

## Minutes of the Special School Board Meeting

Of the School Board of Independent School District No. 709 held at: Duluth East High School Media Center, 301 North Fortieth Avenue East, Duluth, Minnesota 55804, on

Tuesday, September 20, 2022

### Members Present:

David Kirby  
Rosie Loeffler-Kemp  
Jill Lofald  
Alanna Oswald  
Amber Sadowski  
Paul Sandholm

### Others Present:

John Magas, Superintendent  
Patty Paquette, Secretary

### Members Absent:

Kelly Durick Eder

- Chair Lofald called the Special School Board meeting of September 20, 2022 to order at 5:31 p.m.

Chair Lofald read the following statement:

The next item on the agenda is a closed session. The Minnesota Open Meeting Law, Minnesota Statutes Section 13D.05, subdivision 3(b), allows the School Board to close a meeting to engage in attorney-client privileged discussions. The School Board seeks to meet with its attorney to obtain confidential legal advice related to the litigation of *Dippolito v. Duluth Public Schools*. During the closed meeting, the School Board will discuss with its attorney the claims made, the District's defenses to the same, legal strategy, and settlement discussions. 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 adverse parties. It is in the District's best interest for the School Board to obtain legal advice in a confidential setting to maintain the attorney-client privilege. I will hereby entertain a motion to close the meeting pursuant to the attorney-client privilege for the reasons that I have stated.

**M-Loeffler-Kemp, S-Sadowski, to approve the agenda. Upon a vote, the same was approved –6-0.**

**M-Loeffler-Kemp, S-Kirby, to move into a closed session. Upon a vote, the same was approved – 6-0.**

Recess to Closed Session at 5:34 p.m.

Reconvene to Open Session at 6:31 p.m.

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

- Chair Lofald adjourned the Special School Board Meeting of September 20, 2022 at 6:32 p.m.