

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, December 21, 2010

Members Present:

Mary Cameron
Gary Glass
Tim Grover
Art Johnston
Tom Kasper
Judy Seliga Punyko
Ann Wasson

Others Present:

Keith Dixon, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives

Maia Dalager
Peter Witzig

There was a tenured teacher celebration prior to the school board meeting.

Chair Grover called the regular school board meeting of December 21, 2010 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.

Member Johnston stated that he had given prior notice to chair to have several items on the agenda. Chair Grover stated that his requests were discussed at the agenda setting and that because some of them will have budget implications that they would be discussed during the budget process beginning in January.

M-Johnston, S-Glass, to begin televising the committee meetings. Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, S-Glass, to add the hiring of architect and construction managers to the agenda. Upon a vote the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, S-Glass, to add required hearings on closing schools to the agenda. Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, S-Glass, to add the legality of the teachers contract passed previously to the agenda. Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, Glass, to add the refusal of chair to call a special meeting regarding the chairs action of having a member of public removed at the October board meeting.

Discussion took place regarding the request to add the item to the agenda. Chair Grover called for a vote on the item. Member Johnston made a point of order that debate could not be cut off. Chair Grover denied Member Johnston's point of order because the item is not a part of the agenda and full debate is not appropriate. Member Johnston appealed the decision of the chair. Chair Grover called for a vote on the ruling of the chair to end debate on the item.

Upon a vote to uphold the Chair on the ruling to cut off debate on the item the same was approved 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Upon a vote to add the issue of the Chair not calling a special meeting to the agenda, the same failed 0-5-2 as follows:

Yea: None

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Abstain: Glass, Johnston

M-Johnston, S-Glass, to add the censure of the chair to the agenda. Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Upon a vote on the agenda as presented the same passed – 6-1 as follows:

Yea: Cameron, Glass, Grover, Kasper, Seliga Punyko, Wasson

Nay: Johnston

Chair Grover asked school board members if there were any corrections or changes to the minutes of the special school board meeting of November 16, 2010.

M-Seliga Punyko, S-Cameron, to approve the minutes of the November 16, 2010 special school board meeting as presented. Upon a vote, the same was approved – 6-0-1 as follows:

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Yea: Cameron, Glass, Grover, Kasper, Seliga Punyko, Wasson

Nay: None

Abstain: Johnston

Chair Grover asked school board members if there were any corrections or changes to the minutes of the regular school board meeting of November 16, 2010.

M-Seliga Punyko, S-Cameron, to approve the minutes of the November 16, 2010 regular school board meeting. Upon a vote, the same was approved as presented – 6-0-1 as follows:

Yea: Cameron, Glass, Grover, Kasper, Seliga Punyko, Wasson

Nay: None

Abstain: Johnston

Bill Hanson, CFO/Director of Business Services, made a brief truth in taxation presentation.

Member Johnston requested to ask questions regarding the presentation. Chair Grover stated that questions could be asked during the business portion of the meeting.

Public Comments

December 2010

Maia Dalager, student board representative, spoke to the board to thank the board for the opportunity to serve. She stated that she had learned a lot during the time she served and that it was a good experience.

Loren Martel, 623 East 7th Street, spoke to the board to request the vote on the principals contract be tabled until the contents of the contract is revealed to the public.

Mimi Stender, 2611 East 3rd Street, with Fit City Duluth, spoke to the board regarding concerns with proposed changes to the middle school physical education programming, and wanted to underscore the importance of physical education at the middle school level for all grades.

Art Johnston, School Board member, spoke to the board regarding his concerns with the accuracy of the truth in taxation data presented.

Marcia Stromgren, no address provided, spoke to the board regarding her concern with the school board and not following procedures and also expressed concern with the raise in her property taxes.

Communications, Petitions, Etc.

December 2010

Assistant Superintendent Gronseth acknowledged the communications received.

Superintendent's Report
December 2010

Assistant Superintendent Gronseth acknowledged a \$120,000 donation of classroom sound systems to the school district by the Edwin Eddy Foundation in addition to their previous donations to the district.

Education Committee Report
December 2010

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

Member Seliga Punyko 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.

	Organization	Author/Contact	Project Title	Award Amount	Terms
1.	Northland Foundation	Tim Velner, Science Curriculum Specialist	Forestry Field Day 2011 Project	\$600	Funds from this grant award were used to support Forestry Field Day this past fall.
2.	Minnesota Department of Education	Kathy Bartsias, Service-Learning Coordinator	Learn and Serve Minnesota Service-Learning Grant	\$18,000	Funds from this grant award will be used to support various Duluth Public Schools Service-Learning projects.

Resolution E-12-10-2837

December 21, 2010

M-Seliga Punyko, S-Wasson, to approve Resolution E-12-10-2837 - Acceptance of Grant Awards to the Duluth Public Schools. Upon a vote taken, the same was approved – unanimously.

M-Seliga Punyko, S-Kasper, to approve the remainder of the Education Committee report

as presented.

Chair Grover withheld Item 3.A.1) – Proposed Options for Middle School Programming for the 2011-12 School Year. Terri Huttel, Curriculum Specialist, gave a brief overview of the proposed changes in the programming. Board members asked questions and voiced concerns regarding the changes.

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

Human Resources Committee Report
December 2010

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

M-Cameron, S-Seliga Punyko, to approve the Human Resources Committee Report as presented withholding the two resolutions. Upon a vote taken, the same was approved – unanimously.

M-Cameron, S-Seliga Punyko, to approve the Duluth Principals' Collective Bargaining Agreement.

Discussion took place regarding the contract, funding, and presentation of the details to the public.

Upon a vote on the principals contract, the same was approved 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson
Nay: Glass, Johnston

Tim Sworksy provided a summary of the layoffs listed on the resolutions. Discussion took place regarding the layoffs, and the possibility of using alternate funding to avoid all of them.

Member Johnston called for orders of the day because he believed they were not following the agenda. Member Cameron stated that they were following the agenda and that she requested discussion on the item. Board discussion continued regarding the proposed layoffs.

The school board took a brief recess at 9:24 and reconvened at 9:31.

Member Cameron presented the resolution:

R E S O L U T I O N

RE: Termination of Certified Probationary (Non-Tenured) Staff

WHEREAS, during the first three years of consecutive employment all teachers in the public schools in cities of the first class are deemed to be in a probational period of employment during which period the School Board may renew, or not renew, any teachers' annual contract as the School Board shall see fit; and that the District will lack a sufficient number of pupils to support all non tenured teachers currently employed by the District.

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

1. The employment contracts of the following probationary teachers shall not be renewed and their employment shall terminate at the end of the school day on January 21, 2011, unless another date is indicated below, in which case the employment of the particular teacher shall terminate on that date.

Clarissa Campbell 0.2 FTE

2. **BE IT FURTHER RESOLVED** the Clerk of the School Board shall notify such teachers in writing before February 1, 2011, of the termination of their employment.

HR-12-10-2841

December 21, 2010

M-Cameron, S-Seliga Punyko, to approve Resolution HR-12-10-2841 – Termination of Certified Probationary (Non-Tenured) Staff. Upon a vote the same passed 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Member Cameron 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 2010-2011 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:

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1. The Board proposes that the employment of the following tenured teachers terminate effective at the end of the school day on January 21, 2011, unless another date is indicated below, due to discontinuance of position or lack of pupils.

- | | | |
|----|------------------|---------|
| 1) | Michelle Coda | 0.2 FTE |
| 2) | Lisa Crosby | 0.2 FTE |
| 3) | Patrick Mulcahy | 0.2 FTE |
| 4) | Robert Pioro | 0.2 FTE |
| 5) | Michelle Riley | 0.4 FTE |
| 6) | Jolane Sundstrom | 0.4 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.

HR-12-10-2842

December 21, 2010

M-Cameron, S-Seliga Punyko, to approve Resolution HR-12-10-2842 – Termination of Certified Staff.

M-Johnston, S-Glass, to substitute language to move money from the Education Jobs Federal Fund to keep teaching positions in place.

Board discussion took place regarding the use of the Federal Jobs Fund money and the importance of maintaining these positions at least until the end of the year.

Member Kasper suggested making an additional amendment to the resolution to remove the specific budgetary items from the list for consideration.

Member Johnston calls the question. Chair Grover called for a vote on Member Johnston's request to call the question. Upon a vote the same failed 3-4 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Seliga Punyko, Wasson

Discussion continued regarding the use of Federal Jobs Funds to keep teaching positions in place.

Upon a vote on Member Johnston's amendment to use Federal Jobs Funds to keep teaching positions in place, the same failed 3-4 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Seliga Punyko, Wasson

M-Kasper, S-Glass, to remove the two budgetary adjustments related to the loss of the two principals, and also the removal of the budgetary adjustments at the elementary level, one at Lincoln and one at Nettleton, for a total of \$190,000. (The last five items on the proposed sheet budgetary considerations).

Discussion continued on the amendment to the resolution.

Upon a vote the same passed 4-3 as follows:

Yea: Cameron, Glass, Johnston, Kasper

Nay: Grover, Seliga Punyko, Wasson

M-Wasson, S-Kasper, to add the first items on the budgetary considerations list to the resolution for approval. Upon a vote the amendment, the same passed – unanimously.

Upon a vote on the Resolution B-12-10-2842 as amended, the same passed 4-3 as follows:

Yea: Cameron, Grover, Kasper, Wasson

Nay: Glass, Johnston, Seliga Punyko

Business Committee Report

December 2010

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

Member Wasson presented the resolution:

RESOLUTION

Certified Tax Levy 2010 Payable 2011

BE IT RESOLVED, By the School Board of Independent School District No. 709, St. Louis County, Minnesota, to hereby set the Tax Levy for 2010 Payable 2011 at \$24,641,189.00.

M-Wasson, S-Seliga Punyko, to approve Resolution B-12-10-2839 – Certified Tax Levy 2010 Payable 2011.

Board discussion took place regarding the proposed certified tax levy.

Upon a vote, the same was approved – 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Member Wasson stated that it is recommended to postpone action on Resolution B-12-10-2840 – 2011 Legislative Platform, until the regular January 2011 meeting.

M-Wasson, S-Seliga Punyko, to approve the remainder of the Business committee report.

Member Glass withheld Items 1.A. and 1.B.

Member Kasper withheld Item 1.F.

Member Johnston withheld Items 4.A., 4.B.1., 6.A. and 6.D.

Member Glass withheld Item 1.A. Financial Report to ask specific questions about the report and past corrective actions.

Member Glass withheld Item 1.B. – Approval of Payment of Claims to note payments to JCI.

Member Kasper withheld Item 1.F. – WADM Projections to ask if this is where the additional budget shortfall is coming from. Bill Hanson, Director of Business Services explained the larger drop in student population than anticipated.

Member Johnston withheld Item 4.A. – Contracts to ask that we do this type of work in house. Bill Hanson explained that we cannot hire internally for these particular contracts.

Member Johnston withheld Item 4.B.1. – Change Orders at Denfeld to ask specific questions about the continuing need for asbestos abetments.

Upon a separate vote taken on item 4.B.1. -3) - change orders the same was approved – unanimously.

Member Johnston withheld 6.A. – Expenditure Contracts to ask administration to do things in house when possible. Discussion took place regarding the individual contracts.

Upon a vote taken on the remainder of the Business Committee, the same was approved 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Special Resolutions
December 2010

Member Wasson presented the resolution

R E S O L U T I O N
Board Member Attendance at MSBA Leadership Conference

RESOLVED, That Independent School District 709, St. Louis County, Minnesota, pay costs incurred, as per District policy, for school board members to attend the *MSBA 90th Annual Leadership Conference* in Minneapolis on January 12-14, 2011.

B-12-10-2838

December 21, 2010

M-Wasson, S- Seliga Punyko, to approve Resolution B-12-10-2838, the same was approved – unanimously.

M-Kasper, S-Johnston, to reconsider the business committee report. Upon a vote, the same failed 3-4 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Seliga Punyko, Wasson

Other
December 2010

Student Representative Witzig thanked the board for the opportunity to serve on the board and that he learned a lot during his time serving and is pleased with the improvements being made to the schools.

Chair Grover adjourned the regular school board meeting of December 21, 2010 at 11:05 p.m.