

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 16, 2013

Members Present:

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

Others Present:

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

Student Representatives:

Erik Thibault

Others Absent:

Katlyn Persch, Student Representative

➤ Chair Kasper called the regular school board meeting of July 16, 2013 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

M-Seliga Punyko, S-Wasson, to approve the agenda as presented. Upon a vote on the agenda as presented, the same was approved – unanimously.

Chair Kasper asked school board members if there were any corrections or changes to the minutes of the Regular School Board Meeting of June 18, 2013.

M-Westholm, S-Seliga Punyko, to approve the minutes of the June 18, 2013 Regular School Board Meeting as presented.

Member Johnston noted his concern that he believes his motion on page 8 should have been included in the minutes even though it wasn't seconded.

Upon a vote, the same was approved as presented - unanimously.

School and Community Recognition

July 2013

The school board acknowledged/congratulated:

Billy Menor, East High School, recently traveled to Washington, DC, to participate in the National History Day Competition. He and two members of his group presented a project called "Ida Tarbell's Expose of Standard Oil: A Turning Point in Journalism." They received a silver medal in that competition. National History Day is a year-round academic program open to elementary and secondary students.

Public Comments

July 2013

Mike Miernicki, talked about late County Commissioner Steve O'Neil and how he had done so much for the children in the district and for the schools.

Rosie Loeffler Kemp, 2902 Bald Eagle Trail, spoke to the board to thank the board members for the article regarding the community input meetings and giving an overview of the outcome from those meetings.

Richard Haney, 8114 Huckleberry Lane, spoke to the board in support of connectivity of parkways, trails, and bikeways throughout the city, specifically referring the bike trail through the Central High School property.

Communications, Petitions, Etc.

July 2013

Assistant Superintendent Crawford stated that no communications had been received.

Superintendent's Report

July 2013

Assistant Superintendent Crawford stated that if Superintendent Gronseth were here he would talk about the District-Wide Continuous Improvement Plan and reviewed the process and Vision that is on the agenda for approval tonight.

Education Committee Report

July 2013

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

Member Cameron 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	Northland Foundation	Ron Hagland	Achievement Gap Training Support	\$3,000	Funds from this grant award will be used to bring Ronald F. Ferguson, PhD of Harvard University, to Duluth to speak to educators and the community regarding the Tripod Project as part of the Duluth Public Schools' effort to provide Achievement Gap training support.
2	Perpich Center for Arts (PCAE) Education	Teri Akervik and Deb Hannu	PCAE Partnership Grant	\$85,650 (over two years)	With funds from this grant award Duluth Public Schools will continue to serve as a Regional Center for PCAE in Northeastern Minnesota. The grant money will be used for staff development and the training of Arts teachers (Music, Media Arts, Visual Arts, Dance, and Theater) in Duluth as well as the Arrowhead region. The budget includes a .2 FTE cost for grant administrator/coordinator position(s), stipends, workshops, and supplies. Projects approved for the grant include continued work on technology inclusion in arts classrooms and assessment of MN Arts standards. It will also include a new project for the integration of arts with intervention time in Math and Reading. The grant funding and use is to be determined by Duluth Arts educators, Arts representatives from the Arrowhead Region, and Project Administrator/Coordinator(s) in collaboration with the Duluth Curriculum/Learning Services Department. This grant is based on the model of Teacher to Teacher Initiative and peer mentoring.

E-7-13-3109

July 16, 2013

M-Cameron, S-Wasson, to approve the Resolution E-7-13-3109 – Acceptance of Grant Awards to Duluth Public Schools. Upon a vote, the same was approved – unanimously.

M-Cameron, S-Wasson, to approve the remainder of the Education Committee Report.

Member Johnston withheld Item 2.A.1)

Member Johnston withheld Item 2.A.1) – District-Wide Continuous Improvement Plan: Supporting Our Community Values, Beliefs and Vision, to state that he supports it and noted a couple of items he would like to see added. Board discussion took place regarding the item.

Upon a vote on the remainder of the Education Committee report as presented, the same was approved - unanimously.

Human Resources Committee Report

July 2013

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:

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 2013-2014 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 7, 2013, unless another date is indicated below, due to discontinuance of position or lack of pupils.

Allen Ratai – 1.0 FTE - Rescind Layoff (6/7/13)

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.

HR-7-13-3110

July 16, 2013

M-Westholm, S-Seliga Punyko, to approve Resolution HR-7-13-3110 – Termination of Tenured Certified Staff.

Discussion took place regarding the resolution.

Upon a vote, the same was approved – unanimously.

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Member Westholm presented the resolution:

RESOLUTION

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 7, 2013, unless another date is indicated below, or on the date specified in the individual substitute teacher's contract, whichever is earlier.

Bridget Ideker - change in date (8/30/13)

BE IT FURTHER RESOLVED that the Clerk of the School Board shall so notify such teachers in writing before July 1, 2013.

HR-7-13-3111

July 16, 2013

M-Westholm, S-Seliga Punyko, to approve Resolution HR-7-13-3111 – Termination of Certified Long Term Substitutes. Upon a vote, the same was approved 6-1 as follows:

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

Nay: Johnston

M-Westholm, S-Seliga Punyko, to move the remainder of the Human Resource Committee report. Upon a vote, the same was approved – unanimously.

Business Committee Report

July 2013

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

Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose

WHEREAS, the School Board of Independent School District No. 709 entered into an agreement with the State of Minnesota in 1994 wherein the State of Minnesota conveyed property to the School District to be used exclusively to facilitate the economical and adequate provision of education at Nettleton Elementary School; and

WHEREAS, the property will no longer be needed for the intended purpose of the original conveyance and therefore, the Recorded Deed requires the property revert to the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the School Board Chair and Clerk to execute the Reconveyance of Forfeited Lands to the State of Minnesota by a Governmental Subdivision and any other documents necessary for this purpose that causes the Real Property further described as Lot 17 and the westerly 5 feet of Lot 19, East Fifth Street, Duluth Proper, First Division described in State of Minnesota, St. Louis County, Deed No. 0180954 to revert to the State of Minnesota.

B-7-13-3113

July, 16, 2013

M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3113 Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorizing the Purchase of Real Property near Nettleton School

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 Nettleton Elementary School property; and

WHEREAS, by Resolution #B-4-13-3089, the School Board authorized the School Board Chair to execute a purchase agreement for the sale of the Nettleton School property located at 108 East 6th Street consistent with the terms considered by the board in Executive Closed Session on April 15, 2013; and

WHEREAS, terms of the Purchase Agreement for the sale of the Nettleton School request the District consolidate along with the Nettleton School property a parcel of tax forfeited land legally described as Lot 17 and the westerly 5 feet of Lot 19, East 5th Street, Duluth Proper, First Division hereafter referred to as the "Vacant Lot"; and

WHEREAS, the District had previously acquired the Vacant Lot by Free Conveyance from the State of Minnesota to facilitate the economical and adequate provision of education, which included a provision that if such use shall cease, said land shall revert back to the State; and

WHEREAS, the Vacant Lot will no longer be used for purposes set forth in Minnesota Statute Section 123B.51 and therefore must be reconveyed to the State of Minnesota; and

WHEREAS, the Vacant Lot will have been reconveyed back to the State of Minnesota and it can be acquired by the District to be consolidated with the Nettleton School property; and

WHEREAS, in the Purchase Agreement the buyer agrees to pay the District \$10,000 for the Vacant Lot as part of the Nettleton School property purchase.

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the purchase of the Vacant Lot, a real property legally described as Lot 17 and the westerly 5 feet of Lot 19, East 5th Street, Duluth Proper First Division, City of Duluth, in St. Louis County, and;

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BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to sign and execute all documents required for closing this purchase transaction from the State of Minnesota.

B-7-13-3114

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M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3114 – Authorizing the Purchase of Real Property near Nettleton School. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Granting a Pedestrian and Bike Trail Easement to the City of Duluth at Central High School

WHEREAS, Independent School District #709 is the owner of the property in St. Louis County, Minnesota legally described on the Permanent Easement Exhibit attached hereto; and

WHEREAS, the City of Duluth wishes to obtain an easement across this property for the benefit of the general public and City of Duluth; and

WHEREAS, the pedestrian and bike trail easement is more particularly described in the Easement Exhibit; and

WHEREAS, the recording of this Easement by the City of Duluth will be contingent upon the rezoning of this property as desired by the District in order to facilitate its eventual sale;

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota that the Dedication of the New Pedestrian and Bike Trail Easement at Central High School to the City of Duluth, is hereby approved.

BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to execute the final Easement Agreement.

B-7-13-3115

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M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3115 – Granting a Pedestrian and Bike Trail Easement to the City of Duluth at Central High School

Discussion took place regarding the resolution.

M-Wasson, S-Seliga Punyko, to table Resolution B-7-13-3115 Granting a Pedestrian and Bike Trail Easement to the City of Duluth at Central High School.

Discussion took place regarding the motion to table the resolution.

Upon a vote to table the resolution, the same was approved – 6-0-1 as follows:

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

Abstain: Johnston

Member Seliga Punyko presented the resolution:

RESOLUTION

Adopting the District's Health, Safety and Environmental Management Program, for 2013-2014

RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota, to direct administration to implement the 2013–2014 Health, Safety & Environmental Management Program, as summarized below.

Summary of 2013-2014
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 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.

M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3116 – Adopting the District’s Health, Safety and Environmental Management Program, for 2013-2014. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

**RESOLUTION
Ten-Year Capital Facilities Plan – 2013 Update**

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota, that the Ten-Year Capital Facilities Plan – 2013 Update, is approved.

B-7-13-3117

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M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3117 – Ten-Year Capital Facilities Plan – 2013 Update.

Discussion took place regarding the resolution.

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
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>
ALC/Unity	DTCU	XXXX4		Leea Power
East High	Northshore Northshore DTCU	XXXXXX2 XXXXXX9 XXXX6	Sandra Gustafson	Darcy Carter
Homecroft	DTCU	XXXX2	Cheree Obst	Susan Lehna
Lester Park	DTCU	XXXX7	Susan Lehna	Bonnie Wolden
Lincoln Park	Park State Bank	XXXXXX0	Brenda Vathauer	Denise Clairmont
Merritt Creek	DTCU	XXXX0	Denise Clairmont	Leea Power Sandra Gustafson

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Piedmont	DTCU	XXXXX4		Cheree Obst
Public School Stadium	DTCU	XXXX6		Mark Krysiak
Woodland Hills	DTCU	XXXX1	Denise Clairmont	Leea Power Sandra Gustafson

B-7-13-3112

July 16, 2013

M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3112 – Authorized Student Activity Bank Account Signer. Upon a vote, the same was approved - unanimously.

M-Seliga Punyko, S-Wasson, to approve the remainder of the Business Committee Report as presented.

Member Johnston withheld items 1.G. and H., A.1) and 2) for a separate vote, and discussion on 4B. and 6.F

Member Johnston withheld Item 4.B.2) – Change Orders to note his concern with the change orders.

Member Johnston withheld Item 6.F. – Change Orders Pertaining to the Long-range Facilities Plan to note his concern with the change orders

Upon a separate vote on Item 1.G. – Fund Raisers, the same was approved – unanimously.

Upon a separate vote on Item 1.H. – Investments in School Children, the same was approved – unanimously.

Upon a separate vote on Item A.1) – Workers compensation contract item, the same was approved – unanimously.

Upon a separate vote on Item A.2) – Grant School Community Collaborative contract item, the same was approved – unanimously.

M-Seliga Punyko, S-Wasson, to approve the remainder of the Business Committee Report as presented. Upon a vote, the same was approved 5-1 as follows:

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

Nay: Johnston

Other
July 2013

➤ Chair Kasper adjourned the Regular School Board Meeting of July 16, 2013 at 7:44 p.m.