Board Work

The organizational school board meeting and selection of officers

January is just around the corner and with it comes the requirement for school boards to meet and organize by selecting officers. This article provides an update of previous MSBA articles.

Officer selection is covered in M.S. 123B.14, Subd. 1. The law specifies that “On the first Monday of January of each year, or as soon thereafter as practicable, 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. The persons who perform the duties of the clerk and treasurer need not be members of the board and 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.”

Many legal requirements are contained in those sentences. M.S. 123B.14, Subd. 1, is the source of the requirement for holding an “organizational meeting” (i.e., “… the board must meet and organize …”). The timing for the organizational meeting is also found here; specifically, “… the first Monday of January … or as soon thereafter as practicable …”

The law also clearly notes that three school board officers are required: “… a chair, clerk, and a treasurer ...”

Leadership Conference hotel block closing soon

Make your hotel reservations soon for the 2018 MSBA Leadership Conference. The conference hotel block ends Friday, December 8. After the deadline, standard room rates apply based on availability. MSBA recently added two more hotels — Holiday Inn Express Hotel & Suites and the Hilton Garden Inn — to the block.

See http://www.mnmsba.org/LeadershipConferenceHousing for details. The conference is set for January 11-12 at the Minneapolis Convention Center. See Page 4 for more information.
MEETING: Officer selection must comply with state law

A school board’s selection of its officers must comply with this Minnesota law.
- As previously noted, the statute requires school boards to select from its elected members a chair, a clerk, and a treasurer. The law does not include a provision that would allow the school board to select one of its members to serve in the combined office of clerk/treasurer.
- The law requires that an elected school board member hold each of the offices of chair, clerk, and treasurer.
- Language in the second sentence allows the duties of the clerk and the treasurer to be combined and delegated to a single person who is employed by the school district in the Office of Business Affairs. That school business official may delegate some of the duties to other school district office staff, often including the superintendent’s administrative assistant. This delegation can be reflected in job descriptions or administrative procedures or both.
- A resolution is required if the duties of clerk and treasurer are combined and delegated. This resolution is a one-time requirement, not an annual requirement. Sample language for the 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 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.

Please contact MSBA staff if you have questions.

Board Work

Recording of MSBA’s “Organizational Meeting” webinar available online

A recording is now available for MSBA’s “Organizational Meeting” webinar (which originally aired November 29). School boards must meet to organize for the year early in January. This webinar will help school boards prepare for and conduct the organizational meeting. The webinar covers:
- Ceremonial oath of office
- Election of officers
- Establish the regular meeting schedule
- Set board members’ compensation
- Appoint board members to committees
- Opportunity for questions
- And more

Access the link to the webinar recording at http://www.mnmsba.org/Webinars (you will be required to log in).
**Board Work**

**Be aware of dates with meeting restrictions**

As 2017 winds down and school districts prepare to move into a new year, MSBA would like to remind school districts that certain dates have restrictions as to when meetings and/or school may be held.

For example, Christmas Day (Monday, December 25, 2017) and New Year’s Day (Monday, January 1, 2018) are all defined as a “holiday” pursuant to M.S. 645.44; therefore, no public business, including operating schools or holding school board meetings, may be transacted on those dates.


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**Personnel**

**Negotiating unrequested leave of absence language**

In addition to MSBA’s previous articles on negotiating unrequested leave of absence (ULA) language for teachers’ Master Agreements, MSBA is sharing two additional resources:

- ULA comparison chart — [http://www.mnmsba.org/Portals/0/ULA-Comparison-Chart.pdf](http://www.mnmsba.org/Portals/0/ULA-Comparison-Chart.pdf)

For districts that have not completed their 2017-2019 teachers’ Master Agreement negotiations, MSBA encourages them to review and consider the provided recommendations for this round of negotiations.

For districts that have ratified their 2017-2019 teachers’ Master Agreements without negotiating ULA language, MSBA recommends they review the information in preparation for the 2019-2021 negotiations cycle when the parties must negotiate a ULA plan.

Finally, please contact MSBA’s Management Services team members for assistance and rationale to use when negotiating ULA language.

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**Truth in Taxation**

**Reminder: Districts must complete Truth in Taxation in December**

A reminder that Truth in Taxation meetings must be completed in December and the final property tax levies must be adopted no later than five working days after December 20, 2017.

For detailed information on meeting requirements and processes, select the following links:

- Visit [http://education.state.mn.us/MDE/dse/schfin/Levy](http://education.state.mn.us/MDE/dse/schfin/Levy) to access the Minnesota Department of Education’s 2017 Payable 2018 Process for Final Levy.
- Visit [http://www.revenue.state.mn.us/local_gov/prop_tax_admin/Pages/tnt.aspx](http://www.revenue.state.mn.us/local_gov/prop_tax_admin/Pages/tnt.aspx) for the Minnesota Department of Revenue’s Truth in Taxation Instructions.

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**Minnesota Association of Townships offering $1,000 scholarships for juniors**

The Minnesota Association of Townships (MAT) is awarding $1,000 scholarships to up to six juniors currently attending a Minnesota public, private, or parochial high school or a home study program that plan to further their education at a college, university, or vocational school.

Visit [www.mntownships.org](http://www.mntownships.org) or contact Colleen Klatke at the MAT Office at 763-497-2330 for more information.

MSBA provides this free conference every January as part of members’ annual dues. The conference features nationally recognized speakers Mark J. Lindquist and Manny Scott, workshops on a variety of topics, a Show and Tell event and a trade show.

Early Bird Sessions “Designing an Effective Superintendent Evaluation” and “Data Privacy and Data Breaches — Are You Prepared? Do You Know What to Do?” and other pre-conference events are also on tap.

Please ask your school district office to register you in advance for the Leadership Conference and other events.

Visit http://www.mnmsba.org/LeadershipConference for more information.

Learn to lead through MSBA’s School Board Workshop Series

Sign up today for the Learning to Lead — School Board Basics: Phase I and Leadership Foundations — School Finance and Management: Phase II workshops.

The Learning to Lead — School Board Basics: Phase I workshop helps new board members hit the ground running. This workshop covers the role of the school board, the role of the superintendent, the leadership team relationship, and common scenarios facing new board members.

Presented by MSBA staff and state experts, the Leadership Foundations — School Finance and Management: Phase II workshop covers core topics such as the budget, school finance, local levies, policies, significant laws affecting school boards, collective bargaining, and personnel issues.

See accompanying box for remaining schedule and registration information.
MSBA Delegate Assembly

Delegates approve 12 legislative resolutions

The MSBA Delegate Assembly — comprised of 115 school board member delegates — approved 12 legislative resolutions December 2, 2017, in Minneapolis. These 12 resolutions will be added to MSBA’s Legislative Policies and will guide the MSBA Government Relations staff’s advocacy efforts. These 12 resolutions urge the Legislature to:

■ Allow school districts to have greater flexibility in spending compensatory dollars for extended time.
■ Create a task force to study the special education cross-subsidy with timeline and funding recommendations.
■ Increase gifted education funding to $39/ADM and these funds shall be used for identification, academic programing and professional development towards improved academic experiences for gifted students in Minnesota.
■ Increase the base funding formula and index it to the rate of inflation in order to protect against future increased costs.
■ Allow a school district that is within a year of making the last bond payments on a building project and is conducting a new bond election that will not increase the taxpayer’s overall tax rate for repayment of building bonds may print the following statement on its ballot: “By voting ‘yes’ on this ballot question, you are voting to continue the existing tax rate for building bonds that would otherwise be reduced or eliminated.”
■ Support legislation that would provide state funding for school district costs related to inaccurate state-assessed property values.
■ Align the World’s Best Workforce (WBWF) and the Every Student Succeeds Act (ESSA) into one accountability system for the state.
■ Provide additional revenue and flexibility in the use of existing K-12 funding streams for school districts to invest in cyber-security solutions in order to protect student and school district data collection and storage systems.
■ Allow a school district/school board to assess a reasonable charge or require the requesting person to pay a reasonable fee to inspect data.
■ Eliminate the voter-initiated option allowing 50 voters to propose consolidation of two or more districts.
■ Provide increased state funding for Pathway II Early Learning Scholarships.
■ Ensure the School Trust Land director has the responsibility and authority to work on behalf of the trust beneficiaries, Minnesota’s public school students.

Visit http://www.mnmsba.org/DelegateAssembly to access complete voting results.

Advocacy

Pass special education cross-subsidy resolutions, share with MSBA

MSBA is asking individual school districts to join together and call on state and federal lawmakers to help draw attention to the special education cross-subsidy issue.

Two resolutions have been developed to help create statewide and national momentum to develop a plan to resolve this issue.

These resolutions are available on the Delegate Assembly homepage at www.mnmsba.org/DelegateAssembly.

We need MSBA members to pass both resolutions in your school district.

Once passed, please forward the official resolutions to MSBA’s Denise Dittrich at ddittrich@mnmsba.org by January 24, 2018. The MSBA Board of Directors will hand-deliver the resolutions to members of Congress in early February.
Training in the law—to fit your lifestyle
Mitchell Hamline School of Law offers working professionals intensive, practice-based certificates taught by experts in the field.

Human Resources Compliance Certificate
Practice-based training for human resources professionals and their advisors. Learn to identify and evaluate compliance requirements, while also being able to work with stakeholders to effectively implement compliance programs within organizations.
- Online
- 12 weeks
- Register by Jan. 29, 2018 or Mar. 26, 2018

Cybersecurity and Privacy Law Certificate
Learn to effectively manage cybersecurity risks and to quickly and decisively respond to threats. Taught by some of the nation’s foremost cybersecurity experts.
- Online
- 13 weeks
- Register by Feb. 26, 2018 or June 4, 2018

Conflict Resolution Certificate
Proactive conflict management, creative problem-solving, and state-of-the-art dispute resolution are critical for all organizations. Thankfully, effectively managing conflict is a science that can be learned.
- Online or on campus
- Complete in as little as 12 months
- Begin anytime
**MSBAIT Matters**

### Consider this example of building project risk

Submitted by Marsh & McLennan Agency

Consider this: Your district is replacing all lighting fixtures in your high school with Long-Term Facilities Maintenance (LTFM) revenue. During construction, the contractor discovers 50 new boxed lighting fixtures stored on school premises are missing. They are not found and it’s determined they were stolen. The contractor wants to submit an insurance claim to replace the missing fixtures. What insurance policy is in force: the contractor’s, the district’s, a project builder’s risk?

Standard construction project agreements include terms defining insurance requirements. For the scenario above, assume the agreement states the district will purchase a builders risk policy for the project and the policy purchased has a $5,000 deductible. Each fixture costs $100 to replace so the total loss is within the deductible. The builder’s risk policy would normally cover this claim for amounts over the deductible.

- **Who pays the deductible?** If the construction agreement is silent in this regard, then the district could be on the hook for paying the $5,000. In this case, language in the construction agreement holding the contractor responsible for paying the deductible might result in greater diligence and effort to safeguard their stored materials!

- **Take away:** The time for determining insurance needs and levels of coverage are before any contracts are signed.

School districts are exposed to many other potential risk scenarios related to construction projects.

Therefore, prior to bidding, consult with your attorney and your insurance advisor to identify agreement terms and the type of insurance policies to best manage the associated risks.

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### Prevent winter slip-and-fall injuries — and mitigate costs

Submitted by Marsh & McLennan Agency

Winter is just around the corner. Now is a good time to proactively manage your winter slip-and-fall risks by planning ahead, identifying the risks and engineering controls.

Simple slip-and-fall injuries due to snow and ice can have significant impact on an injured faculty member or student as well as your bottom line. Preventing these mishaps should be a priority.

- **Falls are a leading cause of injury:** The National Center for Injury Prevention and Control keeps yearly statistics on injuries. The most recent data indicates that unintentional falls are the leading cause of nonfatal injury. In large facilities like schools, it’s a particular concern, because pedestrian traffic tends to be frequent and rushed. Cold conditions tend to make people move even faster. And naturally, the busier your campus, the more often these injuries are likely to occur.

- **Insurance claims:** CDC statistics indicate that the medical cost for winter slip-and-fall injuries top out at $34 billion every year, with hospital costs amounting to two thirds of the total. Adding in the costs for medication, physical therapy, and durable medical equipment, and it’s easy to see why just one slip-and-fall injury can be a significant financial burden on the injured person as well as the district. A district’s liability or workers’ compensation insurance will cover a good portion of the costs, but the claim for a single incident may be much higher than you’d expect. A Snow and Ice Management Association study indicates that the average claim for a snow- or ice-related slip-and-fall injury is $33,000. A worker’s compensation claim for the same injury averages $48,000.

In addition to the costs of claims, schools need to consider the economic impact caused by business disruption and the cost of hiring replacement teachers along with decreased employee morale and the negative effects on a district’s safety culture.

- **How to prevent slips and falls:** Start by generating awareness among your employees of the risks that come with inclement weather. Encourage your employees to be proactive in staying on their feet this winter season and avoiding slipping and falling. Point out the obvious. Tell employees to:
  
  - Wear slip-resistant shoes.
  - Slow your pace. Walk. Do not run.
  - Take shorter more deliberate steps.
  - Be aware of slippery floors due to snow and slush being tracked into the building.
  - Don’t carry more than you can handle. Don’t impair your line of sight.
  - Avoid distractions when walking, like cell phones.

For questions about preparing your workplace for winter, contact a Marsh & McLennan representative. See [http://www.mnmsba.org/MSBAIT-RiskProtectionProgram](http://www.mnmsba.org/MSBAIT-RiskProtectionProgram) for contacts.
**Minnesota Department of Education**

**Transition to Professional Educator Licensing and Standards Board gets underway January 1**

The 2017 Omnibus Education bill created a new state agency, the Professional Educator Licensing and Standards Board (PELSB), to oversee and implement teacher licensing laws for the state of Minnesota. Beginning January 1, 2018, the responsibilities currently being carried out by the Board of Teaching and the Minnesota Department of Education, Educator Licensing Division, will be consolidated under PELSB.

PELSB will: (1) develop the teacher’s code of ethics; (2) adopt rules for public school teacher licenses and teacher preparation programs; (3) approve teacher preparation programs; (4) issue or deny teacher license applications; (5) suspend or revoke licenses based on qualifying grounds; and, (6) verify district and charter school licensure compliance.

- **What will change January 1, 2018:**
  - **Staff:** All Educator Licensing Division and Board of Teaching staff will become employees of PELSB.
  - **Website:** All licensing information, including educator lookup, will be transferred to the new PELSB website at http://mn.gov/pelsb.
  - **Phone numbers:** All current Educator Licensing Division phone numbers will be disconnected. The new customer service mainline is 651-539-4200.

- **What will change July 1, 2018:**
  - **New licensing system:** All new teacher licensing applications will follow the new tiered system and a new online licensing system will be launched. All teacher licenses with an expiration of June 30, 2019, will begin renewing under the new tiered system starting January 1, 2019.

- **What will not change:**
  - **Location:** PELSB will remain at 1500 Highway 36 West in Roseville, Minnesota.

*Note from MSBA:* School districts are reminded M.S. 122A.17 (Validity of Certificates or Licenses) extends the renewal date for an additional year:

(b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional year after the date the license is scheduled to expire.

**Minnesota Office of School Trust Lands**

**School Trust Lands office announces new website**

The Minnesota Office of School Trust Lands is pleased to announce the launch of its new website at https://mn.gov/school-trust-lands.

This is the first-ever website devoted to the state’s 3.5 million acres of school trust lands — an important, little known, and often misunderstood category of land ownership and school funding.

These lands are set aside in the state constitution and deliver tens of millions of dollars annually to Minnesota’s K-12 public school districts.

The new website has a clean uncluttered design offering quick and easy access to essential information.

The website has a specific section devoted to the trust’s beneficiaries — the state’s more than 850,000 K-12 public school students.

Here, users can utilize an interactive map to learn how much annual revenue their individual school district receives from the school trust fund.

See https://msbaadvocate.com/2017/12/05/minnesota-office-of-school-trust-lands-announces-new-website for more information about this announcement at The MSBA Advocate.
Strategic Planning

Set your district’s direction with MSBA’s Strategic Planning Services

Do you want to get everyone on the same page? Does your school board-superintendent team believe improvement is important? If so, check out MSBA’s Strategic Planning Services. MSBA’s experience and knowledge can help you put your district’s strategic plan on the right course.

Visit www.mnmsba.org/StrategicPlanningServices or contact MSBA’s Jeff Olson at jolson@mnmsba.org or 800-324-4459 for more information.

Meeting Management

Learn about paperless board meetings via BoardBook webinar on December 12

MSBA is offering an ongoing series of FREE webinars on how to incorporate BoardBook to streamline preparation, distribution, and publishing of agenda packets for board meetings. The next BoardBook webinar is set for 10 a.m. Tuesday, December 12. Visit www.mnmsba.org/BoardBook to access the registration link.

Find your next school leader with MSBA’s Executive Search Service

The MSBA Executive Search Service provides a collaborative and efficient search process that supports school boards in fulfilling one of their most important school board responsibilities — hiring a superintendent. For details, please visit www.mnmsba.org/ExecutiveSearchService or contact Sandy Gundlach at sgundlach@mnmsba.org.

Job Openings

Superintendents

- Cloquet — superintendent (application deadline: December 8, 2017)
- Crookston — superintendent (application deadline: January 12, 2018)
- Le Sueur-Henderson — interim superintendent (application deadline: December 29, 2017)
- Le Sueur-Henderson — full-time superintendent (application deadline: February 23, 2018)
- MACCRAY — superintendent (application deadline: January 26, 2018)
- Rush City — superintendent (application deadline: January 12, 2018)
- St. Anthony-New Brighton — superintendent (application deadline: February 12, 2018)

Other Administrators

- Minnesota State Academies — board member appointed by governor (application deadline: open until filled)

Visit www.mnmsba.org/DistrictJobOpenings for application information.
Protection assurance when you need it.

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- Marsh & McLennan Agency LCC for property, casualty, and workers’ compensation insurance and risk management products and services.
- National Insurance Services for its group long-term disability and group term life insurance plans for school employees.

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