

## Minutes of the Special 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

Monday, July 29, 2019

### Members Present:

Josh Gorham  
David Kirby  
Rosie Loeffler-Kemp  
Jill Lofald (arrived at 3:39 p.m.)  
Alanna Oswald  
Sally Trnka

### Others Present:

Bill Gronseth, Superintendent  
Cathy Erickson, CFO  
Jackie Dolentz, Secretary

### Members Absent:

Nora Sandstad

- Chair Loeffler-Kemp called the Special School Board meeting of July 29, 2019 to order at 3:37 p.m.

Chair Loeffler-Kemp read the following statement:

The next item on the agenda is the preliminary consideration of allegations against an employee. The Open Meeting Law, Minnesota Statute section 13D.05, subdivision 2(b), states that a public body shall close a meeting for the preliminary consideration of allegations against an individual subject to its authority. During the closed meeting, the Board will discuss the allegations against the employee and the results of an investigation and what, if any, action it would like to take. Accordingly, pursuant to the law I have cited, I will hereby entertain a motion that this meeting be closed for the purpose of the preliminary consideration of allegations against an individual subject to the Board's authority.

**M-Kirby, S-Oswald, that this meeting be closed to discuss allegations against an employee. Upon a vote, the same was approved – 6-0.**

**Recessed at 3:41 p.m.**

**Reconvened at 4:13 p.m.**

Chair Loeffler-Kemp read the following statement:

The next item on the agenda is a closed session that will allow the School Board to receive legal advice related to an employee's alleged claims. The Open Meeting Law, Minnesota Statute section 13D.05, subdivision 3(b), states that the School Board may close a meeting pursuant to the attorney-client privilege. During the closed meeting, the School Board will discuss with its attorney alleged legal claims against the District and settlement discussions. The Board will discuss with its attorney how it wishes to respond to a settlement proposal. There is a need for absolute confidentiality because the District's position would be compromised if such discussions took place in public and could be overheard by the employee or her attorney. Accordingly, pursuant to the law I

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have cited, I will hereby entertain a motion that this meeting be closed pursuant to the attorney-client privilege.

**M-Gorham, S-Oswald, that this meeting be closed to receive legal advice related to an employee's alleged claims. Upon a vote, the same was approved – 6-0.**

**Recessed at 4:15 p.m.**

**Reconvened at 4:47 p.m.**

Chair Loeffler-Kemp read the following resolution:

### **RESOLUTION**

#### **Proposing Discipline of an Employee**

WHEREAS, the School Board has reviewed a draft of a letter to an employee informing her of discipline proposed by the School District;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, Duluth, as follows:

1. The School Board hereby approves the letter setting forth the proposed discipline and adopts the grounds for the proposed discipline as stated in the letter.
2. The School Board Chair is authorized and directed to sign the letter on behalf of the School Board.
3. The administration is directed to have the letter served on the employee.
4. A copy of the letter shall be placed in the employee's personnel file.
5. Pursuant to Minnesota Statutes section 13.43, subdivision 2, the specific reasons for the proposed discipline, the nature of the proposed discipline, and the letter are private data on the employee until final disposition of the proposed disciplinary action.

Resolution HR-7-19-3666

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**M-Loeffler-Kemp, S-Kirby, to approve Resolution HR-7-19-3666 - Proposing Discipline of an Employee. Upon a vote, the same was approved – 6-0.**

**M-Trnka, S-Oswald, to adjourn the meeting. Upon a vote, the same was approved - 6-0.**

- Chair Loeffler-Kemp adjourned the Special School Board meeting of July 29, 2019 at 4:49 p.m.