

MINNESOTA SCHOOL BOARDS ASSOCIATION

# JOURNAL

March - April 2005

Volume 57, No. 5

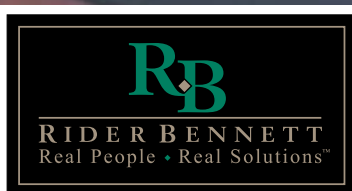
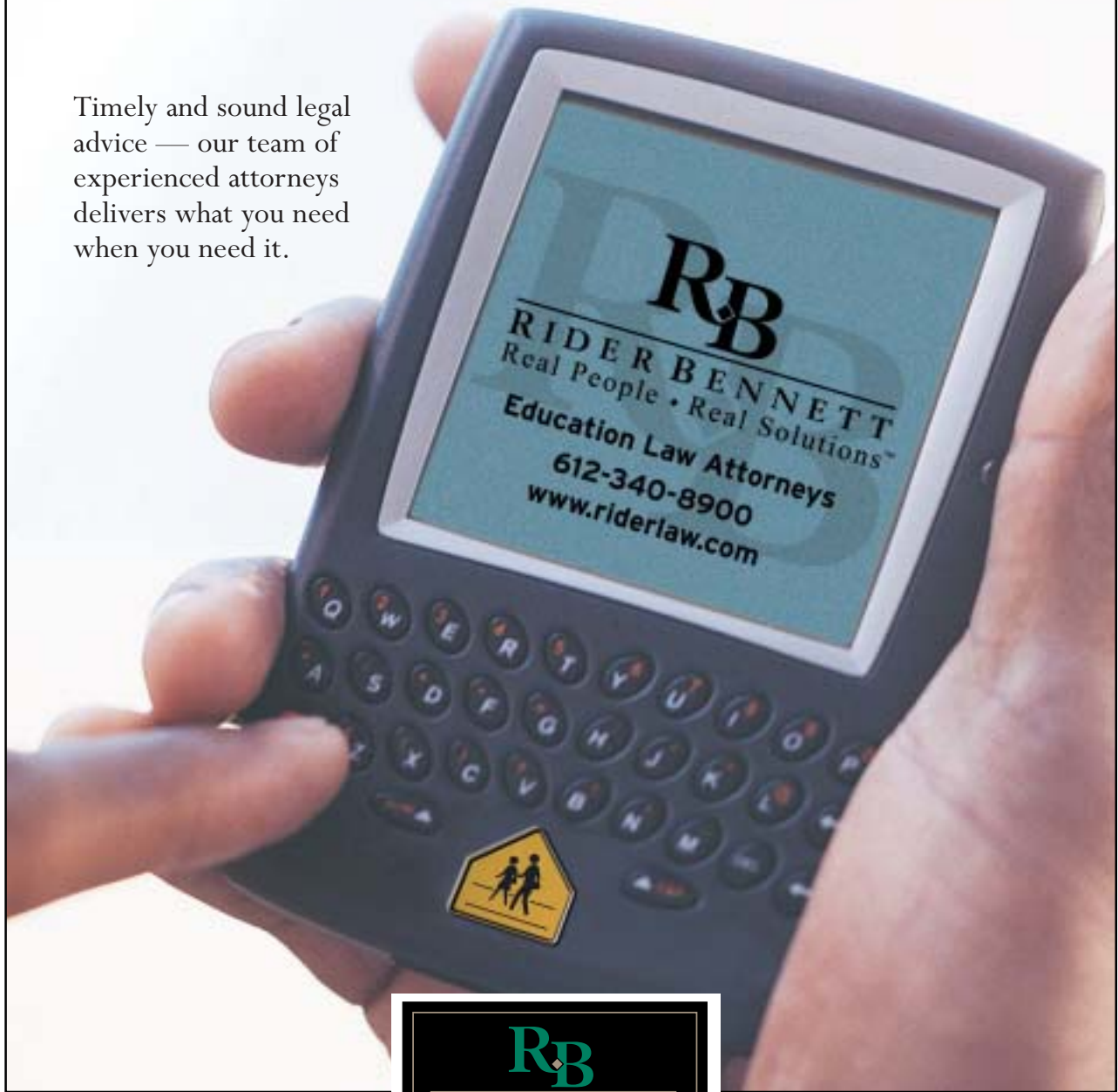
**Get Out The Vote  
and Hip-Hop  
to Victory**

**Pushing NCLB from  
Rhetoric to Reality**

**Steps To Fill Your  
Superintendent's Shoes**

# email, snail mail, fax or phone

Timely and sound legal advice — our team of experienced attorneys delivers what you need when you need it.



Attorneys experienced in all areas of education law.

Leslie M. Altman   Kimberly Hewitt Boyd   Jeffrey D. Carpenter   Barry F. Clegg   Charles E. Long  
Gregory S. Madsen   Nell E. Mathews   Amy M. Moore   Timothy J. Nolan   J. Dennis O'Brien   Gloria Blaine Olsen  
Charles A. Roach   E. Pat Shriver   Marie C. Skinner   Susan E. Torgerson   Maggie R. Wallner   James R. Walston

33 South Sixth Street • Suite 4900 • Minneapolis, MN 55402 / Phone: 612.340.8900 • Fax: 612.340.7900 • Web site: [www.riderlaw.com](http://www.riderlaw.com)

# MSBA Briefs

Are you a subscriber to the PEN Weekly NewsBlast? This interesting e-mail newsletter, a publication of the Public Education Network, is free and fascinating. It summarizes news stories and research and then provides a link to the full text should you want more information. Here are some examples of recent summaries.

## What is killing the spirit of new teachers?

Every year, U.S. Schools hire more than 200,000 new teachers for that first day of class. By the time summer rolls around, at least 22,000 have quit. Even those who make it beyond the trying first year aren't likely to stay long: about 30 percent of new teachers flee the profession after just three years, and more than 45 percent leave after five. Each teacher who leaves costs a district \$11,000 to replace, not including indirect costs related to the lost investment in professional development. Teachers quit for several reasons, but the one you'd expect to be at the top of the list – salary – typically isn't. Poor administrative support, lack of influence within the school system, classroom intrusion and inadequate time are mentioned more often by teachers leaving low-income schools where working conditions are more stressful; salary is mentioned more often by teachers leaving affluent schools. Many of these reasons are just euphemisms for one of the profession's hardest realities: Teaching can exact a considerable emotional toll.

## How Dangerous Are Our Schools?

Contrary to public perception, violent crime in schools has declined dramatically since 1994. The annual rate of serious violent crime in 2001 (6 per 1,000 students) was less than half the rate in 1994. The rate of homicides in U.S. schools has also declined dramatically since the 1990's. Bullying is one form of violence that seems to have increased in recent years, although it is not clear if the increase reflects more incidents of bullying at school or perhaps greater awareness of bullying as a problem.

## Should Public Money Be Used for Private Schools?

Under a plan proposed by South Carolina's governor, families who send their child to a private or religious school would get a dollar-for-dollar reduction in taxes for tuition money spent. The credit could be applied against state income tax or against local property taxes. Conservative groups have spent at least \$250,000 to lobby and run TV ads to get the plan passed. The S.C. Education Association has spent at least \$100,000 to fight the tax-credit plan.

If you'd like to subscribe to the PEN Weekly NewsBlast go to [www.publiceducation.org/subscribe.asp](http://www.publiceducation.org/subscribe.asp).

# Almanac

## APRIL 2005

- 1 .....Phase III Orientation
- 2 .....Phase III & IV
- 5 .....Phase III & IV
- 7 .....MSBA Insurance Trust meeting
- 9-10 .....Advanced Board Academy
- 16-19 .....National School Boards Association Conference
- 24-25 .....MSBA Board of Directors' Meeting
- 25 .....MSDLAF+ Meeting

## MAY 2005

- 1 .....National Teacher Appreciation Week begins
- 8 .....Mother's Day
- 30 .....Memorial Day (no meetings)



*The MSBA Journal thanks the students of Moundview Public Schools for sharing their art with us in this issue.*

**COVER ART:**  
*Sara Schults,  
Senior, Irondale  
High School*

# Divisions

3

MSBA BRIEFS  
THE ALMANAC

5

EDITOR'S NOTE  
Nancy Kracke

6

STRAIGHT TALK  
Bob Meeks  
MSBA Executive Director

8

PRESIDENT'S COLUMN  
Jack Williams

10

THE ART BOX  
One-Act Plays



## Articles

12

GET OUT THE VOTE AND  
HIP-HOP TO VICTORY  
*Don Lifo, Ph.D.*

14

PUSHING NCLB FROM  
RHETORIC TO REALITY  
*Michael Kremer, Ph.D.*

16

STEPS TO FILL YOUR  
SUPERINTENDENT'S SHOES  
*Michael Ayers*

22

DISCIPLINE AND STUDENT ACHIEVEMENT

24

LIMITING POLITICAL ACTIVISM IN  
SCHOOLS

# EDITOR'S NOTE



## Were You at the Rally?

*Were you at the rally?*

I was the one in the gray coat and black hat holding the very homemade sign that said "FUND SCHOOLS NOW!"

I loved the rally at the capitol sponsored by the Alliance for Student Achievement...even with frozen toes...because I was surrounded by people who really believe in public schools. Everyone (except maybe that guy passing out information on the Socialist Party and Mr. LaRouche) braved the wind chill because they think Minnesota ought to be doing better for its children.

There were many terrific moments during the rally. I was impressed with the articulate student from Hopkins High School who wondered how the Governor would like sharing his office with the Attorney General. I was moved by the representative of Isaiah who voiced the support of Minneapolis' faith community to the "moral imperative" of good public schools.

And I loved Mary Cecconi's exasperation when she said that as a mom who had sold wrapping paper and candy to raise money for schools "I'VE HAD IT!"

Isn't that what all of us in the education community feel. WE'VE HAD IT!

I hope the Governor and the legislators heard us. I hope they understood our passion and commitment to public schools. I hope they realize we are not going away. And I hope they felt our resolve as we chanted, No More Excuses! No More Excuses!

FUND SCHOOLS NOW!

Nancy Kracke  
Editor

# STRAIGHT TALK

## A VOUCHER BY ANY OTHER NAME



**Bob Meeks,**  
*MSBA Executive Director*

### The Latest Tactic? A Creative Vocabulary.

Voucher proponents won't take no for an answer. They insist on giving public money to private and religious schools despite consistent voter rejection, court decisions and research debunking the myth that vouchers boost achievement. The latest tactic? A creative vocabulary.

First we have Governor Tim Pawlenty's backdoor approach. His proposal would divert public dollars to private and religious schools by giving tax credits to businesses that pay for vouchers. The pretty term on this plan is "scholarship." Tax credits for voucher programs use public funds to subsidize private schools. Period. A voucher by any other name is still a voucher.

Then there's the Hann-Buesgens plan. These two lawmakers have developed their own creative euphemism: education access grants. Their bill would divert public dollars to private and religious schools by allowing income-eligible families in Minneapolis and St. Paul to use vouchers for tuition. Education access grants? Please. A voucher by any other name is still a voucher.

If proponents think vouchers are such great policy, why can't they say the word?

But the biggest euphemism in the voucher debate is "choice." Vouchers are NOT about student choice; vouchers are about choice for private and religious schools. The choice resides with private school admissions committees who choose which children to admit and which to reject. Private schools may discriminate based on factors such as religion, prior educational performance, gender, English-speaking ability, citizenship, disabilities and athletic ability. Public schools educate all the kids who come to their doors.

In this era of accountability and budget deficits, it's troubling lawmakers want to give public money to private schools that don't follow state standards; don't have elected representatives; don't publicly account for spending and results; and don't open their meetings, records or bank statements to the public. Additionally, most Minnesotans agree our public schools are underfunded. Vouchers strip dollars from public schools already reeling from cuts.

School leaders do not support cookie-cutter education. Minnesota is a leader in public school options. If students' needs aren't met in their own schools, they can open enroll in another public school district. They can enroll in specialized, public school magnet programs or attend a public charter school. Our juniors and seniors can enroll in college courses at no expense to their families. Minnesota has struck a good balance: We have the benefit of competition without giving public tax dollars to private or religious schools.

Voters in other states have rejected ballot initiatives for vouchers, and polls reveal consistent opposition to using public money to subsidize private and religious schools. Research shows that students attending private schools under the Milwaukee and Cleveland voucher programs did not outperform their public school peers.

Voucher advocates, you've heard the answer—and it's not a euphemism. No means no.

*This column recently appeared in the Star Tribune.*

Public Finance

## Funding Solutions For Minnesota Schools

MSBA Lease Purchase Program — Endorsed Since 1994

WELLS  
FARGO

Wells Fargo Public Finance can help your school district access low-cost, tax-exempt financing for your capital needs. Our experienced team can assist you in purchasing the equipment, technology and improvements your children need to prepare for the future.

Contact us today and put our experience to work for your school district.

Pam Lang, Senior Vice President  
Toll Free (800) 267-1262  
pamela.a.lang@wellsfargo.com

Investments • NOT FDIC Insured • May Lose Value • No Bank Guarantee

Wells Fargo Public Finance (WFPP) bankers are registered representatives of Wells Fargo Brokerage Services, LLC, or Wells Fargo Institutional Securities, LLC, brokerage affiliates of Wells Fargo & Company and members of the NASD and SIPC.



The Next Stage®

## JOHNSON CONDON

Attorneys at Law P.A.

**SHAMUS P. O'MEARA**

PHONE: (952) 806-0438

TOLL FREE: (800) 869-1035

FACSIMILE: (952) 831-1869

[SPO@JOHNSON-CONDON.COM](mailto:SPO@JOHNSON-CONDON.COM)

*School District Defense*

*Construction Projects*

*Contract Negotiations*

*Mold-Indoor Air Quality*

*Employment Law*

*Workers' Compensation*

*Products Liability*

7401 METRO BOULEVARD • MINNEAPOLIS, MN 55439-3034

# PRESIDENT'S COLUMN

## THE ANSWER IS CLEAR: FORMULA CHANGES NEED SCRUTINY



*Jack Williams, Jr.  
MSBA President*

Simplicity often has an inverse relationship with other important traits, such as fairness, stability and adequacy.

Governor Pawlenty and other lawmakers want to simplify Minnesota's system of education funding. Board members appreciate the goal – we've suffered through countless budget reports filled with acronyms like FTEs, ADMs and ANTCs – but we must not sacrifice fairness for simplicity.

The Governor has a variety of ideas to simplify the system, ranging from delinking compensatory revenue from the general education formula to eliminating pupil weighting. Bottom line: These segments of the funding system would not be automatically adjusted when the general education formula is adjusted.

The changes would make funding "more transparent," according to Education Commissioner Alice Seagren. It also would allow the Legislature to weigh and debate the need to increase – or decrease – each of these elements based on its own merits.

A philosopher once said we should seek simplicity but distrust it. That's because simplicity often has an inverse relationship with other important traits, such as fairness, stability and adequacy.

What might be the unintended consequences of these changes? If the Legislature is required to study and debate each individual segment of our funding system, we better start planning for year-round legislative sessions. The formula and its various adjustments translate into roughly 100 different formulas for our schools. That's why lawmakers tied most of these individual factors to the general formula in the first place –

the connection helped simplify and stabilize the system.

The proposed changes could subject public schools to the worst kind of politicking and create even more financial instability. Schools haven't recovered from the Governor and Legislature's decision to pull basic school funding from property taxes, a stable revenue source, and tie it to other state revenues, primarily income and sales taxes. Both income and sales taxes ebb and flow with the economy. The result: Our schools are held hostage by the success of the holiday shopping season.

There are steps we can take, however, to ensure the state budget and education funding are more transparent to the public. We should start with the following:

- Acknowledge inflation. The state has an unsound policy for its forecasts: Assume inflation when calculating revenue but ignore inflation when projecting expenditures. It's fiscally irresponsible and misleads the public. We'd all like to live in a world where revenues grow while expenses stay flat, but there's no room for fantasy in a state budget.
- Acknowledge real per-pupil spending. When people hear educators talking about the formula allowance (\$4,601), they may assume that amount represents the average spent per pupil across the state. We need to report averages to our public that include additional dollars generated by weighting, operating levies, etc.
- Tell the public the bottom line when it comes to increased public education spending. Pull out roll-



ins and transfers, for example, to arrive at a net increase. Let the public know what portion of the increased state spending, if any, is related to enrollment growth.

- Stop distorting the impact of the state takeover of basic education funding. It is disingenuous at best to claim the state spent an additional \$1 billion on public schools in 2000, a claim that leaves the impression that schools received an additional \$1 billion. The state did indeed spend more, but it simply replaced an equivalent amount of property taxes that had been supporting schools. It was a shift in the source of education funding - not an increase to schools.

Transparency and simplicity are worthy goals. One thing is clear, however, and there's nothing complicated about it: We must ensure funding changes don't inject instability and politics into our public schools.

**MILK MAKES A Big Splash!**

Increased milk consumption and lunch participation result in additional revenue plus healthier students!

**Here's How:**

- Exciting new flavors
- Easy-open containers in different sizes
- Attractive merchandising and served ice-cold

**New Look of School Milk**

**MDC MIDWEST DAIRY COUNCIL**  
800-408-6453 | dairycouncil@midwestdairy.com

© 2004 NATIONAL DAIRY COUNCIL®

**"The Future is not where you're going, it's what you're creating"**

- Bill Stuart

**DLR Group**  
Creating Schools for Your Future

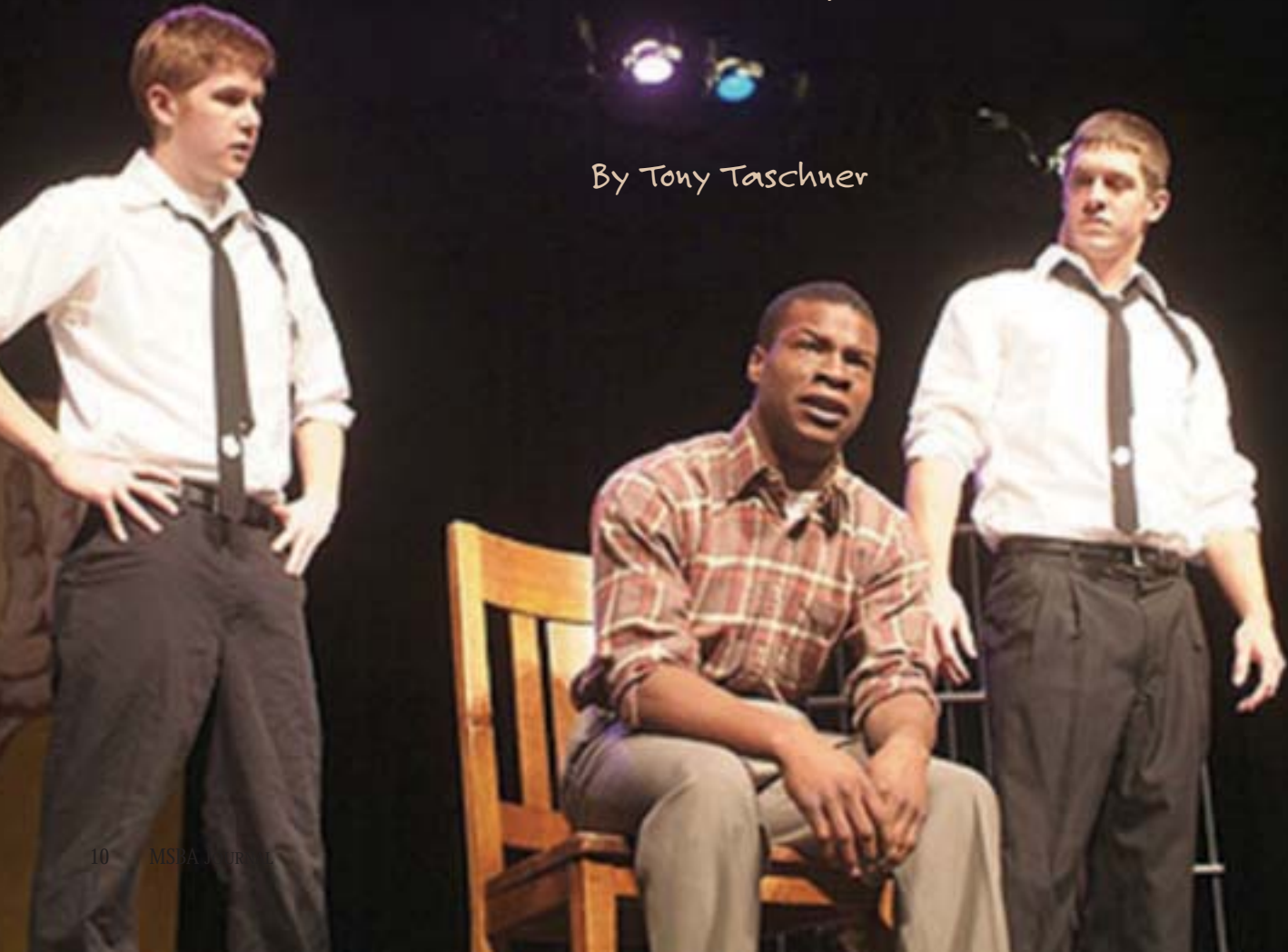
architecture    planning    interior design    commissioning  
mechanical engineering    electrical engineering    structural design  
construction management    facility assessment

9521 West 78th Street, Minneapolis, MN 55344 • 952.941.8950 • www.dlrgroup.com

# The Art Box

Eagan High students give starred one-act performance of district graduate's award-winning play about the death penalty.

By Tony Taschner



When Erik Jensen graduated from Apple Valley High School in 1986, he left with a deep appreciation of his theater and speech classes at the school and a realization that “being an adult doesn’t mean throwing away your creativity or sense of play.”

Today, that realization has produced an award-winning play, a book deal with publishing giant Simon & Schuster, and an even deeper appreciation of the high school that he says made it all possible.

And now, Jensen the playwright is enjoying yet another milestone—having his play performed by a school in the district he once attended. In February, students from Eagan High School, also in District 196, performed a cutting from “The Exonerated,” written by Jensen and partner Jessica Blank. Eagan earned a starred performance, the highest rating possible, at the annual Minnesota One-Act Play Festival sponsored by the Minnesota State High School League. The competition marked Eagan’s 12th appearance at state and its 11th top rating.

“The Exonerated” tells the true stories of six persons wrongly convicted of separate murders and sentenced to death by execution. Each spent several years on death row before being found innocent. Jensen and Blank wrote the play based on personal interviews they conducted with these and other people while traveling throughout the country. Though critical of the U.S. criminal justice system, the play is also considered a study in forgiveness.

And again in true Erik Jensen spirit, the play sparked considerable discussion among the 10 Eagan actors on the topic of the death penalty—an important fact, considering the depth of involvement needed for a starred performance rating. Minnesota’s one-act play competition requires the actors to project the play’s meaning and to be evaluated against a stringent set of criteria.

This depth of involvement deeply pleases its playwright, too. In an email to director Nancy Owzarek and the actors and crew, Jensen wrote: “The conversation that you and your students started with this play is one that will last a lifetime. I hope they (students) all stay involved in the theater in some respect; but it is even more important that they stay politically engaged. We admire you very much for taking on something so deep and important.”

Jensen said the one-act plays that he was fortunate enough to be a part of during his years at Apple Valley High School, and working with the people who directed them, were “instrumental in preparing me for the highly competitive world I live in now.”

“The Exonerated” premiered in New York City on Oct. 10, 2002, and was produced by the Culture Project. It has since spawned a book, *Living Justice: Love, Freedom, and the Making of The Exonerated* (Simon & Schuster, February 2005), and an upcoming book tour for its authors. Jensen and Blank visited Minneapolis in March.

Despite the New York accolades and the “numerous hunks of metal and glass” that have been bestowed upon Jensen for his play, he humbly asked to meet up during that Minneapolis trip with the Eagan students who performed his work for their competition. “We would love a cast picture,” he wrote, “and a poster from your production.”

Jensen closed his message to the students with a friendly poke at his fellow Minnesotans. “You all should be proud of yourselves even though that is not a practiced Minnesota trait. No matter. Go home, lock yourselves in your rooms and be proud for a minute. And we will never discuss it...with anyone...ever again.”

*Tony Taschner is the communications specialist for Independent School District 196. You can reach him at [tony.taschner@district196.org](mailto:tony.taschner@district196.org).*

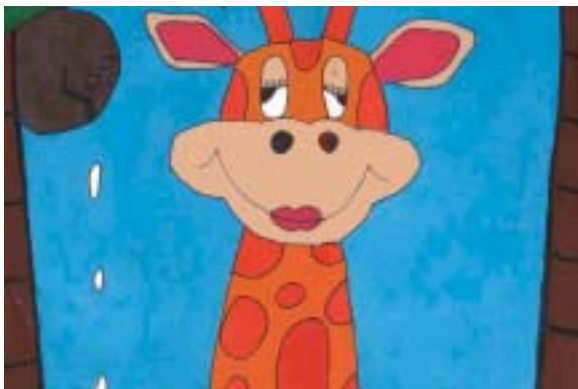


# School Finance Elections: Get Out the Vote and Hip-Hop to Victory

By Don Lifto, Ph.D.

*Artwork by Elementary students from Pike Lake  
(Listed top to bottom):*

*Chloe Gunelius, Grade 2; Samantha Sterns, Grade 5;  
Megan Pieper, Grade 1*



In June 2004, Hip-Hop Summit organizers at Ohio State were credited with registering 10,000 new voters, nearly all of whom were under age thirty-five. Celebrity hip-hop artists had similar success at the Newark National Hip-Hop, raising \$1.4 million for the Civic Engagement Project. As reported in the *St. Paul Pioneer Press* (June 20, 2004), organizer James Bernard emphasized a central phrase in hip-hop culture: “Show and prove.” As Bernard continued to register hip-hop enthusiasts for the 2004 elections, he was quoted as saying, “I think we are about to show and prove.” Unfortunately, get-out-the vote results with young voters on Election Day did not match Bernard’s impressive registration drive, which is consistent with patterns across the country.

So what do hip-hop music and the Civic Engagement Project have to do with school elections and Get-Out-the-Vote (GOTV)? Donald P. Green and Alan S. Gerber are Yale University political scientists, GOTV researchers, and authors of *Get Out the Vote! How to Increase Voter Turnout*. They have conducted dozens of experiments testing the effectiveness of GOTV strategies on different types of voters. Their experiments employ research designs in which registered voters are randomly assigned to experimental and control groups and subjected to different types of GOTV strategies. Much of their research points to correlations between face-to-face efforts and substantially better turnouts at the polls. Whether it’s hip-hop or an old-fashioned Midwestern potluck, look for ways to meaningfully engage your supporters on a personal level to improve your GOTV success.

Green and Gerber’s experiments have been conducted in municipal, state, and issues-based contests in rural, suburban, and urban environments across the country. Their research focuses on one key question: What are the most cost-effective ways to increase voter turnout? Although most of their research has not focused on school elections, Green recounts one experiment conducted during a 2001 school board race in Bridgeport, CT. Although the overall turnout was abysmal—9.9% in this election—turnout among voters who were canvassed face-to-face increased 14 percent. According to Green, “That’s another sign of the importance of establishing a personal connection between voters and the electoral process.”

The five GOTV strategies investigated by Green and Gerber are familiar to school leaders who have worked on campaigns: face-to-face canvassing, leafleting, direct mail, phone calls, and e-mail. Based on the findings of these studies, the authors have quantified the number of additional votes to expect in as a function of how many GOTV contacts were made utilizing a particular strategy. The results—in terms of how commonly used GOTV initiatives affect turnout—might surprise you.

**Door-to-door canvassing:** One additional vote per 14 contacts  
**Reminder calling:** One additional vote per 35 contacts  
**Leafleting (door hanger):** One additional vote per 66 contacts  
**Direct mail:** One additional vote per 177 contacts  
**E-mail:** No detectable effect

It's important to note that the researchers consider the positive effect of the door-to-door canvassing (one vote per 14 contacts) as a conservative estimate of its value. Research has also shown that a face-to-face canvassing with one individual also increases the likelihood that other adults within the same household will vote.

In summarizing their research, Green and Gerber emphasize two key conclusions:

- To mobilize voters, you must make them feel wanted at the polls. Mobilizing voters is rather like inviting them to a social occasion. Personal invitations convey the most warmth and work.
- Building on voters' preexisting levels of motivation to vote is also important. Frequent voters, by definition, have demonstrated their willingness to participate in the electoral process. In low-turnout elections, they are especially receptive to GOTV appeals, particularly when contacted face-to-face.

*Continued on page 20*

Architecture & Engineering Design  
Minneapolis & Duluth Offices

**Don't leave  
YOUR**   
**project to chance,**



**Choose LHB and  
be involved in the design and  
decision process.**

 [LHBcorp.com](http://LHBcorp.com)



**KNUTSON, FLYNN & DEANS, P.A.**  
 1155 Centre Pointe Drive, Suite 10  
 Mendota Heights, MN 55120  
 651-222-2811 Fax: 651-225-0600  
[www.kfdmn.com](http://www.kfdmn.com)



**Providing Legal Services With an Emphasis in Education,  
Labor and Employment Law Since 1947**

- JAMES E. KNUTSON
- JOSEPH E. FLYNN
- THOMAS S. DEANS
- PATRICK J. FLYNN
- STEPHEN M. KNUTSON
- LAWRENCE J. HAYES, JR.
- MICHELLE D. KENNEY
- JENNIFER K. EARLEY
- KATHRYN M. PERLINGER
- KATHRYN M. WOODRUFF
- LAURA K. VALENTINE
- PETER A. MARTIN
- CARLA J. LINDELL

- Employment and Personnel Matters
- Construction and Real Estate
- Bond Counsel/Finance
- Administrative Proceedings
- Mediation and Arbitration
- Special Education
- Student Issues
- Labor Negotiations
- Litigation and Appeals
- School District Elections

Because of our extensive experience in education, labor and employment law, our qualifications to assist school districts in these areas are among the best. In many instances, our firm has represented school districts in cases that have formed the basis of the law applicable to school districts up to the present day.



# Pushing NCLB from Rhetoric to Reality

By Michael L. Kremer, Ph.D.

**M**ost observers regard the No Child Left Behind Act (NCLBA) as one of the most important pieces of education legislation in many years. It is sweeping in its aims and provisions. It includes provisions on the teaching of reading, family literacy, delinquency and drop-out prevention, advanced placement programs, teacher training, civic education, the teaching of traditional American history, language instruction for immigrant students, counseling programs, economic education, arts and education, women's equity, environmental tobacco smoke, and school prayer.

NCLB has two major purposes: to raise student achievement across-the-board, and to eliminate the achievement gap between groups of students from different backgrounds. To accomplish these goals, the law requires states and school districts to deal forcefully with schools that are not improving student achievement and to ensure that highly qualified teachers teach all students. No Child Left Behind attempts to achieve its goals through standards, testing, and accountability.

These truly are worthy goals, and there is much in the NCLB that we can believe in.

We believe in high standards. Our standards provide structure and direction to programs, and focus our attention on what needs to be taught

and what needs to be learned. Standards can:

- Provide greater quality of purpose. All along the spectrum of academic achievement, we sell many students short by not demanding enough of them. If we develop standards and assessments that require students to learn facts, to apply their knowledge, to raise new questions, and to think about what they are learning, we can go a long way toward improving the quality of their education.
- Promote greater equity of purpose, eliminating dual systems with first-class standards for those in favored socioeconomic conditions and lower standards for those less well off.
- Promote greater consistency of purpose. There is a legitimate state and perhaps national interest in promoting a certain level of education for all. We are also a mobile society, and the education our children receive in one community should prepare them for life in all the other communities and states.

We believe in testing and accountability. Tests provide helpful information about how students are doing. And we all need to be accountable for providing the best education possible for each and every student.

Given all that is "good" about the NCLB, it has many problems, which cannot be ignored.

*Alyssa Williams, Grade 12,  
Irondale High School*

NCLB is a huge undertaking, fraught with political complexities, daunting problems of scale, and endless possibilities for things to go wrong. It has faced major start-up problems such as:

- Tests not aligned with standards
- Failure of assessment companies to produce timely results
- The release of wrong and erroneous results

However, start-up problems were inevitable, and those problems are no reason for criticizing the essence of the NCLB. Of more importance are the problems of implementation.

NCLB does not provide the needed financial resources, development of the needed professional capacity, and allow the needed time. Some supporters of the NCLB initiative seem to believe that all we have to do to achieve the desired outcomes is to legislate them. In their view, there is no need to find new resources or develop capacity; raising scores is simply a matter of will. Set the standards, test the students, report the results, kick butt, take names, and people will shape up.

While money won't do the job alone, it is impossible to do the job without it. As established by the state's constitution, Minnesota must provide the conditions necessary for

students to achieve the sound, basic education to which they are entitled. Our federal government should not impose mandates and then not adequately fund those mandates. To require schools districts, schools and their students to meet high standards and deprive them of the means, including the financial means, for attaining them is wrong.

Teachers need time and support to acquire the new skills, knowledge, and habits that they need to achieve the NCLB's ambitious agenda. We should not attempt an educational campaign without preparing our teaching staff to do the job. Our excellent, qualified, and quality teachers want to succeed and, more importantly, want their students to succeed.

And then we must be realistic about time. Schools are not fast-food establishments. Progress is not linear; it is episodic, recycled, and cumulative. There are spurts of growth alternated with placid periods. We teach not only by imparting, but also by cultivating the strength that unfolds from within, and sometimes the unfolding cannot be hurried. That whole process takes time. Educating a group of children is like nurturing a garden; things need to be tended steadily and slowly. It does not help to pull them up

*continued on page 19*

**opening doors for over 35 years**

- architectural design
- planning & programming
- facility analysis
- construction administration
- interior design
- mechanical engineering
- electrical engineering

**WOLD** 305 st. peter st. • st. paul, mn • 55102 • 651.227.7773

**wold architects and engineers**

The advertisement features a list of services on the left and a photograph of a modern building with a large glass entrance and an American flag on the right. The building has a brick and stone facade. People are seen walking in front of the building.

**I**n some cases, a school board has substantial lead-time in dealing with a change in the superintendency. In other cases, things happen unexpectedly and much too quickly. In either case, a board can set itself up for success—or at least a higher chance of success—by preparing well in advance of the need to make the change.

Let's take the preferred situation where you have some time to prepare for the inevitable departure of the incumbent. Let's say you think you'll need to face that situation in the next two or three years. Can we identify a handful of critical steps that will make the transition smoother? That will ensure that the incoming Superintendent will actually meet the evolving challenges of the position? I believe we can.

Let me highlight a short list of five steps...

# *Steps to fill your* **SUPERINTENDENT'S** **SHOES**

By Michael Ayers



*Alex Hovde, Grade 12, Irondale High School*





**Hold your current superintendent accountable for supplying you with a list of potential internal candidates.**

Within your district you need to have several people identified who, within the next two-to-four years, can grow into a superintendent's job. Why focus on internal candidates? Because only your district has access to a clear sense of their current strengths and controls the assignments that can offer the best developmental opportunities for those people. Why two-to-four years? Because it may take that long to find suitable opportunities to develop necessary skills. In addition, this short list can help in an emergency.

By the way, if your Superintendent has built a strong team this should not pose a problem. If your Superintendent has isolated too much responsibility to her/himself, that's a separate problem!



**Work through the current superintendent (likely with consulting support from the outside) to determine clearly and comprehensively the strengths and weaknesses of those potential candidates.**

To get a clear reading on the strengths and weaknesses, use a 360-degree feedback process from a reliable vendor. (360-degree feedback draws input about an individual's performance in a common format from several directions—the individual her/himself, the boss, peers/colleagues, direct reports, and customers/clients.) Do not try to create your own instrument—that's just reinventing the wheel. Leave that to some organization which has that as its business.

Note that the results of the 360-feedback process belong to the individual, and not to the district. That is, to get frank feedback, ensure that everyone knows that it goes to the individual for her/his own professional development. Boards cannot use it for compensation or retention decisions. If the Superintendent has built trusting relationships with these candidates, then they will likely share willingly what they've learned—to bring their own voice to bear in development decisions.

By the way, treat this as a board expense, or rather a board investment intended to limit or even preclude the later need to spend thousands of dollars and months of delay on an extensive search process.



**Hold yourselves as the board accountable for looking into the future to see just what skills, knowledge, etc., will differentiate success from failure for your district.**

The board represents the community as the moral owners of the district. What do you want your district to do in the next several years? What challenges do you face now and how do you anticipate that changing? And as a consequence, what skills at the

Superintendent level will ensure that your district thrives? What skills will help you create the future that you want for your district?

Create a realistic picture of the mix of skills, knowledge, etc., that candidates must possess. We know that the skills required to turn around an underperforming organization differ from the skills required to fine-tune an already-successful organization. Ask yourself these questions and answer them candidly: How do we feel about our current performance? What do we think we require to move us to the next level of success in serving the children of our community?



**Hold the current superintendent accountable for working with the candidates identified in step one.**

Identifying them just initiates the process. The research tells us that most of what we learn in our professional lives we learn on the job. That means that the current Superintendent will have to demonstrate diligence about finding—or even creating—those opportunities for development. And the Superintendent will need to show tolerance of risks taken and failures encountered in the process. (Col. John Boyd, an Air Force fighter pilot instructor, said that if you do not see an occasional crash, you have not stretched people hard enough. And those 'learning opportunities' do not come cheap!)

That development will almost certainly include specific assignments made with a clear focus on specific skills. It may also include classes, conferences, or seminars—including both attending and presenting.



**Think beyond the next couple of years. Ask your superintendent to supply another list of internal candidates.**

This list should include about a half-dozen people in the district who, with appropriate experience over the next five-to-eight years, could qualify for a superintendent's job.

The process never ends. We know from the statistics how long superintendents currently last in their positions. With care, we can increase the duration of the incumbency in our districts by getting a better fit between what the individual brings and what the position requires. A school district, however, can last forever while no individual superintendent can. People do get older and simply retire. Some grow impatient and want to stretch into a new challenge. And the external circumstances or demands of the position may evolve, reducing a formerly good fit to a current bad fit.

What about the fact that the community elects the board, thus the board will likely see some turnover on its own over the course of several years? What if those changes bring

*continued on page 18*



# Steps to fill your SUPERINTENDENT'S SHOES

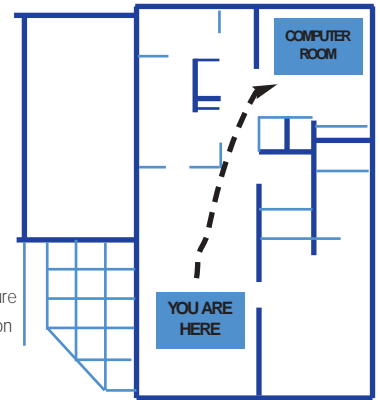
new priorities at the board level? Wonderful! Even a school board needs the periodic infusion of new ideas. Even the school board, while charged with the students' learning, can learn on its own! And how better to adapt to those changes, with minimal disruption for the district's children and its staff, than with a well-crafted and well-executed strategy, with annual updates, to deal with inevitable changes?

*Michael Ayers is a consultant who works extensively with public schools and nonprofit organizations. He is CEO of The Commonwealth Practice, Ltd., a firm specializing in helping organizations improve their overall effectiveness. You can contact him at 612-308-0501.*

## HOW FAR DO YOU HAVE TO GO FOR BOARD TRAINING? NOT FAR.

Our online courses save you time and money while still providing excellent instruction. We are currently offering the following courses:

- Media Relations
- Introduction to Parliamentary Procedure
- Constructive Superintendent Evaluation
- The Board and Superintendent Team
- Key Work of School Boards
- Board Officers: Duties and Leadership Roles
- Educate or Litigate
- To Pray or Not to Pray: Understanding the Legal Parameters of School Prayer

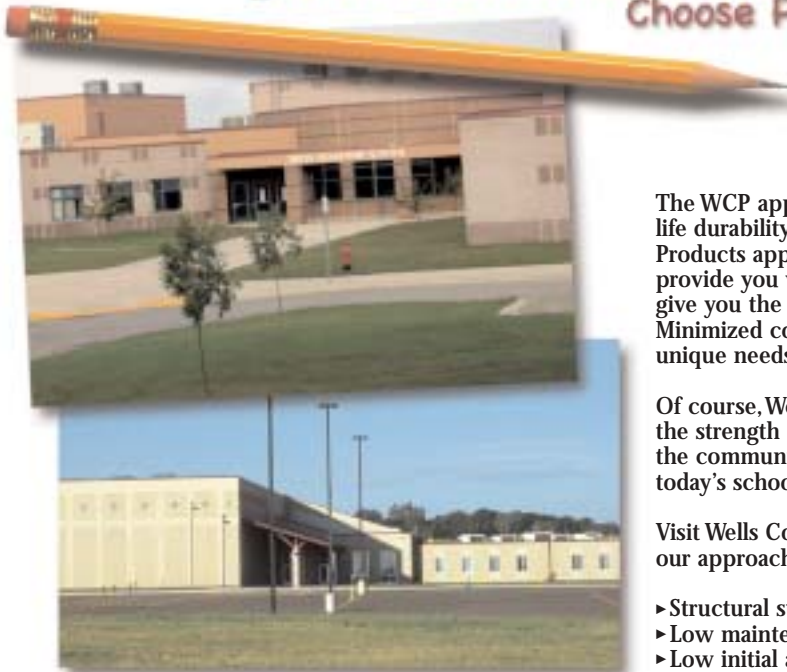


Visit the  
Online Learning Center  
and register at:  
[www.mnmsba.org](http://www.mnmsba.org)



## For the best Educational Foundation

### Choose Precast, Prestressed Concrete



School districts all over the Upper Midwest are taking advantage of the Wells Concrete Products approach to more practical, economical and longer lasting buildings.

The WCP approach utilizes the cost, convenience, and long life durability of precast, prestressed concrete. Wells Concrete Products approaches the challenges from school boards to provide you with buildings with outstanding aesthetics. Yet, we give you the economy you're looking for. Lower operating costs. Minimized construction timelines. Design flexibility to meet your unique needs.

Of course, Wells precast prestressed concrete buildings promise the strength and long term durability required for maintaining the community pride and image properties that are integral to today's schools.

Visit Wells Concrete Products to learn the many advantages of our approach to precast, prestressed products:

- ▶ Structural strength
- ▶ Low maintenance
- ▶ Low initial and operating costs
- ▶ Time savings during construction
- ▶ Architectural flexibility and versatility
- ▶ Insulation full height and full width

Contact WCP today, or visit us on the web to see what we can do for your community.



Wells, MN  
800.658.7049  
[www.wellsconcrete.com](http://www.wellsconcrete.com)



by the roots and measure them too often. This is exemplified by the additional care and support needed for our special education students. Not only do these students need more time to grow, but they need unique and targeted instructional strategies, which most schools currently are delivering in an environment of disappearing financial resources.

***So what should we do?***

- Within the bounds of ethical practice, prepare students for success on the tests using first-class teaching methods and materials, and providing assistance to students needing extra tutoring assistance.
- Avoid the test-prep syndrome of teaching to the tests, which bores students, demoralizes teachers, limits understanding and context, and focuses on memorization of facts.
- Do what is necessary to enrich educational programs.
- Work politically to enact policies that support good teaching and learning.

## **Pushing NCLB from Rhetoric to Reality**

- Limit state (and federal) standards to a basic, essential core of curriculum. Do not try to set standards for all subjects and all grades. Balance central consistency with local autonomy.
- Define the state's role as providing leadership, guidance and support.
- Write standards to emphasize depth and breadth of instruction.
- Assess academic progress in multiple ways, and do not make high-stake decisions based on the results of one point-in-time test. Students should be able to demonstrate what they have learned in many different ways. The more rich and varied the curriculum, the more rich and varied the assessment program should be.
- Reduce the amount of testing. Tests do not teach children; teachers do.
- Fund the program adequately. Specify the conditions needed to ensure that students receive a sound, basic education and provide the resources needed to support that education.
- Be flexible and sensitive to the complex and varying circumstances found in states and school districts.
- Do not treat all schools the same—the goal is quality, not uniformity.
- Develop local capacity, providing adequate training, time, and resources.
- Develop an attitude of purposeful patience, lowering the rhetoric and immediate expectations. We are asking our schools and teachers to achieve a very lofty goal, raising all students to a high level of academic achievement. We are committed to working hard to achieve this goal.

Can we do these things? I think so. Will we do them? I am not sure. The political tides have been running against the kind of education many of us value, and relief is not yet clearly in sight. However, we must continue asking local and federal elected officials how they will work to modify the No Child Left Behind Act so it does, indeed, benefit all students, each and every child.

*Michael L. Kremer, Ph.D., is superintendent of Hopkins School District 270. Contact him at 952-988-4024.*



*Sara Schults, Grade 12, Irondale High School*



*Kristyn Lundy, Grade 12, Irondale High School*



*Tim Marrs, Grade 11, Irondale High School*

continued from page 13



## School Finance Elections: Get Out the Vote and Hip-Hop to Victory

Effectively applying GOTV research also requires that the campaign reject the one-size-fits-all approach and target different GOTV strategies to unique blocs of voters. Consider the differences among the following three voters, all of whom were identified as supporters in a recent pre-election canvass:

**Voter 1** is a 42-year-old female, parent of a public school student, active on the school bond campaign committee, and has voted in 100% of the time in recent elections.

**Voter 2** is male, 28 years old, single, and has voted in 20% of recent elections.

**Voter 3** is a 68-year-old female who has voted in 60% of recent elections.

So how might the campaign approach GOTV with these three voters? First, I would suggest that anything other than a reminder call on Election Day for Voter 1 is a waste of the campaign's time and resources. As far as Voter 2 is concerned, it will take an extraordinary effort to get him to vote. In addition to any literature drops, mailings, and reminder calls, he needs a personal contact on Election Day, preferably from someone he knows or a peer, and would also be a good candidate to encourage to vote by absentee ballot. Voter 3 is "on the bubble" and will require more than a call or door hanger. Canvassing from a peer or an offer of a ride from a friend will dramatically improve the odds of delivering her "yes" vote on Election Day.

Speaking of voting blocs—and back to hip-hop for a moment—the most perplexing challenge for many school finance campaigns is to get young adults to the polls. Ironically, while 80% of young voters typically fail to vote, survey research often finds the strongest support for school district proposals comes from this demographic group. David Skaggs and Adam Anthony, in an article

Education

Design that fosters  
creativity and student success

Design that enhances  
community

Design that promotes  
academic ideals

Design with Purpose.

**GLT Architects**  
Grooters · Leapaldt · Tideman

K-12 EDUCATION TEAM  
L to R: Steve Paasch, Pat Waddick, David Leapaldt, and Evan Larson

808 Courthouse Square St. Cloud, MN 56303 320-252-3740 www.gltarchitects.com

entitled “Reaching—and Winning Young Voters,” report that education was at the top of the list of important issues based on a national survey of 1,500 young adults conducted in 2002. If you can get them to the polls this group will largely vote “yes.”

Poor turnout by young voters—both parents and non-parents—has been evident in school finance elections from New Jersey to California. Post-election analysis from recent elections in Minnesota document turnouts from 18-to-34-year-old voters averaging about 18%. Parents in this age range did not perform much better—with around 25% typically casting a ballot. It is a daunting challenge for the GOTV effort when the strongest support for the school district's proposal resides in the demographic group least likely to show up.

To span the bridge from research to practice, look no further than the results in a Minnesota suburban school district, which lost an operating levy in 2001. Their post-election analysis found that only 33% of parents and 43% of identified supporters voted in the losing election. One year later, the same district won an operating levy. This time 79% of the parents and 90% of the identified support participated in the election. While there were other variables that differentiated these two elections, it is clear that the 2002 campaign did a superior job of engaging voters and getting them to the polls through GOTV strategies.

In planning your next bond or operating levy, remember that good planning and hard work will be to no avail if you don't deliver your support to the polls on Election Day. You can improve the chances of success on your next school finance election by first understanding GOTV research and then implementing best practices in your campaign.

*The full version of this article was originally published in the December 2004 issue of School Business Affairs. Reprinted with the permission of the Association of School Business Officials International.*

*Don Lifto, Ph.D., is superintendent of Northeast Metro 916 Intermediate School District in White Bear Lake, Minnesota. You can contact him at 651-303-3721.*

A Law Firm Dedicated Specifically to Your Needs.

You need guidance. We give direction.



### ***Focusing on All Areas of School Law***

- Labor Negotiations and Employment Law
  - Investigations
- Special Education
- Construction and Land Acquisition
- School Business Affairs

**Ratwik, Roszak & Maloney, P.A.**

300 U.S. Trust Building • 730 Second Avenue S. • Minneapolis, MN 55402 • Phone: (612) 339-0060 • Fax: (612) 339-0038 • [www.ratwiklaw.com](http://www.ratwiklaw.com)



# Discipline & Student Achievement

A Public Agenda study says a growing “culture of challenge and second guessing,” including the fear of lawsuits, is undermining classroom order, hindering learning and driving teachers out of the classroom.

Discipline and behavior problems in America’s public schools are serious, pervasive and are compromising student learning. They are also driving a substantial number of teachers out of the profession. These are some key findings from a new national study of teachers and parents which found that while only a handful of trouble makers cause most disciplinary problems, “the tyranny of the few” leads to a distracting and disrespectful atmosphere. Teachers in particular complain about the growing willingness of some students and parents to challenge teacher judgment and threaten legal action.

According to a report by the nonpartisan, nonprofit opinion research organization Public Agenda, teachers too often must operate “in a culture of challenge and second guessing” that is affecting their ability to teach and maintain order.

- Nearly 8 in 10 teachers (78%) said students are quick to remind them that they have rights or that their parents can sue.
- Nearly half of teachers surveyed (49%) reported they have been accused of unfairly disciplining a student.
- More than half of teachers (55%) said that districts backing down from assertive parents causes discipline problems in the nation’s schools.

The study, “Teaching Interrupted: Do Discipline Policies in Today’s Public Schools Foster the Common Good?”, was prepared for Common Good, a bipartisan legal reform coalition dedicated to restoring common sense to American law.

Proposed solutions selected by teachers and parents include stricter enforcement of existing rules of conduct, alternative schools to help chronically disruptive students and limiting parents’ ability to sue schools over disciplinary decisions.

“Rowdiness, disrespect, bullying, talking out, lateness and loutishness—these misbehaviors are poisoning the learning atmosphere of our public schools,” said Public Agenda President Ruth A. Wooden. “At a time when the achievement stakes for students have never been higher, the fact is that in school after school, a minority of students who routinely challenge legitimate school rules and authority are preventing the majority of students from learning and teachers from teaching.”

“The present legal environment undermines order in schools by enabling students and parents to threaten a lawsuit over virtually anything,” said Philip K. Howard, Chair of Common Good. “The legal system must strike a better balance between the claimed rights of individuals and the legitimate interests of society as a whole.”

## **Teachers Think of Leaving**

Virtually all teachers (97%) said good discipline and behavior are prerequisite for a successful school. And virtually all (93%) said it is the

*Illustration by:  
Sara Schults, Grade 12,  
Irondale High School*

public schools' job to teach kids to follow the rules so they are ready to join society. Yet nearly 8 in 10 teachers said their school has students who should be removed and sent to alternative schools. In what the report terms "perhaps the harshest testimonial" to the problem, 52% of the teachers surveyed reported their school has an armed police officer on school grounds.

More than 1 in 3 teachers said colleagues in their school had left because student discipline was such a challenge, and the same number personally considered leaving. Many complained about being more in the "crowd control" business than in teaching. "The gum chewing... the yawning aloud or putting their feet up on the desk...like they didn't know that was inappropriate," said one New Jersey teacher.

More than half of teachers said that behavior problems often stem from teachers who are soft on discipline because they can't count on parents or their schools to support them. And 85% believe new teachers are particularly unprepared to deal with behavior problems.

### **Taking Parents to Task**

Parents, too, agreed (78%) that schools need good discipline and behavior. But 82% of teachers and 74% of parents surveyed felt that parents' failure to teach their children discipline ranked as one of the biggest causes of school behavior problems.

But parents are worried too, with 20% of parents reporting that they have considered moving their child to another school or have done so already because discipline and behavior was such a problem.

### **Restoring Order – From Alternative Schools to Limits on Litigation**

More than 6 in 10 teachers (61%) and parents (63%) strongly believe that strictly enforcing the little rules sets a tone so that bigger problems can be avoided. Another 30% of teachers and 25% of parents support this idea somewhat. (Total support: 91% teachers; 88% parents)

More than half of teachers (57%) and 43% of parents also especially liked proposals for establishing alternative schools for chronic offenders, with another 30% of teachers and 32% of parents liking this idea somewhat. (Total support: 87% teachers; 74% parents)

Seventy percent of teachers and 68% of parents strongly supported the establishment of "zero-tolerance" policies so students know they will be kicked out of school for serious violations, with another 23% of teachers and 20% of parents indicating they supported this idea somewhat. (Total support: 93% teachers; 89% parents)

Sixty-nine percent of teachers said finding ways to hold parents more accountable for kids' behavior would be a very effective solution to the schools' discipline problems, with another 25% saying they think it would be somewhat effective. (Total support: 94% teachers)

Forty-two percent of teachers and 46% of parents strongly supported limiting lawsuits to serious situations like expulsion, with another 40% of teachers and 32% of parents liking this idea somewhat. (Total support: 82% teachers; 78% parents)

Fifty percent of teachers and 43% of parents also strongly approved of removing the possibility of monetary awards for parents who sue over discipline issues, with another 32% of teachers and 27% of parents approving somewhat. (Total support: 82% teachers; 69% parents)

### **Discipline in Special Education**

The vast majority of teachers (94%) believe that treating special education students just like other students, unless their misbehavior is related to their disability, would be an effective solution: 65% of teachers say this would be a very effective solution, while another 29% consider it somewhat effective. But teachers said this is not happening now: 76% of teachers agree that special education students who misbehave are often treated too lightly, even when their misbehavior has nothing to do with their disability.

### **Don't Forget Common Sense**

While acknowledging the need to deal with persistent trouble makers, based on this survey, teachers were very concerned that "these children be retrieved, not forgotten." Nor, the report said, did teachers want gum chewing to be treated as the equivalent of a capital offense. Both teachers and parents acknowledged that schools are doing a good job on the most serious offenses, such as those involving guns or drugs.

Still, according to Teaching Interrupted, "Even as the pressure to raise standards and improve student performance mounts, it is apparent that much time and opportunity to learn is being lost. Finally, the fact that so many of the nation's middle and high schools feel they need an armed police officer on their grounds is a sobering reality whose cost may be more than can be measured in dollars."

According to Public Agenda President Ruth A. Wooden, "Time and again, Public Agenda research has shown that a safe, orderly school environment is a fundamental concern of parents and teachers. Yet this issue has been given short shrift by policy makers and by the very schools of education that send new teachers out unprepared for the realities of today's classrooms. It's way past time to focus on solutions to this impediment to educating all our children."

*The findings in Teaching Interrupted are based on two national random surveys: a mail survey of 725 public middle and high school teachers and a telephone survey with 600 parents of public school students in grades 5 through 12. The surveys were preceded by six focus groups. The margin of error for both surveys is plus or minus 4 percentage points. The complete report is available at [www.publicagenda.org](http://www.publicagenda.org).*

# THE BALANCING ACT: Limiting Political Activism in Schools



The 2004 Presidential election was one of the most hotly contested political events in recent times. Minnesota emerged as a battleground state, and public schools were not immune from the fury of political activity. With midterm elections less than two years away, it is a good time to review issues related to free speech and schools.

## **Basic Principles**

Most school leaders know of the famous court case that declared “Neither students nor teachers shed their constitutional rights to freedom of speech or expression at the school house gate.”<sup>1</sup> In that case, the Supreme Court found that a student’s black armband worn as a protest to the Vietnam War was constitutionally protected speech. The school violated the student’s right to free speech when it punished him “for a silent, passive expression of opinion, unaccompanied by any disorder or disturbance on the part of the students.”

This is not to say that teachers and students enjoy the freedom to speak on any topic at any time. Schools need

*Illustration by:  
Melanie Vu,  
Grade 9,  
Irondale High School*



not tolerate “lewd, indecent or offensive speech.”<sup>2</sup> In addition, a school district may take appropriate steps to distance itself from certain kinds of speech. The Supreme Court, for example, upheld a school district’s decision to delete two pages from the school newspaper that discussed a student’s experiences with pregnancy and divorce. The Court explained that schools need not tolerate speech that is “inconsistent with its basic educational mission, even though the government could not censor similar speech outside of school.” Because the student paper was school sponsored, the district enjoyed editorial control as long as restrictions were tied to legitimate concerns. Therefore, districts do not need to show such speech is vulgar or that it threatens to disrupt the school’s operation.

Within these principles, school districts may set reasonable time, place and manner restrictions on student speech, even if the speech is “protected.” While the school district could not restrict the student’s silent protest to the Vietnam War, it could prohibit a student from loudly expressing an opinion on the war in Iraq during geometry class. A court would likely find a school’s interests in preserving the classroom for educational purposes outweigh the student’s interest in engaging in political speech.

The courts have taken a similar position with teachers. When the speech pertains to a matter of public concern, the court must balance the employee’s right to free speech against the interests of the school district. In addition, time, place and manner restrictions may apply.

#### **Controlling Access to Teacher Mailboxes**

Different rules apply when groups want to distribute political material to teacher mailboxes. The Supreme Court has established that teacher mailboxes in a school district’s interschool mail system are “nonpublic” forums—meaning not open to general debate or the free exchange of ideas.<sup>3</sup> A district may impose reasonable viewpoint-neutral restrictions on teacher mailboxes in order to exclude speakers (or literature) that would disrupt the system or hinder its effectiveness.

Restrictions on access to teacher mailboxes are considered reasonable when it is clear that the mailboxes are used exclusively for school-related business. In addition, the courts will look at the availability of other channels of communication. Finally, the courts have acknowledged the school’s need to avoid the appearance of political favoritism. Impermissible viewpoint discrimination occurs if “the specific motivating ideology or the opinion or perspective of the speaker [was] the rationale for the restriction.”<sup>4</sup> Even a reasonable restriction will be struck down if, in reality, it’s a facade for viewpoint-based discrimination.

Accordingly, any school district policy prohibiting the distribution of political materials must not distinguish between political parties, candidates or viewpoints. Once it does, it may lose the nonpublic status, potentially opening the mailboxes to all political expression, and face charges

of discrimination. Similar caution should be taken when considering requests from other, nonpolitical interest groups.

In a recent case involving Education Minnesota and the Lakeville School District<sup>5</sup>, the union argued that once the district gave it mailbox access for purposes of its representational duties, it then had the ability to use the mailboxes for any subject. The court disagreed, explaining that the school district could still limit the content of the union’s materials provided that the distinctions drawn were viewpoint-neutral and reasonable in light of the mailboxes’ purpose. In addition, the court noted that nothing in the Minnesota Public Employees Labor Relations Act (PELRA) gives teachers or their representatives the right to express political viewpoints by distributing campaign literature in school district mailboxes.

#### **Going Forward**

Political activity and the distribution of campaign materials at public schools will continue to be controversial. In a recent Star Tribune article, former Education Commissioner Cheri Pierson Yecke called for legislation requiring districts to enact policies prohibiting employee involvement in political activities at work or the use of public resources for such activities. Many school districts already have such policies, but their effectiveness and enforceability vary. If school leaders want to limit political activity in their buildings, they should craft narrow, detailed policies addressing the internal mail system. Additionally, the policies should define terms such as “political activity,” “political issue” and “political materials.” Most importantly, school districts must enforce such policies vigilantly and consistently.

Other school districts may not be in a similar position. Their policies may not be as specific or detailed. In addition, some collective bargaining agreements grant unions greater use of employees’ mailboxes than other organizations. School leaders should examine their current policies regarding these issues and revise them if necessary. They should also be aware of this issue during the next round of collective bargaining.

<sup>1</sup> *Tinker v. Des Moines Sch. Dist.*, 393 U.S. 503, 89 S. Ct. 733 (1969)

<sup>2</sup> *Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 106 S. Ct. 3159 (1986)

<sup>3</sup> *Perry Educational Association v. Perry Local Educators’ Association*, 460 U.S. 37, 103 S. Ct. 948 (1983)

<sup>4</sup> *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829, 115 S. Ct. 2510, 132 L.Ed.2d 700 (1995).

<sup>5</sup> *Education Minnesota Lakeville, et al. v. Indep. Sch. Dist. No. 194*, 341 F.Supp.2d 1070 (D.Minn. 2004)

*This article was compiled by the Rider Bennett law firm.*

# MSBA's Vendor Directory

MSBA's Vendor Directory helps connect school districts with the products and services they need.

The directory is always at your fingertips. You'll find it printed in the back of every Journal magazine as well as on the MSBA web site at [www.mnmsba.org](http://www.mnmsba.org). Most listings in the web version of this directory include a link so you can head instantly to a web site or email address.

The directory includes everything you need to know to contact a company quickly—phone numbers, fax numbers and addresses—in an easy-to-read format.

If you have a service or product you would like included in this directory, please contact Sue Munsterman at 507-934-2450 or [smunsterman@mnmsba.org](mailto:smunsterman@mnmsba.org).

## Actuary

### Hildi Incorporated

(Jill Urdahl)  
6618 Promontory Dr.  
Eden Prairie, MN 55346  
952-934-5554  
Fax 952-934-3027  
[actuary@hildiinc.com](mailto:actuary@hildiinc.com)

## Architects/Engineers/ Facility Planners

### Ankeny Kell Architects, P.A.

(Deborah Rathman)  
821 Raymond Avenue, Suite 400  
St. Paul, MN 55114  
651-645-6806  
Fax 651-645-0079  
[www.ankenykell.com](http://www.ankenykell.com)  
[drathman@ankenykell.com](mailto:drathman@ankenykell.com)

### Architects Rego & Youngquist

(Karla Pederson)  
5217 Wayzata Blvd. #111  
St. Louis Park, MN 55416  
952-544-8941  
Fax 952-544-0585  
[www.aryarch.com](http://www.aryarch.com)  
[kpederson@aryarch.com](mailto:kpederson@aryarch.com)

### Armstrong, Torseth, Skold & Rydeen, Inc. (ATS&R)

(Paul W. Erickson)  
8501 Golden Valley Road, Suite 300  
Minneapolis, MN 55427  
800-545-3731  
Fax 763-525-3289  
[www.atstr.com](http://www.atstr.com)  
[perickson@atstr.com](mailto:perickson@atstr.com)

### BKV Group, Inc.

(John Sponsel)  
222 N. Second St.  
Minneapolis, MN 55401  
612-339-3752  
Fax 612-339-6212  
[www.bkvgroup.com](http://www.bkvgroup.com)  
[jsponsel@bkvgroup.com](mailto:jsponsel@bkvgroup.com)

### Cunningham Group Architecture, P.A.

(Judith Hoskens)  
201 Main Street SE, Suite 325  
Minneapolis, MN 55414  
612-379-3400  
Fax 612-379-4400  
[www.cunningham.com](http://www.cunningham.com)  
[jhoskens@cunningham.com](mailto:jhoskens@cunningham.com)

### DLR Group

(Troy W. Miller)  
9521 West 78th St.  
Minneapolis, MN 55344-3853  
952-941-8950  
Fax 952-941-7965  
[www.dlrgroup.com](http://www.dlrgroup.com)  
[minneapolis@dlrgroup.com](mailto:minneapolis@dlrgroup.com)

### GLT Architects

(David Leapaldt)  
808 Courthouse Square  
St. Cloud, MN 56303  
320-252-3740  
Fax 320-255-0683  
[www.gltarchitects.com](http://www.gltarchitects.com)  
[leapaldt@gltarchitects.com](mailto:leapaldt@gltarchitects.com)

### INSPEC, INC.

(Fred King)  
5801 Duluth St.  
Minneapolis, MN 55422  
763-546-3434  
Fax 763-546-8669  
[www.inspec.com](http://www.inspec.com)  
[fking@inspec.com](mailto:fking@inspec.com)

### KKE Architects

(Kevin Halbach)  
300 First Ave. N.  
Minneapolis, MN 55401-1681  
612-339-4200  
Fax 612-342-9354  
[khalbach@kke.com](mailto:khalbach@kke.com)  
[www.kke.com](http://www.kke.com)

### Kodet Architectural Group, Ltd.

(Edward J. Kodet, Jr.)  
15 Groveland Terrace  
Minneapolis, MN 55403-1154  
612-377-2737  
Fax 612-377-1331  
[www.kodet.com](http://www.kodet.com)  
[arch@kodet.com](mailto:arch@kodet.com)

### TSP

(Bert Haglund)  
18707 Old Excelsior Boulevard  
Minnetonka, MN 55345  
952-474-3291  
Fax 952-474-3928  
[www.teamtsp.com](http://www.teamtsp.com)  
[haglundbe@teamtsp.com](mailto:haglundbe@teamtsp.com)

### Wold Architects and Engineers

(Vaughn Dierks)  
305 St. Peter Street  
St. Paul, MN 55102  
651-227-7773  
Fax 651-223-5646  
[www.woldae.com](http://www.woldae.com)  
[Mail@woldae.com](mailto:Mail@woldae.com)

## Attorneys

### Johnson & Condon, P.A.

(Shamus O'Meara)  
7401 Metro Boulevard, Suite 600  
Minneapolis, MN 55439-3034  
952-806-0438, 800-869-1035  
Fax: 952-831-1869  
[SPO@Johnson-Condon.com](mailto:SPO@Johnson-Condon.com)

### Knutson, Flynn & Deans

1155 Centre Pointe Dr., Suite 10  
Mendota Heights, MN 55120  
651-222-2811  
Fax 651-225-0600  
[www.kfdmn.com](http://www.kfdmn.com)

### Pemberton, Sorlie, Rufer & Kershner, PLLP

(Michael Rengel)  
110 N. Mill, PO Box 866  
Fergus Falls, MN 56538-0866  
218-736-5493  
Fax 218-736-3950  
[www.ferguslaw.com](http://www.ferguslaw.com)  
[m.rengel@ferguslaw.com](mailto:m.rengel@ferguslaw.com)

### Ratwik, Roszak & Maloney, P.A.

300 U.S. Trust Building, Suite 300  
730 Second Ave. S.  
Minneapolis, MN 55402  
612-339-0060  
Fax 612-339-0038  
[www.ratwiklaw.com](http://www.ratwiklaw.com)

### Rider Bennett, LLP

33 South Sixth St., Suite 4900  
Minneapolis, MN 55402  
612-340-7951  
Fax 612-340-8983  
[www.riderlaw.com](http://www.riderlaw.com)  
[setorgerson@riderlaw.com](mailto:setorgerson@riderlaw.com)

## Commissioning

### Siemens Building Technologies

(Tony Wolf)  
2350 W. County Road C, Suite 100  
Roseville, MN 55113  
651-604-1829  
Fax 651-604-1788  
[www.us.sbt.siemens.com/hom.asp](http://www.us.sbt.siemens.com/hom.asp)  
[tony.wolf@siemens.com](mailto:tony.wolf@siemens.com)

## Computer Lab Equipment

### Haldeman-Homme, Inc.

430 Industrial Boulevard  
Minneapolis, MN 55413  
612-362-2119 or 800-795-0696  
Fax 612-378-2236  
[www.haldemanhomme.com](http://www.haldemanhomme.com)  
[nthiesfeld@haldemanhomme.com](mailto:nthiesfeld@haldemanhomme.com)

### Quannon CAD Systems, Inc.

6101 Baker Road, Suite 204  
Minnetonka, MN 55345  
866-935-3367 or 952-935-3367  
Fax 952-935-0409  
[www.quannon.com](http://www.quannon.com)  
[sales@quannon.com](mailto:sales@quannon.com)

## Construction Products & Management

### 3D/I

(Robert Struve)  
60 South Sixth Street, Suite 2450  
Minneapolis, MN 55402  
612-656-7000  
Fax 612-656-7001  
[www.3di.com](http://www.3di.com)  
[struve@3di.com](mailto:struve@3di.com)

### BOR-SON Construction, Inc.

(Craig Kronholm)  
2001 Killebrew Drive, Suite 400  
Minneapolis, MN 55425  
952-883-3536  
Fax 952-854-8910  
[www.borson.com](http://www.borson.com)  
[ckronholm@borson.com](mailto:ckronholm@borson.com)

### Bossardt Corporation

(John Bossardt)  
8585 West 78th St., Suite 100  
Minneapolis, MN 55438  
952-831-5408 or 800-290-0119  
Fax 952-831-1268  
[www.bossardt.com](http://www.bossardt.com)  
[jbossardt@bossardt.com](mailto:jbossardt@bossardt.com)

### Cost, Planning & Management

International, Inc. (CPMI)  
7851 Metro Parkway, Suite 250  
Bloomington, MN 55425  
952-854-3663 or 800-651-2764  
Fax 952-854-2847  
[www.cpmi.com](http://www.cpmi.com)  
[lgleason@cpmi.com](mailto:lgleason@cpmi.com)

### Donlar Construction Company

(Larry Dotte)  
2277 W. Highway 36, Suite 210W  
Roseville, MN 55113  
651-227-0631  
Fax 651-227-0132  
[www.donlarcorp.com](http://www.donlarcorp.com)  
[larry@donlarcorp.com](mailto:larry@donlarcorp.com)

### Kraus-Anderson Construction Company

(Gary Benson)  
8625 Rendova St. NE  
Circle Pines, MN 55014  
763-786-7711  
Fax 763-786-2650  
[www.krausanderson.com](http://www.krausanderson.com)  
[gbenson@k-a-c.com](mailto:gbenson@k-a-c.com)

### Nor-son, Inc.

(Henry Hempel)  
7900 Hastings Road  
Baxter, MN 56425  
218-828-1722  
Fax 218-828-0487  
[www.nor-son.com](http://www.nor-son.com)  
[build@nor-son.com](mailto:build@nor-son.com)

### Wells Concrete Products Company

(Spencer Kubat)  
835 Highway 109 NE, PO Box 308  
Wells, MN 56097  
800-658-7049  
Fax 507-553-6089  
[www.wellsconcrete.com](http://www.wellsconcrete.com)  
[email\\_sales@wellsconcrete.com](mailto:email_sales@wellsconcrete.com)

## Cost Estimating

### Cost, Planning & Management

International, Inc. (CPMI)  
7851 Metro Parkway, Suite 250  
Bloomington, MN 55425  
952-854-3663 or 800-651-2764  
Fax 952-854-2847  
[www.cpmi.com](http://www.cpmi.com)  
[lgleason@cpmi.com](mailto:lgleason@cpmi.com)

## Educational Programs/Services

### Haldeman-Homme, Inc.

430 Industrial Boulevard  
Minneapolis, MN 55413  
612-362-2119 or 800-795-0696  
Fax 612-378-2236  
[www.haldemanhomme.com](http://www.haldemanhomme.com)  
[nthiesfeld@haldemanhomme.com](mailto:nthiesfeld@haldemanhomme.com)

### Minnesota Service Cooperatives

4150 Second St. S.  
St. Cloud, MN 56301  
320-255-3236  
Fax 320-255-2998  
[www.resourcetraining.com](http://www.resourcetraining.com)  
[email\\_pkpsch@resourcetraining.com](mailto:email_pkpsch@resourcetraining.com)

### Minnesota State Academies

for the Deaf and Blind  
615 Olof Hanson Dr.  
PO Box 308  
Faribault, MN 55021-0308  
800-657-3996/507-332-5400  
Fax 507-332-5528  
[www.msad.state.mn.us](http://www.msad.state.mn.us)  
[email\\_lola.brand@msad.state.mn.us](mailto:email_lola.brand@msad.state.mn.us)

### School Financial Assistance

(Nordy Nelson)  
1540 Riverside Avenue North  
Sartell, MN 56377  
320-259-0675  
[njbnelson@charter.net](mailto:njbnelson@charter.net)

## Energy Solutions

### Johnson Controls, Inc.

1801 67th Avenue N  
Minneapolis, MN 55430  
763-566-7650  
Fax 763-566-2208  
[www.jci.com](http://www.jci.com)

# Advertisers

**Siemens Building Technologies**  
(Tony Wolf)  
2350 W. County Road C, Suite 100  
Roseville, MN 55113  
651-604-1829  
Fax 651-604-1788  
www.us.sbt.siemens.com/hom.asp  
tony.wolf@siemens.com

**Environmental Consulting**  
**IEA**  
9201 West Broadway #600  
Brooklyn Park, MN 55445  
763-315-7900  
Fax 763-315-7900  
www.ieainstitute.com  
arifq@ieainstitute.com

**Fire & Security**  
**Siemens Building Technologies**  
(Tony Wolf)  
2350 W. County Road C, Suite 100  
Roseville, MN 55113  
651-604-1829  
Fax 651-604-1788  
www.us.sbt.siemens.com/hom.asp  
tony.wolf@siemens.com

**Floor Coverings**  
**Hiller Commercial Floors**  
2909 S. Broadway  
Rochester, MN 55904  
888-724-1766  
Fax 507-288-8877  
www.hillercarpet.com  
email dbahr@hillercarpet.com

**Food Service Products & Services**  
**Lunchtime Solutions, Inc.**  
(Mike Cranny)  
717 N. Derby Lane, Suite C  
North Sioux City, SD 57049-2022  
605-235-0939  
Fax 605-235-0942  
www.lunchtimesolutions.com  
mike@lunchtimesolutions.com

**Fund Raising - Laser Engraving**  
**Haldeman-Homme, Inc.**  
430 Industrial Boulevard  
Minneapolis, MN 55413  
612-362-2119 or 800-795-0696  
Fax 612-378-2236  
www.haldemanhomme.com  
nthiesfeld@haldemanhomme.com

**Furniture**  
**Maxxum**  
(Kenneth Lind)  
1350 South Field Avenue  
Rush City, MN 55069  
320-358-3239  
Fax 320-358-0756  
www.maxxuminc.com  
klind@maxxuminc.com

**Health Care**  
**HealthPartners**  
(Gregg Dahlgren)  
8100 34th Avenue South  
Bloomington, MN 55420  
952-883-5200  
Fax 952-883-5260  
www.healthpartners.com  
gregg.k.dahlgren@healthpartners.com

**Janitorial Contract Services**  
**Marsden Bldg Maintenance, LLC**  
(Bernadette Berg)  
1717 University Avenue West  
St. Paul, MN 55104  
651-523-6635  
Fax 651-523-6678  
www.marsden.com  
bberg@marsden.com

**Modular Classrooms**  
**Innovative Modular Solutions**  
(Mary Roberts)  
1555 Naperville/Wheaton Road  
Suite 206  
Naperville, IL 60563  
630-305-0300 or 800-357-4699  
Fax 630-305-3695  
www.innovativemodular.com  
mroberts@innovativemodular.com

**Public Finance**  
**Wells Fargo Public Finance**  
608 Second Ave. S. -  
MAC N9303-095  
Minneapolis, MN 55479  
605-341-9945 or 800-267-1262  
Fax 605-341-7696  
pamela.a.lang@wellsfargo.com  
www.wellsfargo.com

**Rapid Prototyping/3-D Modeling**  
**Haldeman-Homme, Inc.**  
430 Industrial Boulevard  
Minneapolis, MN 55413  
612-362-2119 or 800-795-0696  
Fax 612-378-2236  
www.haldemanhomme.com  
nthiesfeld@haldemanhomme.com

**Software Systems**  
**Skyward, Inc.**  
868 3rd Street South  
Waite Park, MN 56304  
800-236-7274  
Fax 715-341-1370  
info@skyward.com  
www.skyward.com

**SMART Systems**  
Region I (Moorhead)  
800-450-2990, www.region1.k12.mn.us  
ARCC (Duluth)  
218-723-1700, www.arcc.org  
cmERDC (St. Cloud)  
320-202-0992, www.erd.c.k12.mn.us  
SWSC (Marshall)  
507-537-2240, www.swsc.org  
Region V (Mankato)  
507-345-1801, www.regionv.k12.mn.us

**Quannon CAD Systems, Inc.**  
6101 Baker Road, Suite 204  
Minnetonka, MN 55345  
866-935-3367 or 952-935-3367  
Fax 952-935-0409  
www.quannon.com  
sales@quannon.com

**Technology Education**  
**Haldeman-Homme, Inc.**  
430 Industrial Boulevard  
Minneapolis, MN 55413  
612-362-2119 or 800-795-0696  
Fax 612-378-2236  
www.haldemanhomme.com  
nthiesfeld@haldemanhomme.com

**Transportation**  
**Minnesota School Bus Operators Association**  
10606 Hemlock St. NW  
Annandale, MN 55302  
320-274-8313  
Fax 320-274-8027  
www.msboa.com  
Sharid@msboa.com

Rider Bennett, LLP.....	Page 2
Wells Fargo Public Finance .....	Page 7
Johnson & Condon, P.A. ....	Page 7
DLR Group.....	Page 9
Midwest Dairy Council .....	Page 9
Knutson, Flynn & Deans .....	Page 13
LHB Engineers & Architects.....	Page 13
Wold Architects & Engineers.....	Page 15
Wells Concrete Products .....	Page 18
MSBA's Online Learning Center.....	Page 18
GLT Architects .....	Page 20
Ratwik, Roszak & Maloney, P.A. ....	Page 21
MSDLAF+ .....	Page 28

## OFFICERS

**President:** Jack Williams Jr., Cambridge-Isanti  
**President-Elect:** Barbara Klaas, Hopkins  
**Past President:** Joanne McCabe, Madelia

## DISTRICT DIRECTORS

**District 1:** Michael Hammes, Zumbrota-Mazeppa  
**District 2:** Kent Thiesse, Lake Crystal Wellcome Memorial  
**District 3:** Mike McCarvel, Brewster  
**District 4:** Carol Bomben, Eden Prairie  
**District 5:** Dennis Halverson, Centennial  
**District 6:** Al Olson, South Washington County  
**District 7:** Jackie Magnusson, Rosemount-Apple Valley-Eagan  
**District 8:** Tom Conlon, St. Paul  
**District 9:** Eunice Cross, Foley  
**District 10:** Lisa Carlson, Underwood  
**District 11:** Terry Martinson, Mountain Iron-Buhl  
**District 12:** Gary Lee, Fertile-Beltrami

## STAFF

**Bob Meeks:** Executive Director  
**Barbara Lynn:** Executive Assistant/Director of Board Operations  
**John Sylvester:** Deputy Executive Director/Membership Services  
**Tiffany Rodning:** Deputy Executive Director/Association Services  
**Bob Lowe:** Associate Deputy Director/Membership Services  
**Greg Abbott:** Ambassador Coordinator/Associate Director of Communications  
**Denise Drill:** Director of Financial/MSBAIT Services  
**Kelly Martell:** Director of Technology  
**Cathy McIntyre:** Director of Management and Policy Services  
**Sue Munsterman:** MSBA Advertising  
**Jan Rhode:** Director of Board Development  
**Kirk Schneidawind:** Associate Director of Governmental Relations  
**Grace Schwab:** Director of Governmental Relations  
**Mike Torkelson:** Elections/Management Services Specialist  
**Shelley Tougas:** Director of Communications  
**Nancy Kracke:** Journal Editor

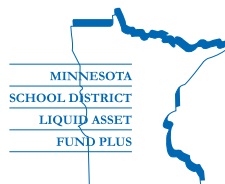
The MSBA Journal (USPS 352-220) is published bimonthly by the Minnesota School Boards Association, 1900 West Jefferson Avenue, St. Peter, Minnesota 56082. Telephone 507-934-2450. Entered as Third Class matter at St. Peter, Minnesota, permit No. 6. Call MSBA office for subscription rates. (Opinions expressed in the Journal are those of the writers and do not necessarily represent MSBA policy.)



Investing

## Think of us as shelter.

In today's unpredictable climate, investment has become a lot less certain. That's why two-thirds of Minnesota's local governments and schools choose to invest with MSDLAF+. They know that MSDLAF+ has been a haven for careful investors since 1984. They know that MSDLAF+ has never lost a dime of member principal. And they know MSDLAF+ still sets the highest standards for safety. Call us today at 1-800-221-4524 or visit our web site at [www.msdlaf.org](http://www.msdlaf.org) to learn how MSDLAF+ can help you weather the storm.



1-800-221-4524 • [www.msdlaf.org](http://www.msdlaf.org)

This information does not represent an offer to sell or a solicitation of an offer to buy or sell shares of the Fund or any other security. Shares in the Fund are sold or bought only based on the information contained in the current Fund Information Statement. The Information Statement contains important information and should be read carefully before investing. While the Fund seeks to maintain a stable net asset value of \$1.00 per share, there can be no assurance that the net asset value will not vary from this price. An investment in the Fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other governmental agency. Contacts with prospective investors relating to the shares of the Fund are conducted through the Investment Adviser's wholly owned subsidiary, PFMAM, Inc., member NASD.



MINNESOTA SCHOOL BOARDS ASSOCIATION

1900 West Jefferson Avenue, St. Peter, MN 56082-3015

NON-PROFIT ORGN.  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 47  
MANKATO, MN 56001