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MARCH 2017
4.............MSBA Charter School Board Training –
St. Peter
6.............Negotiations Seminar – Bemidji
11...........Negotiations Seminar – St. Peter
14...........Negotiations Seminar – St. Cloud
14...........Township Election Day (if applicable –
no meetings or activities 6 p.m. – 8 p.m.)
15...........BoardBook Webinar 10 a.m.

APRIL 2017
2.............MSBA Board of Directors’ Meeting
3.............MSBA Day at the Capitol
5.............MSBA Building A High-Performance School Board Team:
Phase III, Fergus Falls
6.............MSBA Building A High-Performance School Board Team:
Phase III, Thief River Falls
7.............MSBA Building A High-Performance School Board Team:
Phase III, Mountain Iron
11...........MSBA Building A High-Performance School Board Team:
Phase III, Marshall
12...........BoardBook Webinar 10 a.m.
17...........MSBA Insurance Trust Meeting
18...........MSBA Building A High-Performance School Board Team:
Phase III, Maple Grove
19...........MSBA Building A High-Performance School Board Team:
Phase III, Rochester

MAY 2017
10..........BoardBook Webinar 10 a.m.
10-12......MASBO Annual Conference
18-19......MSBA Board of Directors’ Annual Meeting
24..........Minnesota School District Liquid Asset Fund Plus Meeting
29..........Memorial Day (no meetings)

MSBA thanks the students of St.
Michael-Albertville High School for
sharing their art in this issue.
COVER ART:
Rachel Wright
OUR “CHOICE” IS PUBLIC EDUCATION

By Kirk Schneidawind

“Public dollars in public spaces.”

That was the mantra of many public school board members — from all across the United States — whom attended the National School Boards Association Advocacy Institute in January.

It was great to see a mix of school board members from Minnesota and elsewhere coming together to advocate at the federal level for issues that will help all of our public school districts.

No time is more important than now for school boards to work together in a common purpose concerning the value, role and importance our public schools play in our communities, cities and states.

Our public education system continues to be challenged nationwide by its detractors. In the face of these attacks, it is important that we share the value of our public schools.

Members, it is time to run with that “public dollars in public spaces” mantra and stand up for the values that make our public schools the cornerstone of our communities and the foundation of this great state.

These values include our students learning the fundamentals of participating and cooperating in a democratic society. Public schools help build an educated populace, preparing students for the workforce or postsecondary institutions.

In Minnesota, we are fortunate to have very robust public school options — through traditional school districts, magnet schools and charter schools. However, there are targeted approaches out there — like the tax credit and vouchers — that are attempting to crack the foundation of our public education system.

Even though those tax credits or vouchers may not be on your doorstep yet, you’ve got to be a proactive advocate — not only for your district and your students — but for public schools in general. We’re here together in this — under one big tent supporting public education.

Public schools are the cornerstone of our communities. We need to continue the fight for public education — not as it is, but as we want it to be in a future with 21st century learning, technology and STEM curriculum. Resources should not be diverted away from school districts through tax credits and/or vouchers.

While this is one issue, we have heard from our members that there are matters of importance for our school districts in this legislative budget year — receiving stable, equitable and predictable funding; taking steps to reduce the special education cross-subsidy; and mandate relief.

Please join us Monday, April 3, for the MSBA Day at the Capitol in St. Paul. The Day at the Capitol provides a great opportunity for us to speak with one voice to our state senators and representatives — to speak for all of Minnesota’s 850,000 public school students, for all of our school districts and for all of our school boards. We look forward to seeing you.

Kirk Schneidawind is the executive director of the Minnesota School Boards Association. Contact him at ksneidawind@mnmsba.org.
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We all have reasons we stepped forward to be leaders in public education. That moment when we knew we could make a difference, or at least wanted to try. Being a mom was the ignition that lit my passion for education and public service. I wanted the best for my kids and that translated for wanting the best for all kids. The common budget shortfalls and deteriorating facilities called for problem-solving. State and federal pressures for curriculum standards and testing caused me to question who the decision-makers were and where the supporting research was coming from. I knew that to make a difference, I would need the courage to put my name and face out there with my voice and ideas to support our schools and students. With my ballot filing more than 17 years ago, “the rest was history.”

This year we have a record number of new school board members, 421 joining our ranks, the largest class since the 1970s, when school census was peaking. I feel a sense of pride when I think of the bond that links us as public servants, with education being our focus. It is our job to know education issues, dynamics and resources. We need to study, question and listen to a multitude of issues and stakeholders. We need to leverage limited resources of wants with needs. Our ability to set district vision, aims and goals by promoting solid policies are the foundation of our districts’ success. It is a responsibility that, at times, can be daunting as well as extremely rewarding.

Early on, I knew I had a lot to learn. MSBA was there at the onset. For me, it was in the form of a five-pound, three-ring binder and the Phase I and Phase II training sessions. We are in an exciting and turbulent time in education. Local pressures and the external demands of mandates will require diligent attention. I have always had the confidence that if I had a school board question, MSBA would have the resources to find an answer. You can look to MSBA for a menu of tools to support the work you do. It is your organization, built on the premise of “Where School Boards Learn to Lead.” It is with pride in our organization that I will serve as your president.

I would call my life as a school board member both an adventure and a journey. An adventure in that I did not know at the onset that my involvement would take me to challenges, accomplishments and events I could not have anticipated. It has been a journey, starting at being a supportive mom, transforming to a passion for education, public policy and service. Both the adventure and journey have provided me with a sense of pride and purpose. I can look to my school board work and know I have made a difference in the lives of children, my own and beyond.

Kathy Green is the president of the Minnesota School Boards Association. Contact Kathy at kathyannegreen@gmail.com.
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EQUITY IN ACTION

Minnesota African Heritage School Board Directors forms to strengthen voice of minority members

By Bruce Lombard

To paraphrase a Chinese proverb, “every journey begins with a single step.”


The African Heritage group is the brainchild of school board members Helen Bassett and Abdi Sabrie. Sabrie became the first Somali immigrant elected to the Mankato Area School Board in November 2015. Early on, being the only person of color on his school board, Sabrie said he had difficulty connecting with his board colleagues.

“People of color who serve on school boards face a social exclusion that they can’t control,” Sabrie said. “I was often the only person of color at board meetings, which made it difficult to connect with my colleagues.”

In May 2016, Sabrie attended a meeting of the Mankato Area School Board and was struck by the diversity of the board. He realized that he was the only Somali immigrant on the board, and he wondered if other Somali immigrants had similar experiences.

Sabrie and Bassett formed the Minnesota African Heritage School Board Directors group to address this issue. The group aims to increase the representation of minority voices on school boards and to provide a support network for school board members of color.

The group’s first meeting was held in St. Louis Park in May 2016. The meeting brought together public school board members of African descent — African immigrants and U.S.-born African-Americans.

Sabrie said that the first conversation he had with Bassett — who is also the only member of color on her local school board — brought some much-needed emotional support.

“The same social exclusion children face in the classroom, board members of color face the same thing in the board room,” Sabrie said. “My board colleagues are wonderful people, but we have different lives and different social experiences.”

Two months after his election, Sabrie looked outside his board in hopes of finding somebody he could relate to. During the 2016 MSBA Leadership Conference in Minneapolis, Sabrie ran into an acquaintance and shared his concerns.

“I told him I was really struggling and that I was looking for a minority board member like me that I could have a conversation with,” Sabrie said.

That colleague put Sabrie in contact with Bassett, a U.S.-born African-American, who has served on the Robbinsdale Area School Board since 2002.

“I think Abdi really wanted to have someone to talk with,” Bassett said. “I was happy when Abdi was pointed toward me. Particularly since many believe that I am the longest serving African heritage Minnesota school board member in recent history. That alone is a storied testament to our suburban communities.”

Sabrie said that first conversation with Bassett — who is also the only member of color on her local school board — brought much-needed emotional support.

“We really clicked right away,” he said. “You have to connect with someone and have a conversation where you can really be yourself and that’s what I found in talking with Helen Bassett.”

The group has met several times since its inaugural meeting, and members have discussed ways to increase the representation of minority voices on school boards. They have also shared their experiences and strategies for connecting with their board colleagues.

“By bringing together school board members of color, we can share our experiences and find ways to support each other,” Bassett said.

The Minnesota African Heritage School Board Directors group continues to meet and discuss ways to increase the representation of minority voices on school boards. The group hopes to create a supportive network for school board members of color and to promote equity in education.

By Bruce Lombard
Helen. Even though she’s an African-American and I’m an African immigrant, our stories and experiences had identical elements. We could have been brother and sister.”

**African Heritage Group, Assemble!**

It didn’t take long for Bassett and Sabrie to realize they were on to something. “Right away, the lights went on,” Sabrie said. “We needed to do this statewide so we can amplify the voice of minority board members for the benefit of children of color, as well as children who are less affluent in society.”

Bassett was knowledgeable of several school board directors across the state, and took the lead in reaching out. She sent email messages to other school board members of African descent, inviting them to join the group.

According to the group’s Facebook page, the Minnesota African Heritage School Board Directors are “actively supporting efforts designed to eradicate challenges and barriers to equitable education for children.”

Also, the group’s convening purpose is founded on the notion that “excellence in leadership at all levels of the public school service delivery continuum is critical; that working on behalf of children demands rigor of thought, stability of emotion, and clear vision.”

The group aims to bring together allies to share stories, learn lessons and share successes — which is important for their roles as leaders of color, and their commitment to good school board governance and leadership.

Sabrie said the large achievement gap that Minnesota faces is not compatible with the greatness of the state of Minnesota. “The social experience of minority board members can be exploited to amplify the voice for the inequity that exists in public education statewide, so that we can get to a place where we bridge the achievement gap,” Sabrie said.

While the group wants to serve all students in Minnesota, Sabrie said the group will pay particular attention to children or color, children with disabilities, and children from poor families. In his opinion, these three groups of children have similar experiences.

Bassett believes the African Heritage group has much to offer, especially as Minnesota’s demographics continue to change. “We believe we can add value to the strength of having deeper and varied perspectives to our state,” she said. “As a person of color, it’s important to have colleagues who understand that we’re all in this together — and it’s not just my issue — but our issue. If you have a homogenous group, you may be missing some aspect that might not..."
be missed, if you have a little more diversity.”

Across Minnesota, there are only a handful of African Heritage school board members — including St. Paul’s Zuki Ellis, who was elected to the MSBA Board of Directors in January 2017.

Bassett said that the presence or contributions of board members of color may be obscured to the general public.

“Highlighting the contributions of directors of color is important to the communities we serve,” Bassett said. “Seeing leaders who reflect the heritage of children of color has significant value, in addition to the substantive board contributions.”

The group meets about every three months. Sabrie said the first few meetings primarily involved the group sharing their shared experiences through stories.

“Some of us were crying because of the compelling stories,” Sabrie said. “We are all social animals, we just want someone to relate with. You want someone who shares your social experience.”

Validation

In January 2017, the African Heritage group received an important stamp of approval from a very prominent school board member of color — National School Boards Association President Miranda Beard.

Beard was the guest speaker at an event cohosted by MSBA and the Heritage group during Leadership Conference week. Beard had high praise and encouragement for the group.

Sabrie and Bassett said they were both grateful that MSBA has embraced its group.

“The MSBA Leadership Conference is the seminal training and professional development for Minnesota school board members,” Bassett said. “It felt good that our meeting was embedded within the week of the annual Leadership Conference.”

Sabrie said he appreciates MSBA’s leadership via getting in front of equity and being ready to embrace change. “We are here to help MSBA,” Sabrie said. “We have the same mission.”

Once the group has a solid foundation, Bassett and Sabrie want to reach out to other minority groups — Latinos, Asians, Native Americans and others — and encourage them to form groups of their own. Then, down the road, they hope to find a way for all the groups to come together to form a united voice.

“We want to serve Minnesota first, and then hopefully be an example for the rest of the country,” Sabrie said. “We hope our service will be beacon for communities of color, that draws others into service for our schools, whether as volunteers or as potential school board directors, said Bassett.”

After taking its first steps, the Minnesota African Heritage School Board Directors are hopeful there is a long and fruitful journey ahead.

“We have the potential to impact society in a way that has never been done before,” Sabrie said. “It’s very exciting, no matter what perspective you come from. Each one of us knows that we have the potential to affect change in the future and leave a legacy.”

Bruce Lombard (blombard@mnmsba.org) is MSBA’s Associate Director of Communications. To learn more about the Minnesota African Heritage School Board Directors, contact Helen Bassett at helen_bassett@rdale.org or Abdi Sabrie at amsabrie@gmail.com. The group also has a Facebook page at https://www.facebook.com/MNAHSBD.
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In 2016, the Local Government Innovation Awards again recognized the creative ways schools, counties, cities and townships are making Minnesota better.

Created by the University of Minnesota’s Humphrey School of Public Affairs’ Public and Nonprofit Leadership Center, the Local Government Innovation Awards (LGIA) are supported by the Minnesota School Boards Association, the League of Minnesota Cities, the Minnesota Association of Townships, and the Association of Minnesota Counties.

The 2016 overall school category winner was Burnsville-Eagan-Savage’s Sioux Trail Elementary School for its “Cultural Proficiency: Translating Beliefs and Actions into Student Success” program. Burnsville-Eagan-Savage will receive a $5,000 grant from the Bush Foundation to continue local government innovation and redesign.

The other 2016 LGIA-award winning school districts are Little Falls, Minneapolis, South St. Paul and St. Cloud Area.

Also, in honor of its 10th anniversary, LGIA officials honored one of its previous award winners — the Southeast Service Cooperative — with the 2016 10th Anniversary Top Innovator Award. This new award recognized the lasting impact of the Southeast Service Cooperative’s Mobile Science Lab Program.
Leslie Horwart realizes that in the past, she was asking her students to make adjustments to her culture. “Now I’m asking, how do I adjust to theirs,” said the third-grade teacher at Sioux Trail Elementary School in Burnsville-Eagan-Savage School District.

Horwart’s involvement with Culturally Proficient School Systems (CPSS) has made the difference.

Sioux Trail was a pilot site last year in implementing the strategic direction of the school district becoming a culturally proficient school system. The school serves 330 children — 48 percent of students are ethnically or racially diverse, 15 percent are linguistically diverse, and nearly half of the students qualify for free or reduced price meals.

Sioux Trail Principal Shannon McParland, teachers, educational assistants and the school secretary stepped up to the plate. They took part in monthly professional development through a journey of self-discovery. “We examined our beliefs, values and assumptions around culture and how it impacts our policies and practices,” McParland said. “Our goal was to deepen our understanding of culture and how it plays out in our personal and professional lives.”

“CPSS is the piece that ties all the other pieces together,” said Horwart. She explains the process: “You examine your own beliefs and values and that helps you form a framework that is culturally inclusive of all students.”

In a CPSS classroom, there is variety with quiet moments, very active ones and lots of conversation. “The goal is to set up a classroom that builds on the strengths of all of your students,” Horwart said. “We have a moral obligation to make sure everyone who walks in the door feels welcomed and accepted and can succeed at high academic levels.”

CPSS goes beyond diversity practices and equity initiatives by honoring each individual and his or her traditions, beliefs and practices (culture), while at the same time learning about other cultures.

“What makes this new and innovative is that it starts with each individual knowing themselves. We call this an inside-out approach to institutional change,” said McParland. “It acknowledges that we are all on a journey and that through reflection we will better understand ourselves, our families, our organization and practices.”

CPSS is hopeful, asset-based and highlights learning, growth, and positive change in small increments. McParland believes that the greatest impact has been in being open and vulnerable in building relationships — between staff members and students, staff members and colleagues, and student to student. “It’s understanding and honoring who we are, and relationships that make the difference,” she said.

Results, so far

“School climate has changed,” McParland said. “We feel it in the way we greet people, work with one another, the artifacts we display, and the ways we involve families. It is a feeling of safety and acceptance where students can take risks.”

Family attendance at school functions has increased. More families from the non-dominant culture are contributing as key stakeholders in the school community.

continued on page 18 >
Sioux Trail’s student performance data speaks volumes. On the Minnesota Comprehensive Assessments (MCA), the percentage of proficient students grew by 4.2 percent in reading and 6.3 percent in math over the prior year. In Measures of Academic Progress (MAP) Assessments, 75 percent of students reached national reading growth targets and 82 percent of students reached national math growth targets.

“There are no excuses,” McParland said. “The kids can do it.”

This year, CPSS is being implemented across all of the district’s 18 sites and programs and 1,400 employees.

“The pilot project at Sioux Trail was a springboard for learning and growth across the district,” said Dr. Stacie Stanley, the district’s director of system improvement and student achievement. “Their CPSS work is serving as a model and guide for this inside-out journey that all staff members in Burnsville-Eagan-Savage are experiencing.”

CPSS has become part of the fabric of Sioux Trail Elementary and it weaves through everything they do now. “We know it makes a difference for our students,” said McParland. “We feel good that our CPSS has increased the success of our students.”

Still, there’s no finish line when it comes to being a culturally proficient school or district.

“Culturally proficient educators and leaders continually apply the tools of the CPSS framework in everyday moments to build strong and effective communities based on strengths,” said Dr. Joe Gothard, Burnsville-Eagan-Savage superintendent. “Diversity is one of our district’s greatest strengths. I am incredibly proud of the progress our staff members have made on their CPSS journey.”

To learn more about cultural proficiency at Sioux Trail Elementary and in Burnsville-Eagan-Savage, including a video of Leslie Horwart with her third-graders, go to www.isd191.org/cpss.
For the past seven years, a collaborative team of hands-on learners has been going about education in science-related fields in an innovative way. It’s just the type of program prime for recognition by the Humphrey School of Public Affairs’ Public and Nonprofit Leadership Center’s Local Government Innovation Awards (LGIA).

The Mobile Science Lab Program, a collaboration of the Southeast Service Cooperative (SSC), Mayo Clinic, and Rochester Area Math Science Partnership (RAMSP) in Rochester, creates a connection between classrooms and science-related careers. Traveling trailers filled with the equipment and supplies to conduct science experiments in high school classrooms support the training that teachers receive during an intensive professional development experience. The program first received an LGIA in 2011, two years into their mobile lab program. In 2016, the program is receiving LGIA’s Top Innovator Award for their continued innovation, increasing reach and meaningful impact.

In a conversation with SCC’s Amy Grover, LGIA learned more about the labs. The concept to create them arose from looking at data that indicated Mayo Clinic’s teacher professional development programs were not translating into area high school students seeking a career in the medical field upon graduation. Ross Aleff, a Mayo Clinic research technologist and instrumental leader in the lab’s evolution since the beginning, pinpointed the missing link: access to equipment and consumables in the classroom that were needed for experiments.

To get equipment into the classroom, several funding partners stepped forward to help the development and launch of the program, including HealthForce Minnesota, Southern Minnesota Initiative Foundation, Workforce Development, Inc., Winona State University, AgStar Fund for Rural America, and Minnesota Agricultural Educator Leadership Council. Several of these funders, including AgStar and

continued on page 20 >
Four other school districts earn recognition

**Little Falls Community Schools: Alternative Career Pathways**

Little Falls Community Schools is leading an initiative called Alternative Career Pathways. Ten school districts (Little Falls, Pierz, Verndale, Upsala Area, Menahga, Pequot Lakes, Pillager, Swanville, Bertha-Hewitt and Walker-Hackensack-Akeley) have partnered to collaborate on this initiative. The goal of this initiative is to allow teachers to personalize their professional development by developing projects relevant to their students, classroom and/or district needs. This initiative also provides teachers a different method to advance through the traditional pay scale. Ultimately, this initiative reimagines traditional professional development and pay structures for K-12 education.

**St. Cloud Area School District: PAKRAT — Parents and Kids Reading A lot Together**

During the school year, St. Cloud Area’s PAKRAT program sends home quality literature books with every preschool through third-grade student to read with an adult. Last year, students read 118,769 books as a result of PAKRAT. In the summer, the PAKRAT bus travels to neighborhoods for children of all ages to check out books. This has been a true partnership of the school district, local businesses, individuals and an educational foundation.

**South St. Paul School District: South St. Paul School District and WIC Release of Information Referral Partnership**

For school districts, building relationships with families with young children, connecting people with services, and breaking down barriers for preschool are crucial for children to enter kindergarten — not just ready to learn, but ready to thrive. The lack of up-to-date census information for use in school districts has a major impact on funding, planning and communicating with families. South St. Paul Schools and WIC (Women, Infants and Children) of Dakota County have formed an innovative partnership. When a family with a South St. Paul (SSP) address first meets with their WIC worker, they are now asked to sign a simple release (name and contact information only) that allows the SSP Early Learning Office to reach out and make personal contact. In the first five months of the project, SSP received 78 releases and found that 82 percent of the families had no or inaccurate information on the census, many of whom the district simply never knew were even in the community.

**Minneapolis School District — Webster Elementary School’s Family-Style**

Webster Elementary School is a Minneapolis Public School that has designed and piloted a family-style dining program. Students sit at round tables, pass food around the table, serve themselves, use table manners, and help set and clear tables. Our beautifully diverse school community includes pre-K through third-grade children, their families, and many community volunteers. The school expects to grow in the next couple years to a pre-K through fifth-grade school. The school has more than 200 students from a variety of cultural backgrounds, approximately 60 percent of the student body is on free and reduced lunch, and 10 different languages are spoken.
relevance of science education for their future. Since the first classroom visit in 2009, more than 10,000 students have been impacted! Surveys completed following the labs show that of 18 career paths, the top three selected by students include a health science career (28 percent), a career in the STEM field (24 percent) and a career in agriculture or food science (17 percent).

Students surveyed said things like “it showed me how scientists work and made me feel like one” and “it made science more interesting and made me want to learn more.” And, “it led to a new interest in science and I am now thinking about a career in this field.”

Teachers are equally enthusiastic. One teacher from Wabasha-Kellogg stated that “the entire experience is the highlight of my year. I greatly enjoyed sharing these techniques and technologies with my students. Many students commented that this was the coolest thing they had ever done in science. The program is irreplaceable and invaluable.” Another educator from Winona commented that “the technology and advanced equipment allowed student access to supplies and knowledge not normally available at the high school level. This was an opportunity that gave my students a taste of what is emerging in science. Thank you for this chance to provide them with an experience that few students have.”

The LGIA panel of Humphrey Fellows reviewing the application was impressed with the impact and growth the program has experienced since originally winning an award in 2011. They agreed that the Mobile Science Labs are an innovative and impactful way to ensure that students can see themselves as real scientists and catch a glimpse of their future.

Visit http://lgia.umn.edu to learn more about the Local Government Innovation Awards.
WORDS OF WISDOM
A little advice to new board members from some veterans

By Greg Abbott

The campaigns are over, oaths have been given and new board members are going into the third month of a new challenge, working with their school board teams to help student achievement.

You may be thinking, “All the information came at me so fast.” Or, “I didn’t know this was going to be so tough.” And especially, “It would be good to get a little help about now.”

A few veteran school board members agreed to offer their help and a little advice for this article. MSBA contacted members of our All-State School Board and our 40-year board member, Jerry Vitalis of Chisago Lakes Area, to offer some insights on being a board member.

As an experienced board member, what are the top three pieces of advice you have for new board members?

Dean Henke, Osseo Area

Be a leader. You were elected to oversee the operations of the school district and provide direction to the superintendent. You will be required to “hit the ground running” and gain a lot of “education” knowledge quickly, utilize your colleagues on the school board, the superintendent and staff to gain this knowledge.

Help the student(s), parent(s) and community member(s) “navigate” your school district. Guide and support them in the process of resolving issues or concerns, and the steps and the process to follow. There is only one of you and you won’t have enough time or energy to resolve everyone’s issues or concerns.

This took me many years to understand; next to the classroom teacher, the building principal is a very important person. They are the superintendent’s and the board’s “eyes and ears.” They set the tone and shape the culture of each school building. The students’ and the teachers’ success depend on how well they perform their role.

Jodi Sapp, Mankato Area

First of all, don’t be afraid to sit back and learn. Nobody expects you to know everything as soon as you are elected. Watch, listen and ask any question that comes to your mind, even if it seems silly. Everybody expects this and pretty soon, you’ll be contributing to the conversation!

Second, know this: School boards should not manage schools. You hire a superintendent who manages the schools and district with her/his cabinet. YOUR job is to GOVERN through policy. In Mankato, we often talk about that being the bird’s-eye view from 30,000 feet up. Policies affect everything you do in your district. How do your policies affect student achievement?

Third, (this one’s really important), HAVE FUN! For me, fun, laughter and joy are very important for my quality of life. I like to say I take my own fun with me wherever I go. Listen for it — you’ll hear my laugh eventually! Look on both sides of you at a board meeting and you will see five or six other community members who are just as invested in student achievement as you are. Get to know them, listen to their stories — about school boards and life in general. I have made many friends in Mankato with people I would never have met if I hadn’t been on the school board. And enjoy and have fun with the impact you are making in the lives of your kids. Who doesn’t love being a positive influence in the life of a child?
What were the biggest accomplishments for you and your board, related to improving student achievement?

Dean Henke, Osseo Area

Continued progress on our district’s strategic plan and equity training.

Implementation of standards-based grading and instruction. During the process of reviewing current practice for both teachers and students, we were able to determine which practices we wanted to keep and which practices needed to change. Now, in addition to ensuring that student learning outcomes are based on standards, formative assessment is emphasized, students are given multiple opportunities to demonstrate learning, and teacher grading practices are aligned with each other.

Development of a district “balanced scorecard.” The balanced scorecard utilizes multiple measures within the categories of proficiency, growth, gap reduction and other. The scorecard is used to consider aggregate district level data and to drive system level continuous improvement. The data is then disaggregated for each site and used to drive site level continuous improvement.

Re-evaluated the components of the student suspension/expulsion process. Implemented multiple tiered systems of support (positive behavior interventions). The result was a reduction in the number of student suspensions/expulsions.

Jodi Sapp, Mankato Area

I think the best overall thing we have done is hire a rock star superintendent who in turn has hired amazing principals and administration, and they in turn have hired awesome teachers who are really good at their jobs. I am so proud of our administration and staff. Their dedication and commitment to their jobs is unbelievable and I feel so lucky to be a part of the Mankato Area School District.

After that, I would say our Strategic Road Map and our Vision Cards. We re-visit them regularly, change things when we reach a goal or if something isn’t giving us the information we were looking for specifically. And we get to do all of this with the superintendent and her district leadership team. Fun!

Another thing would be our embedded professional development for our teachers and staff. Our PLCs are focused on data with this question in mind: “What do we need to do to help this kid grow and learn?” Technology has made accessing data so much easier and the teachers can look at a specific child to figure out what that one kid needs. Our administration has thanked our school board several times for not being afraid to let them try something new and not getting upset if something doesn’t work out as well as we thought it might. It’s still a learning opportunity and our staff have done some incredible things as a result.

If you could go back to your first year on the board, what would you do differently?

Linda Cohen, Wayzata

The importance of the distinction between governance and management cannot, from my perspective, be over-emphasized. I would learn more about it. There are some wonderful materials out there about the meaning of governance.

Kent Thiesse, Lake Crystal Wellcome Memorial

Take the time to learn all that you can about your school district, about MSBA and other resources, and about being a good school board member.

Set up appointments to meet with the superintendent, experienced school board members, principals, business manager, and other school leaders.

Do your homework before school board meetings, review the agenda and support materials, and don’t be afraid to ask questions.

Learn to listen to all points of view, and gather the necessary background information, before formulating board decisions.

Be willing to take part in board committees and other special assignments when called upon.

Attend the MSBA Leadership Conference, other appropriate MSBA workshops, and utilize other board development opportunities, whether online or in person.

I am so proud of our administration and staff. Their dedication and commitment to their jobs is unbelievable.
What strategies did you use to develop trust and teamwork with your board and superintendent?

Linda Cohen, Wayzata

As for developing trust, always do what you say you are going to do, on time! Include the superintendent in all discussions and have the perspective that we are a team.

Kent Thiesse, Lake Crystal Wellcome Memorial

The most important strategy as a board member is to view your role as being “part of the team,” and remember that you were elected to represent and enhance public education in your school district. When you hear things related to school district programs, activities, staff, etc., report and discuss them with the superintendent or board chair, and find out the school district protocol for the situations.

When situations involve staff, coaches, students, or other individuals, be extremely careful not to comment publicly or through social media, or it may disrupt the situation, or could possibly lead to legal action against the school district.

When emergencies occur in the school district, do not comment to the media, in public settings, or through social media … follow district procedures for the release of public information.

Remember that you are an elected public official, and whatever statement that you make may be taken as representing the entire school district.

Respect the opinions of the other members of the school board on difficult issues, even though they may be different from yours. Support the decision of the majority of the board on key issues, even if you voted with the minority on the issue.

One of the worst things that you can do as a school board member is to publicly degrade other board members for their decisions, which not only can make you look bad, but can lead to public distrust of the school board and administration, as well as undermining all trust and teamwork on the board. I have been fortunate to serve with some excellent school board members and administrators during my 27 years on the LCWM School Board, which has functioned well from a solid teamwork approach.

What were your biggest struggles as a board member and how did you work through it?

Arnie Michalicek, Maple Lake

I think that the hardest struggle I can think of is balancing what you think is best for your students and what you can afford. Many times in my career, staff would bring great ideas to the board for student programs. If money was no object we would jump at the idea. Since we all have a finite budget there has to be a lot of discussion. How and who would implement the program? How will we pay for it? In most cases to pay for a new program you have to drop something else. You will have to set up your priorities. You have to remember that you are part of a group that makes these decisions and no one person rules and everyone is going to have different priorities. Also remember that the best school is watched over by the board that has learned to communicate and compromise. For the most part, decisions are fairly easy; but you do run into some that can be difficult. Use the knowledge and instincts you have and do the best you can that is all we are expected to do.

What was the biggest help (or piece of advice) for you when you were a new board member?

Maydra Maas, Westbrook-Walnut Grove

Plan to enter your board of directors’ service with an open mind and heart. Assume that all the stakeholders always have positive intentions and genuine interests of the district in mind … “OUR KIDS.” When I initially began on the Westbrook-Walnut Grove School Board, my greatest assistance came from (and still does) God. I also asked many, many questions and still do to our administrators, fellow board of directors, and experts such as MSBA, the Minnesota Department of Education, etc., as necessary.

Arnie Michalicek, Maple Lake

Move on! Your ideas may not always be what the group wants. DO NOT hold a grudge. One time another board member will be right with you and the next time against your idea. You don’t have to be friends to have a good board (it is great when that happens) but you have to
respect others’ opinions. I have worked with board members that couldn’t get over not having their way on an issue. They kept bringing the issue up and it just got in the way of the operation of the school. It tended to isolate that member and even when they would bring up a good idea it was hard to get past the irritation that they caused in the past. The most important rule of a school board is you DO NOT try to run the school. You have a superintendent to do that. A board member is there to represent the community and their ideals, and for most of us, we are not trained to run the school and don’t have the time anyway. That is the superintendent’s job. Help him/her, but don’t try to do their job.

How has serving on a school board changed from the time you came on until 2017?

Jerry Vitalis, Chisago Lakes Area

I was elected to the Taylors Falls Board in 1977 and am now on the Chisago Lakes board. There has been nothing but changes. Taylors Falls was a small rural school with almost no support personnel and no classes beyond the basics. Now at Chisago Lakes, there are almost 100 electives, including many college electives. Our staff personnel is out of sight with paras, specialists, special education, etc. They are all needed, but it all costs money. The federal government, state and Minnesota Department of Education has put so many mandates on us – extra training for teachers, paras and support people – that it’s draining our coffers dry. I’ve also seen a change in testing. Forty years ago we had one test per grade. In my opinion, if we spent more time teaching and less time testing, everyone would be better off.

The most important rule of a school board is you DO NOT try to run the school.

I see value in appointing a mentor to new members, also. This is something I didn’t have that would have been helpful.

Julie Peterson, Moose Lake

One thing I have seen that has changed during my time on the school board is our use of technology. It has changed the way teachers teach and students learn, even where they learn. It has changed the way we communicate. At the touch of a button, we can contact every parent in the district, send test results, and turn in homework! And it has changed the way we run our meetings. Information comes to board members in an instant, and information and our agendas are at our fingertips.

I also see how much more emphasis the district puts into evaluating data and strategizing how this information can be used in how we teach and students learn. Children are learning more and at an earlier age than ever. And since starting on the board, competition for those students has become fierce with open enrollment.

Julie Peterson, Moose Lake

We need to pull new members aside and train them more — get new information to them, ask what training they need and how we can help them.

What are your thoughts about training for board members and how important that can be for a successful board?

Jerry Vitalis, Chisago Lakes Area

I’ve gone to many of the Summer Seminars, and MSBA does a good job with conventions. I think we need to pull new members aside and train them more — get new information to them, ask
96th Annual Leadership Conference Scrapbook

Members of the 2017 MSBA All-State School Board are (sitting) Maydra Maas of Westbrook-Walnut Grove; Julie Peterson of Moose Lake; Jodi Sapp of Mankato Area; (standing) Arnie Michalicek of Maple Lake; Dean Henke of Osseo Area and Kent Thiesse of Lake Crystal Wellcome Memorial. Not pictured is Linda Cohen of Wayzata.

Justice Alan Page talked about how education is the tool for success.

East Central School Board Member Jeannette Kester passed the 1,000 training point mark to earn the Arlene Bush School Board Member of Distinction Award.

Past President Kevin Donovan passes the gavel to MSBA’s President Kathy Green of Austin.
National School Boards Association President Miranda Beard gave the welcome to members during the Opening Session.

Keynote speaker Alan Blankstein pushed members to be courageous in their service to students.

The Duluth East High School A’Cappella Choir, under the direction of Jerome Upton, opened the Thursday General Session.

Mounds View students demonstrate their robot at MSBA’s Show & Tell.
Athletic Turf Choices
Unraveling the Cost in Dollars and “Sense”

New information on the long-term costs and health risks of synthetic fields is moving dollars back to natural turf because of the answers revealed in these 3 questions:

- What is the “real” cost: installation, maintenance & replacement?
- What are the field performance criteria?
- What are the health & environmental safety factors?

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Gail Gilman joined the Minnesota School Boards Association team as the Associate Director of Board Development on January 3, 2017.

Gilman’s previous career experiences include working as a professor at the University of Minnesota, where she specialized in Family Resource Management and served a 15-county area of southwestern Minnesota. She then served as Program Developer with the Region Nine Development Commission’s Aging Program based in Mankato.

Most recently, Gilman was the Regional Resource Development Director for the United Way.

She attended the University of Minnesota and holds bachelor’s and master’s degrees in Education in Family and Youth Education.

Gilman grew up in Lake Crystal and currently resides in New Ulm. She has public school board experience of her own, serving two terms on the New Ulm School Board, where she held the position of clerk.

“As a former school board member, I worked with Minnesota School Boards Association many times and attended their trainings and conferences,” Gilman said. “I recognized the great value they brought to our local board and saw MSBA as the ‘go-to’ people. Now I am honored to have the opportunity to join this talented MSBA team in assisting school board members as they lead their local districts in assuring quality education.”

Gilman has two children. She is an avid University of Minnesota Gophers football fan and has had season tickets since 1983. When she is not following sports — especially hockey and football — she enjoys fine arts performances. Gilman’s guilty pleasure is “anything chocolate.”
School improvement and data-based decision-making are terms that school leaders hear numerous times per day. Program evaluation is a way of bringing these two terms together by systematically focusing on data collection and analysis to improve programs and ultimately schools and student outcomes. Suppose your district adopts a new reading curriculum. Wouldn’t it be nice to know the return on your investment? Is student achievement increasing, decreasing, or staying the same? Is the new curriculum being implemented with fidelity? Are teachers receiving enough support in implementing the new curriculum? Evaluating specific policies, programs, approaches, and system frameworks provides school district leaders with information to assist with budgeting, and, more importantly, increasing student achievement.

The Center for Comprehension School Reform and Improvement (2006) defines program evaluation as examining initiatives the school or district has undertaken to answer the question, “Is what we are doing working?” Along with determining the effectiveness of a program or practice, program evaluation provides information on what aspects of the program or practice can be improved. In fact, many school leaders may agree that program evaluation is important, but they often think they don’t have the time or skills needed to carry out an evaluation.

This assumption was confirmed by a recent statewide needs assessment conducted by the Center for Applied Research and Educational Improvement (CAREI) in 2016 finding that 51 percent of administrators rated their capacity to evaluate policies and programs as poor. High-quality program evaluation was rated as infrequent due to lack of time (78 percent), inadequate staffing/expertise (63 percent) and cost (53 percent).

Some folks have suggested that educators do have the skills and ability to evaluate programs since expertise in the topic is not needed to carry out a useful program evaluation (McNamara, 1998). Now, if you noticed the “20-80” rule in the title, here is where that rule applies. The rule states that 20 percent of effort generates 80 percent of the needed results. In plain English, it is better to do some evaluation than to do no evaluation at all! Many evaluation techniques can be utilized by school districts in day-to-day practice to make use of existing data in a practical manner for teachers and school leaders. The main challenge is to conduct evaluations that provide useful data and also balance the amount of time and effort needed by staff to carry out evaluation activities.

By Kim Gibbons, Ph.D.
Organizing the program evaluation process involves answering three important questions:

1. What are we looking for?
2. How will we look for it?
3. How will we use the data?

To determine what to look for, leaders will need to determine if they are interested in formative or summative evaluation information (or both). Formative program evaluation involves collecting information during the implementation of a program to ensure that the program is being implemented with fidelity. Formative evaluation helps improve implementation and identify areas where changes are needed to ensure that intended outcomes are met. Summative evaluation evaluates a program after implementation to see if the desired goal has been reached.

Let’s go back to the example about adopting a new reading curriculum. A formative evaluation would be useful in making sure that teachers are implementing the new curriculum as intended and receiving enough support during implementation. If not, then resources can be directed toward providing more support during implementation. A summative evaluation might occur at the end of the year to determine the percentage of students who made adequate reading growth during the school year.

Once you determine what you are looking for, the next question is to determine how you will look for it. A prerequisite for “how” is to develop a simple and clear plan of action. This action plan should include due dates and timelines and identification of needed resources. In addition, the components of the evaluation will need to be identified along with designations of who will be responsible for overseeing each component. The final step is to determine how to use the data. Using the data involves analyzing it and making meaning out of the results. Remember that multiple data sources will often inform each question you are trying to answer. Triangulating your data will strengthen the judgments you make about the evaluation. Once the steps have been completed, it is time to summarize and communicate the results to your key stakeholders and decision makers. Keep it simple.

CAREI has been helping school districts and other nonprofits conduct program evaluations for more than 25 years! We have more than 200 technical reports on our website at https://www.cehd.umn.edu/carei. This year, we are working with the Anoka-Hennepin School District to complete an audit of special education programs and practices in the district. We are looking at the extent to which programs are aligned with research and best practices, appropriately staffed, and whether teachers have the necessary skills to be successful with their students. We are here to help you determine the effectiveness of programs and to make recommendations on the next steps needed to reach your goals. We are also available to help “audit” existing frameworks and practices to provide you with information for making programs and frameworks better (e.g., continual improvement). Feel free to give me a call at 612-625-9751.

Kim Gibbons, Ph.D., is the Associate Director of CAREI. CAREI is the Center for Applied Research and Educational Improvement at the University of Minnesota. Learn more about CAREI at https://www.cehd.umn.edu/carei. Contact Kim about this article at kgibbons@umn.edu.
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Carter Reese

Josh Tutland
1. What statutes govern unrequested leave of absence (ULA)?

M.S. 122A.40 addresses the placement of teachers on ULA for all school districts except school districts in cities of the first class (Minneapolis, St. Paul, Duluth, and Rochester), which are governed by M.S. 122A.41. The law permits the school district and the exclusive representative to “negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by the consolidation of districts.” If the two parties are unable to negotiate such a plan, the parties are governed by Subd. 11. In negotiating a plan, the parties must not include provisions which would result in the exercise of seniority by a teacher holding a provisional license, other than a vocational education license, over a licensed teacher.

2. What resources are available to assist school districts while going through this process?

School districts should refer to Chapter 13, Law Bulletin N, of the MSBA Service Manual, which contains Attorney General Opinions and court cases pertaining to ULA, a narrative on the appropriate procedures, a sample timeline to follow, and sample resolutions to use. Also, because questions are often specific to the school district, members should not hesitate to call the MSBA Management Services Team staff with questions regarding the ULA process.

3. The non-renewal of probationary teachers and the placement of tenured teachers on ULA must take place by what date?

Absent a different date in the teachers’ Master Agreement, both the non-renewal of probationary teachers and the placement of tenured teachers on ULA for the subsequent school year must be completed and served upon the teacher prior to July 1. MSBA recommends that the decisions of the school board be served personally on the teacher whenever possible. However, do not deliver such notices while the teacher is in the classroom in front of students.

4. If the school district is eliminating a partial position rather than a full position, how should the school district proceed?

The timeline is the same in both instances. If a probationary teacher’s position is being reduced from full-time to part-time, the teacher should be non-renewed, and the teacher may be rehired for the part-time position. If a tenured teacher is being reduced from a full-time position to a part-time position, MSBA recommends that the teacher be placed on ULA for the portion of the position being reduced. This is because, as stated previously, a teacher may be placed on ULA for the discontinuance of a position and because only a portion of the position is being discontinued, the school district may only place the teacher on ULA for the portion of the position being discontinued.

Bill Kautt is an Associate Director of Management Services. Contact Bill at bkautt@mnmsba.org.
Kirby Ekstrom joined the North Branch Area School Board in the late 1990s, but his connection to public schools goes back a lot further — to the 1970s. Back then, among his duties as a firefighter for the North Branch Fire Department, Ekstrom worked as a public education officer and made students aware of Fire Prevention Week, a campaign he promoted for nearly 27 years.

“That got me involved with working with kids in schools,” Ekstrom said. “Another firefighter, Arvid Olson, instilled in me the dedication to help our community through public education. School board member Henry Brooker encouraged me to join the school board as another way to ‘give back’ to my community and my school — which we were both alumni.”

Ekstrom has been a productive school board member for North Branch Area since his appointment in 1999. Along the way, he has racked up myriad recognitions from MSBA — including being named to the 2013 MSBA All-State School Board.

In 2015, Ekstrom became a member of the MSBA Board of Directors. He is the Board Director of MSBA Director District 9, representing school board members in east-central Minnesota.

He has since retired from the fire department (now working for Floyd Total Security) and lives with his wife, Jan, in North Branch. They have two sons, Kyle and Cody, whom — like their father — graduated from North Branch Area High School.

In the ensuring interview, Ekstrom offers advice for new board members, discusses North Branch Area’s experience with its move to — and then away from — a four-day school week, and recalls his proudest moments as a school board member.

MSBA: How can school board members make the biggest impact?

EKSTROM: Board members can make the biggest impact by building trust from the community to the school district. Being we are voted into office by the community, we are representatives of the community at large. The community entrusts us to run the school district and watch over
their precious commodity, the kids. It’s our responsibility to make sure that students get the best education that we can provide for them.

**MSBA:** What is the biggest challenge for school board members?

**EKSTROM:** The biggest challenge is obviously funding. As a new school board member, it takes a while to learn about what the state offers for school funding — and what you can do with those dollars for the students’ education. Another challenge is hiring staff. Currently, we are having trouble finding bus drivers, paraprofessionals and teachers. It makes it tough.

**MSBA:** What advice do you have for new board members?

**EKSTROM:** The first thing new school board members need to do — and do it very well — is to listen. A lot of people like to give their opinions, and it is always good to listen to what their opinions are — even if it might not be something you agree with. I think you have to have the skill of being a good listener and acknowledging when people are talking to you that you are paying attention to what they say.

Also, new board members should be social, attend school events and be involved when the district has events in the community. Volunteer your time. I think it’s always good to have community members see school board members when they are involved in the community.

**MSBA:** North Branch Area experimented with a four-day school week schedule for four years. What was that experience like for you as a school board member?

**EKSTROM:** We had the “perfect storm” going. We had low funding coming from the state that wasn’t keeping up with inflation. We had drastic cuts in our district for years. Our enrollment was dropping. If you combine those three things, it was causing a major funding issue in our district.

One of the major ways we found to save money was through a four-day school week. We did a lot of study and research. Our superintendent, Deb Henton, reached out to districts...
that already had the four-day school week to see how they implemented it and to learn the pros and cons on how it was going for them.

We thought the four-day week was better for our students because we could help save teachers in classrooms by getting class sizes down, yet still maintain a quality education for the students.

When we implemented the four-day school week, it went fine. Attendance was better. Students and families had that extra week day to attend doctor and dental visits, so kids were in school more often. The change also had a major impact on our staff, they also had that extra day to get stuff done.

After four years of implementation, the state added some funding — which we attributed to them wanting to get our district off the four-day school week. After the additional funding came, we went back to a regular school week. We had a lot of parents come forward and tell us they wanted to keep the four-day week.

We had already promised that if there were a funding change for the better, would move back to the five-day week. We had to hold on to our promise.

**MSBA:** What do you like most about being on the MSBA Board?

**EKSTROM:** Representing east-central Minnesota school board members is something that I take seriously. It is a tough task because a lot of school districts in MSBA Director District 9 are in the same boat with funding, teacher shortages and the tax base that we work from.

Also, I enjoy serving on the MSBA Insurance Trust (MSBAIT) Board of Trustees. It was a highlight for me to be involved with the changeover to Marsh & McLennan Agency (for MSBAIT’s property/casualty and workers’ compensation insurance products and services).

Because I was fresh on the MSBAIT Board, everything was brand-new for me. I think it was a good time to be on the board to see the change and understand what the new opportunities are for school districts and local insurance agents in their areas. I think this will be something new and exciting for MSBA to have a part of.

**MSBA:** Why is MBSA valuable to board members?

**EKSTROM:** I think the training MSBA offers is spectacular. In January, I took the Phase I and Phase II workshops with three of our new school board members. It had probably been 12 to 13 years since I have been through Phase I and Phase II. Seeing these workshops again a second time, opened my eyes up to some stuff that I had forgotten about. It’s good to see the workshops’ programs change, they
are not the same as they were when I first went to them. MSBA evolves the workshops with how things are going in the state.

MSBA’s Executive Search Service, the Superintendent Evaluation Workshops and the Strategic Planning Services are also good, viable programs. We are seeing more school districts asking for help in those areas.

Talking to some of the school districts that have used the superintendent search process through MSBA, they really like how it’s operated. Board members have more of a hands-on feel working with MSBA than when you go through a search firm. The Executive Search Service has been a great service for MSBA to offer school boards.

Other highlights are the Leadership Conference and the Summer Seminar. The breakout sessions are always good to see what other school districts have to offer and what is working well for them. We’ve been able to take some ideas from breakout sessions and implement them in our district. I think it is valuable for all districts in the state to be involved with the Leadership Conference and the Summer Seminar.

The Delegate Assembly is a valuable piece of MSBA. School board members write resolutions that get carried forward by the MSBA Government Relations staff to the Legislature. We’ve had some really good ideas that have come out of the Delegate Assembly. Also, I encourage all board members to follow The MSBA Advocate at https://msbaadvocate.com for updates to see what is happening at the Capitol.

**MSBA:** What is your proudest moment as a school board member?

**EKSTROM:** The first moment would be when I was elected to the 2013 MSBA All-State School Board. It gave me a lot of attention in the community that I was really proud of. My family, fellow school board members, district staff and community were able to celebrate with me on this great honor.

The second one is being able to hand diplomas to my two sons at their graduations. Giving them a hug and a diploma was a big highlight for me as a parent.

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Bruce Lombard is MSBA’s Associate Director of Communications. Contact him at blombard@mnmsba.org.

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**KIRBY EKSTROM:**

**LIFE OUTSIDE THE BOARD**

**Family:** Wife, Jan; son, Kyle (married to Kyla); son, Cody (married to Lindsay); and three granddaughters, Ellie (3 years old), Britta (20 months) and Addison (1 year old)

**High school:** North Branch High School

**Colleges:** Augsburg College and Control Data Institute (Minneapolis)

**Favorite movies:** “Up in Smoke,” “Caddyshack,” “Animal House,” “National Lampoon’s Christmas Vacation,” “The Outlaw Josey Wales” and “The Pink Panther” film series

**Favorite authors:** Vince Flynn, David Hackworth, John Sandford and William Kent Krueger

**Favorite music:** Lynyrd Skynyrd, The Guess Who and Joe Cocker

**Favorite food:** Tater tot hot dish, family tradition of potato dumplings, and ice cream

**Fun fact:** Kirby played summer league basketball with Kevin McHale.
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The First Amendment to the Constitution of the United States provides in part, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” This Amendment applies to school districts because they are considered a part of government for constitutional purposes. Thomas Jefferson is attributed with saying on January 1, 1802, this language created “a wall of separation between church and state.” The separation of church and state has been consistently enforced by the courts.

The Minnesota Constitution also speaks to religious freedom in Article I, Section 16, providing the following:

**FREEDOM OF CONSCIENCE; NO PREFERENCE TO BE GIVEN TO ANY RELIGIOUS ESTABLISHMENT OR MODE OF WORSHIP**

The enumeration of rights in this constitution shall not deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state, nor shall any money be drawn from the treasury for the benefit of any religious societies or religious or theological seminaries.

The United States Supreme Court has established several tests for situations dealing with the separation of church and state. The first is known as the “Lemon Test” from the case of Lemon v. Kurtzman, 403 U.S. 602 (1971). The Court held the following:

“Every analysis in this area must begin with consideration of the cumulative criteria developed by the Court over many years. Three such tests may be gleaned from our cases. First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion; finally, the statute must not foster ‘an excessive government entanglement with religion.’” [citations omitted]

The second test is the “Coercion Test” from the case of Lee v. Weisman, 505 U.S. 577 (1992). The Court stated the following:

“The principle that government may accommodate the free exercise of religion does not supersede the fundamental limitation imposed by the Establishment Clause, which guarantees at a minimum that a government may not coerce anyone to support or participate in religion or its exercise, or otherwise act in a way which ‘establishes a [state] religion or religious faith, or tends to do so.” [citations omitted]

The third test is known as the “Endorsement Test” from the case of County of Allegheny v. ACLU, 492
U.S. 573 (1989). This test asks whether a “reasonable observer” would find that government action “conveys a message that a particular religion, or a particular religious belief, is ‘favored,’ ‘preferred,’ or ‘promoted’ over other beliefs.”

When the Court has dealt with funding issues, two other tests have been applied. In Agostini v. Felton, 521 U.S. 203 (1997), the Court stated the test for a government funding program is whether the “government aid has the effect of advancing religion.” If “it does not result in governmental indoctrination[,] define its recipients by reference to religion[,] or create an excessive entanglement” between government and religion, the government aid passes the test.

The Court in Mitchell v. Helms, 530 U.S. 793 (2000), defined the indoctrination analysis as asking “whether any religious indoctrination that occurs in those schools could reasonably be attributed to governmental action” and whether government aid reaches the religious school “only as a result of the genuinely independent and private choices of individuals.”

The principle of equal access applies to school districts when they consider whether to allow religious information to be shared in school or whether to allow religious entities or groups to meet in school. A closed forum is one where only educational and school-sponsored information and groups are allowed in school. Once a school has created a limited open forum or an open forum, it cannot deny meeting space to a group unless that group violates school district policy or would cause disruption at the school. The school must be neutral relative to the viewpoint of the group. Time, place, and manner restrictions are fine as long as those restrictions are applied in an even-handed way. Good News Club v. Milford, 533 U.S. 98 (2001).

Some religions have objected to the practice of saluting the flag and reciting the Pledge of Allegiance. Atheists have also objected to the Pledge. The Court has determined that schools must give students the opportunity to opt out of saluting the flag and the Pledge of Allegiance. However, students may be required to sit quietly during the Pledge. The leading case on the Pledge of Allegiance is West Virginia State Board of Education v. Barnett, 319 U.S. 624 (1943). At least one court has found the reference “under God” in the Pledge of Allegiance is not to be understood to convey approval of any particular religious belief because of its “history and ubiquity.” Sherman v. Community Consolidated School District 21, 980 F.2d 437 (7th Cir. 1992).

Religious issues are almost always accompanied by strong emotion on all sides. School districts must remain neutral. School districts may not endorse or promote one religion over another or take a stand for religion over non-religion (or vice versa). Please review MSBA/MA SA Model Policy 609, titled “Religion.” If you have not adopted this policy, please consider doing so.

Contact Cathy Miller at cmiller@mnmsba.org.

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