mission of providing for the education of students in an environment that is safe for staff and students and is conducive to learning.

C. The school district acknowledges its statutory obligations with respect to providing assistance to school board members and teachers who are sued in connection with performance of school district duties. Collective bargaining agreement and school district policies may also apply.

III. CIVIL ACTIONS

A. Pursuant to Minn. Stat. § 466.07, Subd. 1, the school district shall defend and indemnify any school board member or school district employee for damages in school-related litigation, including punitive damages, claimed or levied against the school board member or employee, provided that he or she was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.

B. Pursuant to Minn. Stat. §123B.25(b), with respect to teachers employed by the school district, upon written request of the teacher involved, the school district shall provide legal counsel for any school teacher against whom a claim is made or action is brought for recovery of damages in any tort action involving physical injury to any person or property or for wrongful death arising out of or in connection with the employment of the teacher with the school district. The school district will choose legal counsel after consultation with the teacher.
C. **Data Practices**

Educational data and personnel data maintained by the school district may be sought as evidence in a civil proceeding. The school district will release the data only pursuant to the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and related regulations. When an employee is subpoenaed and is expected to testify regarding educational data or personnel data, he or she is to inform the building administrator or designated supervisor, who shall immediately inform the superintendent or designee. No school board member or employee may release data without consultation in advance with the school district official who is designated as the authority responsible for the collection, use, and dissemination of data.

D. **Service of Subpoenas**

It is the policy of the school district that its officers and employees will normally not be involved in providing service of process for third parties in the school setting.

E. **Leave to Testify**

Leave for employees appearing in court will be considered in accordance with school district collective bargaining agreements.

IV. **CRIMINAL CHARGES OR CONDUCT**

A. **Employees**

1. The school district expects that its employees serve as positive role models for students. As role models for students, employees have a duty to conduct themselves in an exemplary manner.

2. If the school district receives information relating to activities of a criminal nature by an employee, the school district will investigate and take appropriate disciplinary action, which may include discharge, subject to school district policies, statutes, and provisions of applicable collective bargaining agreements.

3. Pursuant to Minn. Stat. § 123B.02, Subd. 20, if reimbursement for a criminal defense is requested by a school district employee, the school board may, after consulting with its legal counsel, reimburse the employee for any costs and reasonable attorney fees incurred by the employee to defend criminal charges brought against the employee arising out of the performance of duties for the school district. The decision as to whether to reimburse shall be made in the discretion of the school board. A school board member who is a witness or an alleged victim in the case may not vote on the reimbursement. If a quorum of the school board is disqualified from voting on the reimbursement, the reimbursement must be approved by a judge of the district court.

B. **Students**

The school district has an interest in maintaining a safe and healthful environment and in preventing disruption of the educational process. In order to further that interest, the school district will take appropriate action, as allowed by state and federal law, regarding students convicted of crimes that relate to the school environment.
C. **Criminal Investigations**

1. It is the policy of the school district to cooperate with law enforcement officials. The school district will make all efforts, however, to encourage law enforcement officials to question students and employees outside of school hours and off school premises unless there are extenuating circumstances or the matter being investigated is school-related, or as otherwise provided by law.

2. If such questioning at school is unavoidable, the school district will attempt to maintain confidentiality, to avoid embarrassment to students and employees and to avoid disruption of the educational program. The school district will attempt to notify parents of a student that police will be questioning their child, unless prohibited by the Maltreatment of Minors Act or other state law. Normally, the superintendent, principal, or other appropriate school official will be present during the interview, except as limited by law (Minn. Stat. § 626.556, Subd. 10), or as otherwise determined in consultation with the parent or guardian.

D. **Data Practices**

The school district will release to juvenile justice and law enforcement authorities educational and personnel data only in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) and 20 U.S.C. § 1232g (FERPA).

V. **STATEMENTS WHEN LITIGATION IS PENDING**

The school district recognizes that information related to a pending civil or criminal action may be classified as public, private or confidential; therefore, school board members or school district employees shall make or release statements regarding such matters only in consultation with legal counsel.

*Legal References:* Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 123B.02 (Legal Counsel, Reimbursement)
I. PURPOSE

In recognition of the need for continuing inservice training and development for its members, the purpose of this policy is to encourage the members of the school board to participate in professional development activities designed for them so that they may perform their responsibilities.

II. GENERAL STATEMENT OF POLICY

A. New school board members shall attend Phase I and Phase II orientation and training sessions sponsored by the Minnesota School Boards Association (MSBA) within 180 days, including training in school finance and management.

B. New School Board Members will be provided with an orientation.

C. The School Board members shall annually conduct a self-evaluation.

D. All school board members are encouraged to participate in school board and related workshops and activities sponsored by local, state, and national school boards associations, as well as in the activities of other educational groups.

E. School board members are expected to report back to the school board with materials of interest gathered at the various meetings and workshops.

F. The school board will reimburse the necessary expenses of all school board members who attend meetings and conventions pertaining to school activities and the objectives of the school board, within the approved policy and budget allocations of the school district.

Legal References: Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)
I. PURPOSE

The school board has determined that certain permanent standing committees or working groups, as described in this policy, facilitate the operation of the school board and the school district.

II. GENERAL STATEMENT OF POLICY

A. A school board committee or working group will be formed by school board resolution which shall outline the duties and purpose of the committee or working group.

B. A committee or working group is advisory in nature and has only such authority as specified by the school board.

C. The school board will receive reports or recommendations from a committee or working group for consideration. The school board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.

D. The school board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.

E. A committee of the school board shall not appoint a subcommittee of that committee without approval of the school board.

III. APPOINTMENT OF WORKING GROUPS

A. The school board hereby appoints the following working groups:

1. Policy Review - The Policy Review working group, which shall include the Clerk, shall work with the Superintendent and/or designee(s) in the review of District policies. The group shall recommend proposed changes to the entire Board, for consideration and approval.

2. Finance and Operations - The Finance and Operations working group, which shall include the Treasurer, shall work with the Superintendent and/or designee(s) in matters relative to the district's finances and operations. This working group shall
provide consultation and perspective regarding district financial decisions before presentation to the entire Board.

3. Personnel - The Personnel working group shall work with the Superintendent and/or designee(s) on issues related to personnel. This group shall provide consultation and perspective relative to district personnel issues and shall represent the entire Board on grievance issues.

4. Legislative – The Legislative working group shall work with the Superintendent and/or designee(s) regarding legislative issues. This group shall advocate for and monitor legislation that impacts the education of students and shall provide updates to the entire Board regarding issues that affect the District.

5. Community Engagement - The Community Engagement working group shall work with the superintendent and manager of community engagement and/or designee(s) to provide opportunities to engage residents in conversations about the school district. The group will help to determine engagement topics, identify key audiences, and plan various opportunities (both in person and online) to gather community feedback. The working group recommendations will then be presented to the entire board.

B. The school board chair shall appoint the members and designate the chair of each working group.

C. The school board will approve, by resolution, for each working group, the members, the term and the charge or mission of each such committee.

D. The working group chair shall designate a secretary who will report the actions of the school board committee or working group at the next business meeting.

E. The authority of a working group of the school board is advisory only and is limited to making recommendations to the school board, unless otherwise established by action of the School Board.

**Legal References:** Minn. Stat. Ch. 13D (Open Meeting Law)
I. PURPOSE

The purpose of this policy is to control out-of-state travel by school board members as required by law.

II. GENERAL STATEMENT OF POLICY

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

III. APPROPRIATE TRAVEL

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to regional, national meetings of the National School Boards Association, or other out-of-state meetings for which the member intends to seek reimbursement from the school district should be preapproved by the school board chair. If the chair seeks reimbursement, it should be preapproved by the vice chair.

IV. REIMBURSABLE EXPENSES

Expenses to be reimbursed include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district-related expenses.

V. REIMBURSEMENT

A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and all other reasonable and necessary expenses must be attached to the reimbursement form.

B. Automobile travel shall be reimbursed at the mileage rate set by the Internal Revenue Service. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.
C. Amounts to be reimbursed shall be within the school board’s approved budget allocations.

**Legal References:**

Minn. Stat. § 471.661 (Out-of-State Travel)
Minn. Stat. § 471.665 (Mileage Allowances)
A. School Board vacancy occurs when a member:

1. Dies

2. Resigns
   a. Whenever possible, a Board member wishing to resign shall give written notice to
      the Board at least one month prior to the resignation date.

3. Ceases to be a resident of the district

4. Is unable to serve on the School Board and attend its meetings for 90 days or more
   because of illness or prolonged absence from the district

5. Is removed for proper cause from the School Board through School Board action.
   Vacancy Caused by an Ill or Absent Member

B. When a School Board vacancy is caused by an ill or absent member, the position shall be
   filled as follows:

1. The School Board, by resolution, shall declare a vacancy to exist and the process
   by which the vacancy will be filled.

2. Applications to fill the vacancy, for a period of time determined by the School
   Board, shall be accepted from district residents, unless the School Board
   determined by a majority vote that a different process will be utilized.

3. The School Board shall fill the vacancy by a majority vote of the remaining
   elected members of the School Board at a regular or special meeting.

4. The vacancy shall be filled by appointment and evidenced by a resolution,
   which shall be recorded in the minutes of the meeting.

5. The vacancy shall be filled for the remainder of the unexpired term or until the ill
   or absent member is able to resume duties as a member of the School Board,
whichever occurs first.

C. When a School Board vacancy is caused by reasons other than an ill or absent member, the position shall be filled as follows:

1. Applications to fill the vacancy, for a period of time determined by the School Board, shall be accepted from district residents, unless the School Board determines by a majority vote that a different process will be utilized.

2. The School Board shall fill the vacancy by a majority vote of the remaining elected members of the School Board at a regularly scheduled or special meeting of the School Board. The appointment shall be evidenced by a resolution entered into the minutes and shall be effective 30 days following adoption of the resolution.

   a. An appointment to fill a vacancy shall not be effective if a petition to reject the appointee is filed with the School District Clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the District equal to at least 5% of the total number of voters voting in the District at the most recent state general election, and must be filed within 30 days of the School Board’s adoption of the resolution making the appointment. If a valid petition is filed according to the requirements, the appointment by the School Board is ineffective and the School Board must fill the vacancy with a different appointee by the procedures of this Section.

3. The School Board shall make the appointment by a majority vote of the remaining elected members of the School Board at a regular scheduled or special meeting of the School Board.

D. If an appointment to a vacant position becomes effective, it shall continue until:

1. A special election is held no later than the first Tuesday after the first Monday in November following the vacancy; or

2. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year; or

3. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, or anytime during the fourth year of the term, no special election is required.

4. All required elections or appointments to fill vacancies shall be for the unexpired term.

*Legal References: Minn. Stat. §123B.09*
Agenda Item: School Board Meeting Updates
Meeting Date: August 9, 2018
Chairperson Report and Board Member Reports

Background:
A. Chairperson Report
B. Board Member Reports
C. Working Group Reports

Each meeting the Board Chair and the members of the school board will provide updates on items of interest in the announcement category. Many times these topics develop between the time the agenda is prepared and distributed, and the meeting date. Topics generally include announcement of attendance at district events, working group updates, communications items, informational items and correspondence items worth noting. What is included in this item will vary each meeting depending on the nature of the topics, the school year schedule and time of activities.

Recommendation:
Board action is not required.
TO: Northeast Metro 916 Board of Education  
FROM: Connie Hayes  
DATE: Aug. 3, 2018  
RE: Aug. 1 Board of Education Meeting Talking Points


- **Events:** The school board was invited to the Quora Education Center Grand Opening on Aug. 15 from 2-6 p.m., and to the district-wide welcome back event on Aug. 30 from 12:30-2:30 p.m.

- **Board committees:** Mike Ptacek, school board chair, solicited board member preferences for representatives on the executive committee, personnel committee, Metro Educational Cooperative Service Unit (ECSU), Association of Metropolitan School Districts (AMSD), and the 916 Education Foundation, with board action to follow in September.

- **Moving forward:** Dan Naidicz, executive director of programs, and Val Rae Boe, assistant director of special education, gave the school board an overview of a new approach Northeast Metro 916 is taking to improve and expand service delivery of level IV special education programs.

- **Superintendent evaluation:** Chairperson Ptacek presented a summary of the board’s evaluation of Superintendent Hayes’ performance during the 2017-18 school year, which was very positive.

- **Board policies:** The school board voted to adopt a revised Health & Safety policy, which had not changed since the board conducted its first reading in June.

- **New finance director:** The school board voted to approve a new employment contract with Jon VanOeveren, who accepted the position of director of finance. Jon has more than ten years of local and state government finance experience, most recently at the Minnesota Department of Education (MDE).

- **Designated district authority:** The school board voted to name Jon VanOeveren the designated authority to sign Minnesota Department of Education (MDE) legal documents on behalf of Northeast Metro 916. Jon will replace Kim Eisenschenk, who will continue to serve in this role until Jon’s first day of work on Aug. 8.
• **Building construction joint powers agreement:** The school board voted to approve a joint powers agreement with the City of North St. Paul for the construction of a student-built home during the 2018-19 school year.

• **Long-Term Facility Maintenance:** The school board voted to approve a revision to the long term facility maintenance program budget, which was listed incorrectly when the resolution was originally approved in May. The information provided to member districts for their levy was accurate, so no further board action is required by members.

• **Collaborative Student Transportation (CST):** The school board voted to approve a contract with Collaborative Student Transportation. This new partnership will allow the district to better serve our students and control costs for transportation services moving forward.

• **Contract signers:** The school board voted to authorize the director of finance and the director of human resources to sign contracts on behalf of the district in addition to the superintendent.

• **Retirements:** The school board formally celebrated the retirement of Brian Ogdahl, education assistant, who provided the school district with 19 years of service upon his retirement in June.

• **Organizational chart:** The school board voted to approve the organizational chart for the 2018-19 school year. Changes reflect moving Dan Naidicz to be executive director of programs; adding assistant director of special education to Val Rae Boe’s duties; the hiring of Jon VanOeveren as director of finance; the hiring of Lamii Zarlee as an assistant principal of the ALCs; and moving Megan Miller to be the manager of WELS North.
Agenda Item: Adjournment
Meeting Date: August 9, 2018
Contact Person: School Board Chair

Background:
The meeting must be adjourned formally.