

BECKER PUBLIC SCHOOLS  
School Board Meeting Agenda

Monday, January 7, 2019 at 6:30 PM

Regular Meeting

Teaching & Learning Center, Becker High School

12000 Hancock Street

Becker, MN 55308

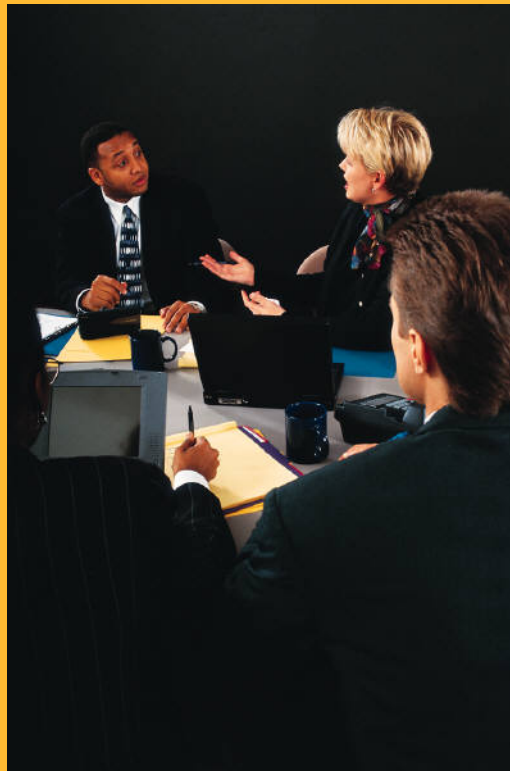
---

1. PROCEDURAL ITEMS	
A. Call to Order	
B. Pledge of Allegiance	
C. Welcome New Board Members	
D. Agenda	
E. Election Of Officers	2
F. Recognition of Visitors and Public Forum	
2. APPOINTMENT OF COMMITTEES AND REPRESENTATIVES	18
3. REPORTS	
A. Superintendent's Report	19
B. Committee Reports	
4. CONSENT AGENDA	
A. Minutes	23
B. Disbursements	
C. Financial Reports	26
D. Personnel	27
E. Gifts	31
F. Annual Agenda	32
G. Designate Official Depository	33
H. Designate Auditor	34
I. Designate Legal Counsel	35
J. Designate Official Newspaper	36
K. Designate Official School Board Meeting Dates	37
L. Authorize Superintendent and Business Manager to Conduct Electronic Fund Transfers Pursuant to MS 471.38 Subd 3 and Subd 3a.	38
5. SUPERINTENDENT SEARCH PROCESS	39

Chair	Aaron Jurek
Vice Chair	Jason Kindred
Clerk	Mark Swanson
Treasurer	Lori Molus



# The First Monday in January



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

## Table of Contents

Introduction.....	ii
The First Meeting in January .....	1
Sample Organizational Meeting Agenda .....	1
Seating New Board Members .....	2
Seating Members Elected to Fill Unexpired Terms.....	2
Date of the Organizational Meeting.....	2
Open Meeting Law .....	3
Election of Officers.....	3
Procedures for Election of Officers .....	3
Voting .....	4
Number of Votes Required .....	4
Order of the Vote .....	5
Board Unable to Elect a Chair .....	5
Vice Chair .....	6
Clerk.....	6
Treasurer .....	6
Other Business Conducted.....	6
Designate District Depositories .....	7
Select Official Newspaper .....	7
Select District’s Legal Counsel.....	7
Fix Board Member Compensation.....	7
Fix Regular Board Meeting Schedule for the Year .....	7
Appoint Board Committee Members.....	8
Appendix.....	9
Board Membership and Elections .....	9
Canvass of Returns and Certificate of Election .....	9
Qualified Board Member .....	9
Term of Office .....	9
Post-Election and Pre-Seating of New Members.....	10
Election of Officers and Sample Resolution.....	10
Index .....	12

## **Introduction**

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

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

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

**Revised: October 2018**

## **The First Meeting in January**

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

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

### **Sample Organizational Meeting Agenda**

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

- Call meeting to order  
The acting chair calls the meeting to order and conducts the meeting until a successor is elected by the board.
- Seat new board members  
The acting chair may administer a ceremonial oath of office to the new board members (depending on the board's election cycle and practice).
- Approve meeting agenda
- Elect a chair (who presides over remainder of meeting)

- Elect a vice chair, if appropriate
- Elect a clerk
- Elect a treasurer
- Set dates, times, and location(s) for regular board meetings
- Conduct other business
  - Designate district depositories
  - Name board's legal counsel and authorized contacts
  - Fix board members' compensation, if any
  - Appoint board committee members
  - Designate a board member as the Minnesota State High School League representative

### **Seating New Board Members**

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

### **Seating Members Elected to Fill Unexpired Terms**

When a vacancy on a board occurs more than 90 days prior to the November General Election with a member who has more than one year remaining in the term, the board must set a special election that will happen no later than the General Election Day in November of the calendar year. The elected board member will serve the remainder of the vacant term. If the vacancy occurs less than 90 days prior to the November General Election in the third year of the term or any time in the fourth year of the term, no special election is required. The board would then appoint a person by resolution to serve the remainder of the unexpired term. Appointed board members cannot be seated at meetings until 30 days after the appointment. Additional information concerning filling of vacancies can be found in the Appendix beginning on Page 9 and in Chapter 14 of the *MSBA Service Manual*.

### **Date of the Organizational Meeting**

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

The board cannot transact business on any holiday, except in cases of necessity (M.S. 645.44, Subd. 5). State statute stipulates that when New Year's Day, January 1, falls on Sunday, the following day shall be a holiday. So, if January 1 falls on a Sunday or Monday, the first Monday in January will be a holiday. Also, boards cannot meet on the observance of Martin Luther King Jr.'s Birthday, the third Monday in January. Boards are wise to consider these dates when planning their organizational meetings.

### **Open Meeting Law**

All board meetings must be held in compliance with the Minnesota Open Meeting Law (M.S. Chapter 13D). In addition, all votes must occur at an open meeting, and board members may not cast any straw votes or votes by secret ballot (M.S. 13D.01, Subd. 4). Boards may vote by paper ballot, but the voters must be identified and votes recorded. A schedule of the board's regular meetings must be kept on file at its primary office. If a special meeting is scheduled for the purpose of organizing the board, written notice of the date, time, place, and purpose of the meeting must be posted on the board's principal bulletin board (or on the door of the board's usual meeting room if no principal bulletin board exists) at least three days before the special meeting. All other requirements of statute also must be satisfied (M.S. 13D.04).

### **Election of Officers**

State law requires school boards to select a chair, a clerk, and a treasurer (M.S. 123B.14). Boards use elections to select officers. The board may decide to have additional officers, such as a vice chair (M.S. 123B.14). These officers shall hold office for one year and until their successors are selected and qualified. Persons who perform the duties of the clerk and treasurer need not be members of the board. The board, by resolution, may combine the duties of the offices of clerk and treasurer in a single person in the "Office of Business Affairs" (M.S.123B.14, Subd. 1). A sample resolution can be found in the Appendix.

### **Procedures for Election of Officers**

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

- The acting chair asks for nominations.
- Any member of the board may nominate any other board member, and nominations do not require a second.
- If no other nominations are immediately received, the acting chair should pause and repeat the call for nominations.

- The acting chair should again pause and repeat the call for nominations a third time to ensure that any board member wishing to make a nomination has ample opportunity to do so.
- Under most rules of procedure, a motion to close nominations before such an opportunity is provided should be declared out of order. In fact, among bodies with rules that permit motions to close nominations, *Robert's Rules of Order Newly Revised* calls for a two-thirds majority vote to adopt the motion.
- After the third call for nominations, if no other nominations are forthcoming, the acting chair should close the nominations for the office.
- A motion to reopen nominations may be adopted on a majority vote.

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

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

Board Member James: "I nominate Jane Smith."

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

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

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

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

## **Voting**

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

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

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

## **Number of Votes Required**

Unless board rule or policy requires a majority of the board's full membership or other stipulation, according to *Robert's Rules of Order Newly Revised*, the number of votes required to elect an officer is the same as the vote required to carry other motions—namely, "more than half the votes cast, excluding abstentions." Absences or abstentions can reduce the number of votes required to

less than a majority of the full board. For example, for a seven-member school board with two board members absent or abstaining, three votes would elect an officer, 3-2. Any other requirement to elect officers should be clearly articulated in the board's policies or procedures.

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

### **Order of the Vote**

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

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

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

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

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

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

Acting Clerk: "Board member Arthur Brown."

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

Acting Clerk: "Board member Margo Anderson."

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

And so on until all board members have been polled.

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

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

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

### **Board Unable to Elect a Chair**

Although the election of officers usually raises no significant question as to procedure or legal requirements, exceptions arise from time to time. For example, in the event of a tie between two candidates, a second vote should be taken, followed by a third vote prior to the close of the meeting, and, if the board is still unable to elect a chair, the election of a chair should occur at subsequent

meeting(s), for as many meetings and votes that may be required, until one candidate is elected. If a second vote to elect a new chair is unsuccessful, the board could: 1) move on to elect the other officers before attempting to vote a third time to elect a chair or 2) move on to conduct the other business before attempting to vote a third time to elect a chair before the close of the meeting. The acting chair presides until the deadlock for chair is broken, even if other officers have been selected.

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

### **Vice Chair**

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

### **Clerk**

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

### **Treasurer**

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

### **Other Business Conducted**

State law allows the board to conduct other business at the organizational meeting. Other business items commonly transacted by the board at the organizational meeting include designating district depositories, selecting the official district newspaper, selecting the district’s legal counsel and

individuals authorized by the board to contact legal counsel, fixing board member compensation, setting the board's regular meeting schedule, and appointing board committee members. These items are described below.

### **Designate District Depositories**

State statute requires the board to designate one or more official depositories for district funds (M.S. 118A.02, Subd. 1). State statute does not specify when the designation must be made; however, many boards prefer to address the designation decision at the board's annual organizational meeting.

### **Select Official Newspaper**

School districts are required by law to publish their meeting proceedings and many notices in their official newspaper. Common school districts (Franconia and Prinsburg) are required to annually pass a resolution designating the district's official newspaper at the first school board meeting following July 1 (M.S. 123B.95). All other boards select an official newspaper whenever the board believes is best, often at the board's organizational meeting.

### **Select District's Legal Counsel**

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

### **Fix Board Member Compensation**

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

### **Fix Regular Board Meeting Schedule for the Year**

The law includes specific notice requirements that must be satisfied for the board to meet, whether for regular, special, or emergency meetings. Many boards set the regular meeting schedule for the year at the board's organizational meeting. If the board sets a schedule for regular board meetings to be held during the year, with the date, time, and place for such meetings designated, and that schedule is kept at the district office, then no additional notice of those regular meetings is required (M.S. 13D.04, Subd. 1). If a regular meeting date, time, or location is changed, additional notice is required. Other notice requirements can be found in the *MSBA Service Manual*, Chapter 13, Law Bulletin C. When setting the schedule for regular board meetings, the board must keep in mind the dates when meeting restrictions and/or prohibitions apply. The board must avoid scheduling meetings on holidays and between 6:00 p.m. and 8:00 p.m. on General Election Day (M.S. 204C.03, Subd. 1), State Primary Election Day (M.S. 204D.03), School District Primary Election

Day (M.S. 205A.03), and Township Election Day (M.S. 204C.03 and M.S. 205.075), and after 6:00 p.m. on Precinct Caucus Day (M.S. 202A.19, Subd. 1).

### **Appoint Board Committee Members**

Standing or ad hoc committees are often used by boards to facilitate the mission and work of the school board, are advisory, and have only that authority which is specified by the board. However, some boards avoid using committees and opt for the board to work as a whole instead. Many boards believe the organizational meeting is a good time to appoint board committee memberships. If the board has a policy addressing board committees, the board should follow that policy as well as any established procedures. If the board utilizes committees, the policy should clarify the following: when, how, and by whom the appointments will be made, the allowable number of board members per committee, whether committee appointments are continuing or rotating, and, if rotating, a schedule for doing so. Finally, board committee and subcommittee meetings are subject to the Open Meeting Law (even when the committee membership is less than a quorum of the board). The notification and public meeting requirements for board committees and subcommittees are the same as for board meetings.

## **Appendix**

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

### **Board Membership and Elections**

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

### **Canvass of Returns and Certificate of Election**

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

### **Qualified Board Member**

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

### **Term of Office**

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

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

### **Post-Election, No Pre-Seating of New Members**

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

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

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

### **Election of Officers and Sample Resolution**

As previously noted, state law requires boards to select from its members a chair, a clerk, and a treasurer. The law does not include a provision that would allow the board to select one of its members to serve in the combined office of clerk/treasurer. The law allows a board to combine

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

### **SAMPLE RESOLUTION**

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

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

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

Moved by:

Seconded by:

The following voted in favor:

The following voted against:

WHEREUPON the resolution was declared adopted.

## Index

Appoint Board Committee Members .....	8
Chair, Board Unable to Elect .....	5
Clerk.....	6
Date of the Organizational Meeting.....	2
Designate District Depositories .....	7
District’s Legal Counsel, Select.....	7
Election of Officers .....	3
Election of Officers and Sample Resolution.....	10
First Meeting in January, The .....	1
Fix Board Member Compensation.....	7
Fix Regular Board Meeting Schedule for the Year .....	7
New Board Members, Seating of.....	2
New Members Elected to Fill Unexpired Terms, Seating of.....	2
Official Newspaper, Select .....	7
Open Meeting Law .....	3
Organizational Meeting Agenda, Sample .....	1
Other Business Conducted.....	6
Procedures for Election of Officers .....	3
Treasurer .....	6
Vice Chair .....	6
Vote, Order of .....	5
Votes, Number of Required .....	4
Voting .....	4
Appendix.....	9
Board Membership and Elections.....	9
Canvass of Returns and Certificate of Election .....	9
Post-Election and Pre-Seating of New Members.....	10
Qualified Board Member .....	9
Term of Office .....	9

**Becker School Board Committee Assignments 2018**

<b>Committee</b>	<b>A. Jurek Chair</b>	<b>J. Kindred Vice Chair</b>	<b>L. Molus Treasurer</b>	<b>B. Olson Director</b>	<b>C. Robinson Director</b>	<b>M. Swanson Clerk</b>
Activities Advisory Committee				X		X
Administrative Negotiations	X				X	
Calendar Committee	X					
Certified Negotiations		X	X			X
Classified Negotiations	X	X		X		
Community Education				X		
Curriculum Advisory		X	X			
ECFE	X					
Free & Reduced Price Meals Representative					X	
Individual Contracts			X	X		X
Nutrition Representative					X	
Technology Committee Representative						X
TRAK Committee Representative					X	



**Date:** January 3, 2019  
**To:** School Board  
**From:** Dr. Malone  
**RE:** Meeting Notes, January 7, 2019

1. D. Election of Officers: The MSBA publication The First Monday In January: Everything you need to know for your school board's Organizational Meeting is enclosed. The procedure for Election of Officers begins on page 3. A list of the 2018 officers is also attached.
2. The Chairperson appoints the committee assignments. The 2018 committees and representatives are attached.
3. A. Superintendent's Report
  - i. School board members are registered for the MSBA Conference Thursday, January 17th and Friday, January 18th. Please verify your travel plans with me, if known, at the meeting. I will finalize traveling logistics early next week.
4. Consent Agenda
  - D. I recommend approving the personnel items as presented.**
  - E. Policy 706 Acceptance Of Gifts permits the school board to accept donations or gifts under the terms of the policy. I recommend accepting the gifts as described on the enclosure.**
  - F. I recommend approving the Annual Agenda (attached.)**
  - G. Kevin Januszewski and I recommend continuing with Sherburne State Bank, Minnesota School District Liquid Assets Fund, and PMA/MN Trust as District Depositories for 2019.**
  - H. Kevin Januszewski and I recommend continuing with Bergan KDV, LTD as the district auditors for FY 19.** The cost for services in 2018 was \$24,700. KDV agreed to a price of \$25,100 for fiscal year 2019. We may solicit quotes for this service in the future.
  - I. I recommend continuing with Kennedy & Graven as the school district's Legal Counsel.**
  - J. I recommend continuing with the Citizen-Tribune as the official district newspaper.**

**K. I recommend establishing the regular school board meeting date as the first Monday of each month at 6:30 p.m. with the following exceptions noted below. The board should determine their preferred meeting time.**

- **March 11 (March 4 is during Spring break)**
- **September 9 (September 2 is a holiday)**
- **October 14 (Superintendent at Fall MASA Conference on October 7)**

**L. I recommend approving the annual authorization for the Superintendent and Business Manager to conduct electronic fund transfers pursuant to MS 471.38 Subd. 3 and Subd. 3a.**

5. The school board should review the process and schedule for selecting the next superintendent. Both are attached.

# Board & Administrator

FOR SCHOOL BOARD MEMBERS

December 2018 Vol. 32, No. 8

Editor: Jeff Stratton

## Policy, strategy key to increased achievement

In my previous two columns, I shared the concept of an aligned system to increase student achievement at scale and how individuals' beliefs and the district's vision, mission and theory of action when aligned start a district on the path to scaling student achievement. In this column, I'll examine how policies and the strategic plan work together to make increasing student achievement at scale reality.

### Policies

In Charlotte, our theory of action specifically cited the need to align all district systems around this theory and to develop board policies consistent with this approach. Reviewing policies to determine if they align with the theory of action and support its implementation is a tedious process at best. But once complete, it can provide support in unexpected and unpredicted ways.

An example: In the financial downturn of 2008, Charlotte-Mecklenburg Schools faced budget cuts of about \$146 million. Our theory of action stated, "In a Managed Performance/Empowerment system, schools should be given some degree of control over operations as well as instruction. The amount of control will be based on student, teacher and school performance as measured by the district's accountability system. Schools will be given as much latitude as possible to manage budgets, procurement, hiring and firing, the configuration of workforce, schedules, student affairs, extracurricular activities, and parent and community relations." Policy had also been written to support this part of the theory of action. To make the budget cuts, we had to do layoffs – and because of policies based on our theory of action, we could make the layoffs using the criterion

of effectiveness rather than seniority. It was a controversial move — but it was also the right thing to do for the needs of our students. Without an aligned system where policy was written to support our theory of action, it would not have been possible.

### Strategic plan

A theory of action can facilitate effective strategy development and a coherent strategic plan puts a theory of action into practice. We developed a strategic plan that included a goal focused on effective educators. When we wrote the plan, we had no inkling that a financial crisis and layoffs were coming our way. We just wrote a goal that made sense to us at the time. It read in part, "CMS will increase the percentage of its schools with effective teaching staff. That effectiveness will be measured by subjective and objective evaluations, and the percentage will be set after a district-wide accountability system required by CMS Board of Education Policy has been adopted." Our subsequent decision to use effectiveness-based layoffs was a strategy that aligned with our strategic plan, our policy and our theory of action — even though the financial crisis and layoffs were not foreseen at the time all three were created. Strong alignment and sound policy will pay dividends now and in an unknown future.

Those layoffs in Charlotte were the first ones since the 1930s, and they landed hard on the district and the community. The outrage and personal attacks that followed our decision to make effectiveness-based layoffs were painful and ugly. It certainly helped me understand how people can take the easier route for adults rather than do what they believe is right for children. ■

## Email response resource helps board

The superintendent of Unity School District in Balsam Lake, Wis., created an email response resource to help his board members understand how to respond to emails they receive.

He did this because board members want to communicate positively, but doing so in email format can be especially difficult.

The resource, *School Board Member Advice — The Email Dilemma*, gives board members suggestions for scenarios they encounter when responding to an email:

Here's an excerpt focused on chain of command:

“Check to see who is included in the email. If an administrator is also included, they may have more information and may be able to respond in a satisfactory manner.

“If an administrator is not included in the email, it may be beneficial to inform the sender that you are forwarding the email to an administrator for follow-up.”

Editor's Note: If you are interested in this resource, ask your superintendent for the copy I've provided in the administrator's section of *Board & Administrator*. ■

### 5 ways to concentrate on better board governance

Here are five areas where board members encounter role confusion and how to handle them:

1. Confusion about respective roles and responsibilities. Board members can't be the superintendent. You need to know the roles and responsibilities as a board member. It's also important to know the superintendent's roles and responsibilities and never cross the line and try to do the job of the superintendent. Remember that roles and responsibilities boiled down to the least common denominator are: the board makes policy on recommendation of the superintendent, hires and fires the superintendent, and approves the budget, and the superintendent implements policy and manages the day-to-day operation of the district.

2. Failure to remember that the board has one employee — the superintendent. The superintendent deals with the rest of the district's employees. Board

members have no business managing personnel issues involving certificated and noncertificated employees.

3. Lack of loyalty to the position of board members. Running for the board implies a strong desire to perform a service to the community, children and families in the district. Board members must always act on behalf of all the children — not just some.

4. Failure to realize the board functions as a whole. No individual board member can commit the board to any action not passed by the majority.

5. Failure to realize that the board members' power exists only during a duly called and constituted board meeting. Individual board members have no right to enter school campuses, give orders, make changes, and act as agents of the board, unless given that authority during a meeting for a specific item. ■

### Keep this in mind about your board service

Some people run for election to the school board because they want to see something changed. These can be positive changes — like improvements to curriculum. Or they can be very negative — they want to put a coach, teacher, or principal out of work.

If you've been elected to a board, keep this principle in mind: All past board decisions and

policies are still valid, even when new members join the board. Board members come and go, but the decisions made by past boards remain in effect.

New board members should understand that board power is continuous until the full board meets in a legally constituted school board meeting and the majority changes board policy. ■

Chair Jurek called the regular meeting of the School Board of District #726 to order on the 3rd day of December, 2018 at 6:37 p.m. in the Teaching & Learning Center

**Roll Call.**

**Members present:** Aaron Jurek, Lori Molus, Bryan Olson, Connie Robinson

**Members absent:** Jason Kindred, Mark Swanson

**Others present:** Dr. Stephen Malone, Superintendent  
 Director of Business Services Kevin Januszewski

**Public Comments:** None

**REPORTS**

Superintendent Malone:

- MSBA Leadership Conference, Jan 11-12
- High School Principal Vacancy Process

Director Bryan Olson: Activities Committee Meeting Update, Advisory (Curriculum) Committee Meeting Update

Motion by Bryan Olson, seconded by Connie Robinson, to **Approve the Consent Agenda as Presented:**

**MINUTES FROM THE NOVEMBER 13, 2018 REGULAR SCHOOL BOARD MEETING**

**MINUTES FROM THE NOVEMBER 27, 2018 SPECIAL SCHOOL BOARD MEETING**

**FINANCIAL REPORT**

2018-19		2018-19	Remaining	%	Prior Year
Budget	November 2018	Year-to-Date	Budget	Spent	Spent to Date
32,306,350	2,667,317	10,683,251	21,623,099	33.07%	34.97%
1,456,644	85,759	387,249	1,069,395	26.59%	32.10%
1,256,117	137,392	492,076	764,041	39.17%	35.37%
3,557,569	-	415,833	3,141,736	11.69%	13.14%
<b>\$38,576,680</b>	<b>\$2,890,468</b>	<b>\$11,978,410</b>	<b>\$26,598,270</b>	<b>31.05%</b>	<b>32.77%</b>

**DISBURSEMENTS** – in the amount of \$1,286,945.61

**PERSONNEL**

Name	Status	Job Title	Location	Hrs Per Day/FTE	Group	Replacing	Effective	Wage
------	--------	-----------	----------	-----------------	-------	-----------	-----------	------

Baker, Melissa	New	Spanish Teacher	HS	.76 FTE	BEA	Brianna McGinty	12/3/2018	\$19,726.
Baune, Jason	Resignation	7th Grade Football Coach	MS	Seasonal	BEA - Schedule C	n/a	11/12/2018	n/a
Boos, Joalah	Resignation	Technology Paraprofessional	HS	8	Multi Unit	n/a	11/26/2018	n/a
Goenner, Breann	New	Paraprofessional	PS	5.25 Hrs Per Day	Multi Unit	Samantha Lommel	11/9/2018	\$16.21 Per Hour
Lorentz-Berg, Nancy	Leave of Absence	Media Specialist	HS	1 FTE	BEA	n/a	8/26/2019	n/a
Glothan, Marqus	New	9th Grade Boys Basketball	HS	Seasonal	BEA - Schedule C	Brian Kuseske	11/19/2018	3363 Per Season
Hillaway, Dana	New	Technology Paraprofessional	PS/IS	8	Multi Unit	Stephanie Hillesheim	11/28/2018	\$17.49 Per Hour
Seavert, Ryan	New	JV Boys Basketball	HS	Seasonal	BEA - Schedule C	Andrew Neuman	11/19/2018	\$1,854 Per Season
Wandersee, Ali	New	Server	IS	2.5 Hrs Per Day	n/a	Gunnar Fedderson	11/12/2018	\$13.50 Per Hour

**GIFTS**

Donor Name	Description of Gift	Purpose of Gift
Anonymous	\$5,788.00	Girls Soccer Program - Uniforms
Becker Lions Club	\$500.00	PS Milk Scholarships
Clear Lake Lions Club	\$8,000.00	All Buildings - Student Supplies
Coborns	\$318.61	PS Wheels Week Equipment
LifeTouch	\$470.00	PS WatchDogs Program
Machesky, Cathleen	\$100.00	PS Author Visit

**WORLD'S BEST WORKFORCE REPORT**, as presented

Motion carried unanimously.

Motion by Connie Robinson, seconded by Bryan Olson to **Approve Fiscal Year 2018 Financial Audit**, as presented. Motion carried unanimously.

Truth and Taxation information was presented by Kevin Januszewski, Director of Business Services. Motion by Bryan Olson, seconded by Lori Molus to **Approve Payable 2019 Levy in the Amount of \$10,502,780**. Motion carried unanimously.

Motion by Bryan Olson, seconded by Connie Robinson to **Approve the Following Policy Recommendation:**

**224 Revised School Board Member Representation on Hiring Committees**

Motion carried unanimously.

Motion by Lori Molus, seconded by Connie Robinson to **Approve Staff Stakeholder Groups for Superintendent Search**, as presented. Motion carried unanimously.

Chair Aaron Jurek **Recognized Bryan Olson's Years of Service** to the Becker Public School District.

The meeting was **adjourned** at 7:46 p.m.

\_\_\_\_\_  
Aaron Jurek, Chair

\_\_\_\_\_  
Mark Swanson, Clerk

Recorder: Angela Oswald

**BECKER PUBLIC SCHOOLS  
MONTHLY FINANCIAL REPORT  
December 2018**

**EXPENDITURES**

<b>Fund</b>	<b>2018-19 Budget</b>	<b>December 2018</b>	<b>2018-19 Year-to-Date</b>	<b>Remaining Budget</b>	<b>% Spent</b>
General	32,306,350	2,877,547	13,560,798	18,745,552	41.98%
Food Service	1,456,644	116,791	504,040	952,604	34.60%
Community Service	1,256,117	117,860	609,936	646,181	48.56%
Debt Service	3,557,569	-	415,833	3,141,736	11.69%
	<b>\$ 38,576,680</b>	<b>\$ 3,112,198</b>	<b>\$ 15,090,608</b>	<b>\$ 23,486,072</b>	<b>39.12%</b>








**January, 2019**

**Policy 706 Acceptance of Gifts permits the school board to accept donations or gifts under the terms of the policy. I recommend accepting the gifts as described below.**

Donor Name	Description of Gift	Purpose of Gift
Becker Drama Boosters	\$730.00	High School Musical
BHS Band Boosters	\$194.76	BHS Food Pantry
Clear Lake Lions	\$1,000.00	Archery Team
Clear Lake Lions	\$1,000.00	Robotics Team
Dahlheimer Beverage	\$1,500.00	Robotics Team
Erich J Kanne Memorial Fund	\$500.00	Archery Team
JD's Stop & Wash	\$500.00	Archery Team
LPI	\$500.00	Robotics Team
Santiago Lions Club, Inc.	\$1,000.00	Archery Team
Sherburne State Bank	\$500.00	Archery Team

**2019****January**

- Set Annual Agenda
- Governance Education: (all board members) MSBA Leadership Conference

**February, March, April**

- Input From Parents, Staff Members/Administrators, Students, and Community Members About Strategic Goals

**March**

- Governance Education: (new board members) MSBA Phase III training

**May**

- Strategic Goals Discussion

**June**

- Review of school district's progress toward annual goals
- Annual evaluation of superintendent

**July**

- Governance Education (all board members) related to strategic goals (futurist, demographer, technology, advocacy groups, staff, MSBA etc.)

**August**

- Strategic Goals Discussion
- Governance Education: (all board members) MSBA Summer Seminar

**September**

- Strategic Goals Discussion

**October**

- Strategic Goals Discussion
- Review of school board governing process
- Governance Education: (school board candidates) orientation

**November**

- Identify strategic goals for Fall 2020 from 2019 strategic planning.
- Governance Education: (new board members) MSBA Phase I training

**December**

- Finalize strategic goals for Fall 2020 from 2019 strategic planning.
- Governance Education: (new school board members) orientation
- Governance Education: (new board members) MSBA Phase II training

Kevin Januszewski and I recommend continuing with Sherburne State Bank, Minnesota School District Liquid Assets Fund, and PMA/MN Trust as District Depositories for 2019.

**Kevin Januszewski and I recommend continuing with Bergan KDV, LTD as the district auditors for FY 19.** The cost for services in 2018 was \$24,700. KDV agreed to a price of \$25,100 for fiscal year 2019. We may solicit quotes for this service in the future

I recommend continuing with Kennedy & Graven as the school district's Legal Counsel.

**I recommend continuing with the Citizen-Tribune as the official district newspaper.**

**I recommend establishing the regular school board meeting date as the first Monday of each month at 6:30 p.m. with the following exceptions noted below. The board should determine their preferred meeting time.**

- **March 11 (March 4 is during Spring break)**
- **September 9 (September 2 is a holiday)**
- **October 14 (Superintendent at Fall MASA Conference on October 7)**

**I recommend approving the annual authorization for Superintendent and Business Manager to conduct electronic fund transfers pursuant to MS 471.38 Subd 3 and Subd 3a.**

## EXHIBIT 1 (Revised 11-27-18)

### Becker Public Schools Superintendent Search Services PEER Solutions Work Scope

Steps	Activity	Timeline
1	SITE VISIT – Attend a planning meeting with the Board and develop a working relationship with key staff. Identify a board search committee. Establish a search calendar of events and develop a relationship with local media as appropriate.	November 27, 2018
2	Post position, assist with establishing a district website presence regarding the search, identify stakeholder team leaders and participants, set up interview process and initiate process to develop interview questions. Develop a salary range with board leadership. Recruit candidates for position.	December 17 – February 1
3	SITE VISIT – Meet with stakeholder groups and the Board to identify candidate attributes and district needs over next two years. Complete stakeholder survey	January 15
4	Develop a candidate profile of attributes, secure and review all candidate applications, perform due diligence on a selected group of applicants and establish the financial viability of candidates.	January 15 – February 7 (Bd scorecards 2-7 to 2-11)
5	SITE VISIT – Work with Board committee to select candidates to interview and work with interview team leaders to prepare for the interview process.	February 12
6	SITE VISIT – Orchestrate the final interview process of the finalists. Include board-approved stakeholder teams and the Board in a full day screening process culminating in the board selecting a new superintendent. Consultants will communicate with finalists, stakeholders, and the media as the decision is made.	February 20
7	Conduct the search close out process including notifying applicants and performing ‘over-watch’ on contract negotiations.	Week eleven or twelve

Updated December 6, 2018

PEER Solutions Becker Stakeholder Input Session Schedule

The following schedule is offered as a model to be used for stakeholder input sessions slated to be held on January 15, 2019. The district will recruit participants and provide adequate facilities for the meetings. PEER Solutions will provide materials needed for the sessions.

These meetings are intended to gather information from the stakeholder groups relevant to the superintendent search. Two central questions will be posed:

- What are the most important characteristics of leadership that should be sought in the new superintendent?
- If you were looking back on the new leader’s first two-years with the district, what would you be most delighted to find has been accomplished?

The lead consultant will use small and large group processes to generate lists of desired attributes and accomplishments sought by each stakeholder group. These will be used as the process proceeds.

Proposed Schedule for January 15, 2019:

	Time	Location	Notes
Lead Consultant arrives	11:00	TLC	Check in with Admin Asst and others involved in the day’s activities. Final preparations for day.
Citizen Stakeholder Group	11:30 to 12:30	TLC	Up to 20 persons actively recruited and invited by the district to participate in the process. Anticipate that an Interview Team leader and several team members will likely emerge from this group. A light lunch should be provided.
District Office Staff Interactions	12:45 to 1:30	TLC	This group will gather to offer general input into the search and to be informed about what to expect in the coming weeks.
Administrative Stakeholder Group	1:45 to 2:45	TLC	Members of the district’s site and district-office level administrators will participate. Again, a team leader and interview team members are likely to emerge from this session.
Staff Stakeholder Group	3:30 to 4:30	TLC	Up to 20 persons should be recruited and invited by the district to participate in the process. These persons should be generally representative of all of the sites and employee classifications. A team leader and interview team members are likely to be selected from this group.
School Board Work Session	6:15 to 7:45	TLC	The Board should convene to engage in the same general activity the other stakeholder groups have followed. In addition, the Board will discuss next steps in the process and otherwise plan for what comes next. A draft report will be offered on the attributes and accomplishments sought by the other stakeholder groups. (The district may wish to put out a light meal for the group.)