

## Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, July 17, 2012

### Members Present:

Mary Cameron  
Tom Kasper  
Mike Miernicki  
Art Johnston  
Judy Seliga Punyko  
Ann Wasson  
Bill Westholm

### Others Present:

Ed Crawford, Assistant Superintendent  
Bill Hanson, Deputy Clerk  
Melinda Thibault, Secretary

### Student Representatives

- Chair Wasson called the regular school board meeting of July 17, 2012 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

**M-Kasper, S-Westholm, to approve the agenda as presented. Upon a vote on the agenda as presented, the same was approved – unanimously.**

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Regular School Board Meeting of June 19, 2012.

**M-Cameron, S-Kasper, to approve the minutes of the June 19, 2012 Regular School Board Meeting as presented.**

Member Johnston requested that his motions be recorded in their entirety. Upon review by the board chair – no change to the minutes. Member Johnston requested that a statement he made regarding the bond sales be included on page 22 – Upon review by the board chair – no changes to the minutes.

**Upon a vote, the same was approved – unanimously.**

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Special School Board Meeting of June 28, 2012.

**M-Kasper, S-Westholm, to approve the minutes of the June 28, 2012 Special School Board Meeting as presented. Upon a vote, the same was approved – unanimously.**

**Public Comments**

**July 2012**

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Chair Wasson reminded the audience to follow the civility code and that they have three minutes to speak.

Loren Martell, 623 East 7<sup>th</sup> Street, spoke to the board regarding his concern that there were no copies of the adopted budget for the public at the last meeting, and his concerns with the bond sales, and overall funding issues in the district.

Emy Albert, 1815 Lakeview Drive, spoke to the board regarding issues she had while attending East High School.

Marcia Stromgren, 6179 Lakewood Road, spoke to the board regarding her concerns with the school board and the board chair.

**Communications, Petitions, Etc.**

**July 2012**

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Assistant Superintendent Crawford stated that there hadn't been any communications received.

**Superintendent's Report**

**July 2012**

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- Restructuring the administrative offices at HOCHS
- Woodland Hills Academy students will participate in graduation on July 25th

**Education Committee Report**

**July 2012**

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Member Kasper presented the Education Committee report, a copy of same being in the hands of each school board member.

Member Kasper presented the resolution:

**RESOLUTION**

**Acceptance of Grant Awards to Duluth Public Schools**

WHEREAS, Minnesota Statute 465.03 requires a school district to accept grants by resolution expressed in the terms prescribed by the donor in full; and,

WHEREAS, acceptance of the grant in accordance with the donor's terms is in the best interest of the Duluth Public Schools:

NOW, THEREFORE, BE IT RESOLVED that the Duluth Public Schools does accept the below-described grants from said organizations in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED that the Duluth Public Schools wishes to extend its grateful appreciation to these various organizations.

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	Organization	Author/Contact	Project Title	Award Amount	Terms
1	Ordean Foundation	Deidre Quinlan	Teen Parent Collaborative	\$40,000	Funds from this grant award will be used to support the new Habitat Program Teen Parent Collaborative, which will provide a bridge between the educational services offered through the Duluth School District, the district child care services offered through the Duluth YWCA where parenting students will receive parenting education and child care for their children, and Habitat Health Services, a school based clinic for pregnant and parenting teens and their children.
2	Captain Planet Foundation	Shawn Roed	Sustainable Duluth Public Schools Captain Planet Foundation Grant	\$1,000	Funds from this grant award will be used toward a campus wide habitat plan that will help in making East High School sustainably support wildlife, clean water, and a healthy ecosystem.
3	Duluth Superior Area Community Foundation – Duluth Public Schools Endowment Fund	Various	Various	\$11,095	Funds from these fourteen grant awards will be used to provide supplemental funding to enrich the academic, cultural, athletic, and overall experiences of Duluth Public Schools students and staff. See the attached spreadsheet with additional details.

Resolution #E-7-12-3040

July 17, 2012

**M-Kasper, S-Miernicki, to approve the Resolution E-7-12-3040 Acceptance of Grants Awards to Duluth Public Schools. Upon a vote, the same was approved – unanimously.**

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Member Kasper presented the resolution:

**RESOLUTION**

**Support for Continued Development of Lowell to Lakewalk Trail**

WHEREAS, the Lowell to Lakewalk Trail is a planned multi-use, bicycle, pedestrian link, currently in the concept and development stage, and;

WHEREAS, the School Board of Independent School District 709 places a high value on active lifestyles; and

WHEREAS, the School Board of Independent School District 709 recognizes the need for more trails in the City of Duluth; and

WHEREAS, the School Board of Independent School District 709 recognizes that the concepts for the Lowell to Lakewalk Trail would increase safe routes to school for Duluth Public Schools students;

NOW, THEREFORE, BE IT RESOLVED, that the Duluth School Board of Independent School District 709 hereby encourages the continued development of the Lowell to Lakewalk Trail.

E-7-12-3037

July 17, 2012

**M-Kasper, S-Miernicki, to approve the Resolution E-7-12-3037 – Support for the continued Development of the Lowell to Lakewalk Trail. Upon a vote, the same was approved – unanimously.**

**M-Kasper, S-Miernicki, to approve the Education Committee Report as presented. Upon a vote, the same was approved – unanimously.**

**Human Resources Committee Report**

**July 2012**

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Member Westholm presented the Human Resources Committee report, a copy of same being in the hands of each school board member.

Member Westholm presented the resolution:

**RESOLUTION**

**NATIONAL CONFERENCE OF FIREMEN AND OILERS**

**RESOLVED**, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District No. 709 and National Conference of Firemen And Oilers, a summary of which is in the hands of all School Board members, be approved and adopted for the period July 1, 2011 to June 30, 2013, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-7-12-3038

July 17, 2012

**M-Westholm, S-Seliga Punyko, to approve Resolution HR-7-12-3038 – National Conference of Firemen and Oilers. Upon a vote, the same was approved – unanimously.**

Member Westholm presented the resolution:

**R E S O L U T I O N**  
***RE: Termination of Certified Tenured Staff***

**WHEREAS**, enrollment in the School District is declining;

**WHEREAS**, during the 2012-2013 school year, the District will lack a sufficient number of pupils to support all tenured teachers currently employed by the District;

**WHEREAS**, the School Board has found it necessary to discontinue certain positions;

**NOW, THEREFORE, BE IT RESOLVED** by the School Board of Independent School District No. 709, St. Louis County, Minnesota, as follows:

1. The Board proposes that the employment of the following tenured teachers terminate effective at the end of the school day on June 8, 2012, unless another date is indicated below, due to discontinuance of position or lack of pupils.

Tyllia Rae .125 FTE

2. The Clerk of the School Board shall notify all such teachers in writing of the proposed layoff, the grounds for the proposed layoff, and the right to request a hearing within ten (10) calendar days after receiving said notice. The Clerk shall also notify all such teachers that if they fail to request a hearing within ten (10) days, they will be deemed to have acquiesced in the Boards action.

Resolution #HR-7-12-3041

July 17, 2012

**M-Westholm, S-Seliga Punyko, to approve Resolution HR-7-12-3041 – Termination of Certified Tenured Staff. Upon a vote on the resolution, the same was approved – unanimously.**

Member Westholm presented the resolution:

**R E S O L U T I O N**  
***RE: Termination of Certified Long-Term Substitutes***

**WHEREAS**, the School Board desires to provide notice that long-term substitute teaching positions terminate on the date specified in the individual substitute teacher's contract or at the conclusion of the school year, whichever is earlier;

**NOW, THEREFORE, BE IT RESOLVED** by the School Board of Independent School District No. 709, St. Louis County, Minnesota, that the employment of all long-term substitute teachers, including those listed below, shall terminate effective at the end of the school day on June 8, 2012, unless another date is indicated below, or on the date specified in the individual substitute teacher's contract, whichever is earlier.

Tyllia Rae - (0.5 FTE) – Rescind

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**BE IT FURTHER RESOLVED** that the Clerk of the School Board shall so notify such teachers in writing before July 1, 2012.

Resolution #HR-7-12-3039

July 17, 2012

**M-Westholm, S-Seliga Punyko, to approve Resolution HR-7-12-3039 – Termination of Certified Long Term Substitutes. Upon a vote, the same was approved – unanimously.**

**M-Westholm, S-Seliga Punyko, to approve the first reading of Policy 4171. Upon a vote, the same was approved – unanimously.**

**M-Westholm, S-Seliga Punyko, to approve the remainder of the Human Resources Committee Report as presented. Upon a vote, the same was approved – unanimously.**

**Business Committee Report**

**March 2012**

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Member Seliga Punyko presented the Business Committee report, a copy of same being in the hands of each school board member.

Member Seliga Punyko presented the resolution:

**RESOLUTION**  
**Authorized Student Activity Bank Account Signer**

RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota, that it hereby authorizes the following:

<u>District Building</u>	<u>Banking Institution</u>	<u>Account Number</u>	<u>Addition of Authorized Signer</u>	<u>Removal of Authorized Signer</u>
Lakewood	Northshore	XXXXXXX7	Charles Liebfried	Kris Teberg
Morgan Park	Park State Bank	XXXXXXX0		Larry Udesen
Stowe	DTCU	XXXXX0	Larry Udesen	Terry Cottingham

B-7-12-3042

July 17, 2012

**M-Seliga Punyko, S-Westholm, to approve Resolution B-7-12-3042 - Authorized Student Activity Bank Account Signer. Upon a vote, the same was approved – unanimously.**

Member Seliga Punyko presented the resolution:

**RESOLUTION FOR MEMBERSHIP IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE**

RESOLVED, that the Governing Board of School District Number 709 ,County of St. Louis , State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts

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events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

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

Denfeld High School  
East High School

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

1. Make new application for membership in the Minnesota State High School League; School Enrollment (9-12): \_

OR; X Renew its membership in the Minnesota State High School League; and,

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

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

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

B-7-12-3043

July 17, 2012

**M-Seliga-Punyko, S-Westholm, to approve Resolution B-7-12-3043 – 2012-13 Membership in the Minnesota State High School League. Upon a vote, the same was approved – 6-1 as follows:**

**Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm**

**Nay: Johnston**

Member Seliga Punyko presented the resolution:

**RESOLUTION**  
**Adopting the District's Health, Safety and Environmental Management**  
**Program, for 2012-2013**

RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota, to direct administration to implement the 2012–2013 Health, Safety & Environmental Management Program, as summarized below.

Summary of 2012-2013  
ISD 709 – Duluth Public Schools  
Health, Safety, & Environmental Management Program

The purpose of this program is to ensure that the District provides a safe and healthy work and learning environment for its employees and students. Every reasonable precaution must be taken to protect the safety of students, employees, and other citizens present on School District property or at school approved events. It is the basic responsibility of all supervisory personnel to assure that safe conditions exist and that those who they supervise use safe practices for the

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conduct of their work. In addition, all students and employees shall adhere to all applicable safety and health regulations through the implementation of the following programs and such other safety regulations as may be promulgated from time to time by the Superintendent. The rules and regulations are to be on file in the School District's Safety Office, and available through the District's Human Resource Office.

AWAIR Program	First Aid /CPR	Machine Guarding
Asbestos	Food Safety Inspection	OSHA Inspections
Bloodborne Pathogen	Forklift Safety	Personal Protective Equip.
Chemical Hygiene/Lab Safety	Hazardous Waste	Pest Management
Community Right-to-Know	Hearing Conservation	Playground Safety
Compressed Gas	Hoist Lift	Radon
Confined Space	Indoor Air Quality	Respiratory Protection
Electrical Safety	Infectious Waste	Underground Storage Tanks
Emergency Action Plan	Lead in water	Welding, Cutting or Brazing
Employee Right-to-Know	Lockout/Tagout	

**Implementation:**

The District, with advice from its Health and Safety Committee, will conduct assessments of current conditions and develop plans to address needs and set timelines for implementation of the programs.

The District will monitor and evaluate potential hazards through routine inspections and surveillance, train district staff and maintain records required by state, federal and local agencies.

The District administration will demonstrate its commitment to school safety and environmental health by incorporating safety rules into all employees work routine.

The Board will ensure that appropriate funding and resources are available to implement and maintain compliance with federal, state and local government health and safety requirements.

Resolution # B-7-12-3044

July 17, 2012

**M-Seliga-Punyko, S-Kasper, to approve Resolution B-7-12-3044 – Adopting the District's Health, Safety and Environmental Management Program for 2012-13. Upon a vote, the same was approved – unanimously.**

Member Seliga Punyko presented the resolution:

**CORRECTIVE RESOLUTION**

Authorizing The Sale of the Lincoln Park School Property Located  
at 2424 West 5<sup>th</sup> Street

WHEREAS, the School Board by Resolution B-6-07-2452 adopted a Long-range Facilities Plan for the District, and therein also directed the District's administrative staff to commence with the disposition of certain non-school sites including the Lincoln Park School Property; and

WHEREAS, said property will no longer be used for purposes set forth in Minnesota Statute §123B.51.

WHEREAS, at its meeting on September 20, 2011, the School Board by Resolution B-9-11-2934 approved the sale of the Lincoln Park School Property located at 2424 West 5<sup>th</sup> Street; and



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WHEREAS, the legal description included in Resolution B-9-11-2934 was incorrect; and  
NOW, THEREFORE, BE IT RESOLVED, that the School Board hereby authorizes the sale of real property located at 2424 West 5<sup>th</sup> Street and legally described as Lots 385-400, inclusive, Block 121, Duluth Proper Second Division in the City of Duluth, St. Louis County, Minnesota; and

BE IT FURTHER RESOLVED, that the School Board authorizes the School Board Chair to execute a purchase agreement consistent with the terms considered by the Board in a closed session on September 20, 2011 and to sign all other documents required for closing this sale transaction and that the School Board affirms and ratifies all prior acts of the School Board Chair relating to the execution of the purchase agreement and signing a deed and other documents required for closing this sale transaction which occurred, relying upon Resolution B-9-11-2934, on July 2, 2012.

B-7-12-3045

July 17, 2012

**M-Seliga Punyko, S-Kasper, to approve Resolution B-7-12-3045 – Corrective Resolution- Authorizing the Sale of the Lincoln Park School Property Located at 2424 West 5<sup>th</sup> Street. Upon a vote, the same was approved – unanimously.**

**M-Seliga Punyko, S-Kasper, to approve the Business Committee Report, withholding the resolutions, as presented. Upon a vote on the remainder of the business committee report as presented, the same was approved 6 – 1 as follows:**

**Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm**  
**Nay: Johnston**

**Other**  
**July 2012**  
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Member Johnston noted that there was no discussion on any items. Member Wasson clarified that the discussion takes place at the committee meetings. Member Seliga Punyko stated that there had been very good discussion at the committee meetings.

➤ Chair Wasson adjourned the Regular School Board Meeting of July 17, 2012 at 7:08 p.m.