

23 January
Superintendent Keith Dixon
Duluth Public Schools
IDS 709
215 North 1st Avenue E
Duluth, Minnesota 55082

Superintendent Dixon:

As per the request of Ronald Hagland, Office of Education Equity Coordinator, I have reviewed the process and procedures used for the December 15, 2009 Duluth Indian Parent Election. In addition to the Duluth Indian Parent Committee By-Laws, I also reviewed the federal and Minnesota State requirement for Indian Parent committees.

My advice is that the election held on December 15, 2009 was legal. I based my decision on the following information:

1. As per the grievance procedure outlined in Article VII Duluth Indian Parent Committee By-Laws those protesting the election should have filed a protest by November 17, 2009 to halt the election. The Duluth Indian Parent Executive Committee made the decision to reopen the nomination process on November 2, 2009 and the information was mailed on November 6, 2009. The protest letter should have been sent to the Duluth Indian Education Office by November 20, 2009 to meet the 10 day deadline listed in the Grievance section of the By-Laws.
2. The letter requesting the nullification of the election was in general in terms and did not list any specific violations of the Minnesota Indian Education Act of 1988 or of the Title VII Indian Education Act "7114.Application, c. Assurance (4)" Parent Committee requirements".
3. The executive committee of the Duluth Indian Parent Committee on November 2, 2009 made a decision to re-advertise for candidates for the election. There is no language in any federal/ state Indian Education legislation or in the Duluth Indian Parent Committee By- Laws that prohibits this action. This action by the executive committee allowed all interested parties to reapply, notices of the new date for the election and new nomination forms were distributed district wide.
4. To meet the requirements of the Duluth Indian Parent Committee By-Laws the position of teacher/counselor on the Committee should be filled. The Duluth Indian Parent Committee should follow their by-laws, Article II section 7, in filling this vacancy.

Cordially

Yvonne Novack, M. Ed.

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