

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, September 20, 2011

Ann Wasson

Members Present:

Mary Cameron
Gary Glass
Tim Grover
Tom Kasper
Art Johnston
Judy Seliga Punyko (arrived at 6:44
p.m.)

Others Present:

I.V. Foster, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary
Student Representatives
Marcus Jahn
Lindsay Redenbaugh

Vice-Chair Wasson called the regular school board meeting of September 20, 2011 to order at 6:31 p.m., and the pledge of allegiance to the American flag was given.

M-Kasper, S-Cameron, to approve the agenda as presented.

M-Johnston, S-Glass, to amend the agenda to add discussion of amendment number two to the original red plan review and comment dated September 13th given to board members on Friday, September 16th.

Discussion took place regarding the request to add the item to the agenda.

Upon a vote, the same failed 3-3 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Wasson

Member Johnston gave previous notice to have discussion of amendment number two to the original red plan review and comment dated September 13th, 2011 on the next months agenda.

Upon a vote on the agenda as presented, the same passed 4-2 as follows:

Yea: Cameron, Grover, Kasper, Wasson

Nay: Glass, Johnston

Member Johnston gave prior notice to add annual resolution authorizing transfer of funds from the general fund to the debt service long range regarding financing the long range facilities plan for approximately 4.5 million dollars to the next months agenda

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the regular school board meeting of August 16, 2011.

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M-Cameron, S-Kasper, to approve the minutes of the August 16, 2011 regular school board meeting. Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of September 6, 2011.

M-Kasper, S-Cameron, to approve the minutes of the September 6, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of September 12, 2011.

M-Kasper, S-Cameron, to approve the minutes of the September 12, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Public Comments
September 2011

Loren Martell, 623 East 7th Street, spoke to the board regarding his concerns with not receiving responses to his requests for information.

Rich Paulson, 524 West Ideal Street, spoke to the board regarding his concern with the financials not being presented to the board on a regular monthly basis.

The following people spoke in support of naming the new middle school after Ruth Myers and Marge Wilkins:

Joan Sargent, 2817 Jefferson Street
Paula Pederson, 10 University Drive
Janet Haines, 1353 Cliff Avenue
Jeanne Melton, 1353 Cliff Avenue
Susana Pelayo, 205 North 24th Avenue East
Claudie Washington, 1124 West 4th Street
Sharon Witherspoon, No address provided

Communications, Petitions, Etc.
September 2011

Superintendent Foster acknowledged the communications received.

Superintendent's Report
September 2011

Superintendent Foster stated that the schools are open and functioning. He stated that enrollment is up and there have been some actions take to address class sizes and administration will be recommending an additional number of FTE to address remaining class size issues.

Education Committee Report
September 2011

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

Member Wasson 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	MDE	Terry Smith	2011-12 Success for the Future Grant	\$138,890	Funds for this grant award will be used to support the Duluth Public Schools Indian Education Program.
2	MDE/MN State Colleges & Universities	Jim Arndt	2011-12 Carl Perkins Federal Grant	\$470,692.84	Funds from this grant award will be used to support Career and Technical Education for staff development, materials, supplies for the Duluth Public Schools and Lake Superior Consortium.
3	Essentia Corporate Contributions	Deidra Quinlan	Essentia Corporate Contributions	\$20,000	Funds from this grant award will be used to fund the positions of an on-site clinical nurse practitioner and social worker at

					Habitat Health Services located at Denfeld High School in conjunction with the Habitat Infant and Childcare Center.
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Resolution E-9-11-2928

September 20, 2011

M-Wasson, S-Cameron, to approve Resolution E-9-11-2928 - Acceptance of Grant Awards to the Duluth Public Schools. Upon a vote taken, the same was approved – unanimously.

M-Wasson, S-Kasper, to approve the Education Committee Report as presented.

Member Kasper withheld Item 1.A., 4. & 7.

Member Glass asked if Item 2. – Process for Selecting Names for Middle Schools would be changed to an action item. Superintendent Foster stated that there would be a committee put in place according to policy and a recommendation would be brought forward in October.

Member Johnston withheld Items 1.A., 3., 4., 6., 8.A., & 9.

Member Kasper withheld Item 1.A. - 2010 MCA Science Test Results to ask about what is being done to address the homeless and impoverished students in our district. Bill Gronseth, Assistant Superintendent, and Tawnyea Bolme Lake explained what steps the district is taking to work toward dealing with this issue. Superintendent Foster stated that the district will be working toward local assessments and other methods to improve overall student achievement and closing the achievement gap. Member Johnston noted his concerns with the results and differences in the data. Tawnyea Bolme Lake explained the differences between the MCAs and ACTs.

Member Johnston withheld Item 3. (and 6.)- Presentation of Duluth Internet Safety and Duluth Public Schools Compliancy with CIA/ACT Assessment Results to ask what limitations are put on internet accounts. Bill Gronseth explained that all internet usage goes through a filter and meets CIPA compliancy. Student Advisor Jahn stated that the filters in place are very strict.

Member Kasper withheld Item 4. – Starting and Ending Times for the 2011-12 School Year to note his concern with the late start time at Lakewood Elementary. Bill Gronseth explained the reason for the time differences at the schools, with the main issue being transportation.

Member Kasper withheld Item 7. – Integration Specialists Update to note his desire to see a more in depth report.

Member Johnston withheld Item 8.A. – MDE Integration Budget to ask for clarification on the funding received and if the district lost any funding. Member Grover explained that we received our funding for the next two years but past that is unknown.

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Member Johnston withheld Item 9. – Regulation 3187R – Internet Use Regulations to note his concern with an email he received through the district email regarding supporting a person running for school board, which is against this regulation. Superintendent Foster asked that board members bring these types of issues to him. He also stated that personnel issues cannot be discussed at a public meeting.

Upon a vote on the remainder of the Education Committee Report as presented, the same was approved – 6-1 as follows:

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

Nay: Glass

Human Resources Committee Report

September 2011

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

M-Cameron, S-Wasson to approve the rescinding of Terrence Smith Retirement. Upon a vote, the same failed 0-7.

Member Cameron presented the resolution:

R E S O L U T I O N

Duluth District-Wide Instructional Administrators' Association

RESOLVED, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District #709 and Duluth District-Wide Instructional Administrators' Association, a summary of which is in the hands of all School Board members, be approved and adopted for the period August 1, 2011 to July 31, 2013, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-9-11-2925

September 20, 2011

M-Cameron, S-Wasson, to approve Resolution HR-9-11-2925 – Duluth District-Wide Instructional Administrators' Association.

Board discussion took place regarding the terms of the contract

Upon a vote taken, the same was approved – 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
Education Directors Association

RESOLVED, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District #709 and Education Directors Association, a summary of which is in the hands of all School Board members, be approved and adopted for the period July 1, 2011 to June 30, 2013, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-9-11-2926

September 20, 2011

M-Cameron, S-Wasson, to approve Resolution HR-9-11-2926 – Education Directors Association Collective Bargaining Agreement.

Board discussion took place regarding the terms of the contract.

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

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

M-Cameron, S-Grover, to approve the Non-Bargaining Employee pay raises.

Board discussion took place regarding the proposed raises.

Upon a vote taken, the same was approved – 4-3 as follows:

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

M-Cameron, S-Kasper, to approve the Dean of Students positions.

Board discussion took place regarding the proposed positions.

M-Kasper, S-Wasson, to amend the approval of the Dean positions to request that we hire one grade school teacher to address class sizes at Congdon Elementary

Board discussion took place regarding the proposed amendment.

Member Johnston called a point of order that this item should be added to the agenda by a board vote. Chair Seliga Punyko stated that it was part of the agenda last week.

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M-Johnston, S-Glass, to add the hiring of the Dean of Students to the agenda. Upon a vote, the same failed 6-1 as follows:

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

Nay: Grover

Chair Seliga Punyko ruled that the item had already been added to the agenda and to move forward with the vote on the item and amendment.

Member Johnston called a point of order that the item was not part of the agenda. Chair Seliga Punyko ruled that it is part of the agenda. Member Johnston appealed the decision of the chair.

M-Johnston, S-Glass, to appeal the decision of the chair. Upon a vote to uphold the decision of the chair, the same was approved 5-2 as follows:

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

Nay: Glass, Johnston

Discussion continued on Member Kaspers amendment.

Upon a vote taken on Member Kaspers amendment, the same was approved – 4-3 as follows:

Yea: Glass, Kasper, Johnston, Seliga Punyko

Nay: Cameron, Grover, Wasson

Upon a vote on the original motion to approve the Dean of Schools positions, the same was approved 5-2 as follows:

Yea: Glass, Johnston, Kasper, Seliga Punyko, Wasson

Nay: Cameron, Grover

M-Cameron, S-Wasson, to approve the remainder of the Human Resources Committee as presented. Upon a vote, the same was approved – unanimously.

Business Committee Report

September 2011

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

Member Grover presented the resolution:

R E S O L U T I O N
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 Signer</u>	<u>Banking Institution</u>	<u>Account Number</u>	<u>Addition of Authorized Signer</u>	<u>Removal of Authorized</u>
East	Northshore Bank Of Commerce	XXXXXXX9	Shawn Roed	
Denfeld	DTCU	XXXXX2	Tom Pearson	
Lincoln/Piedmont	US Bank (Acct Closure)	XXXXXXX1		Cher Obst Diana Stratioti
Piedmont	DTCU (New Account)	XXXXXX	Cher Obst Diana Stratioti Jody LeBlanc Terry Dzuck	

B-9-11-2929

September 20, 2011

M-Grover, S-Wasson, to approve Resolution B-98-11-2929 – Account Signer Resolution.
Upon a vote, the same was approved – unanimously.

Member Grover presented the resolution:

R E S O L U T I O N
Approving the Site Plan Schematic Design at Congdon Park School

WHEREAS, on November 17, 2009 by Resolution #B-11-09-2686, the Duluth School Board approved the Schematic Design Pertaining to the Building Only at Congdon Park School; and

WHEREAS, the Site Plan Schematic Design for Congdon Park School was specifically excluded in that resolution for action at a later date; now, therefore

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota, that the Site Plan Schematic Design Pertaining to Congdon Park School, as presented at the September 12, 2011 Business Committee Meeting and attached hereto is hereby approved.

B-9-11-2932

September 20, 2011

M-Grover, S-Wasson, to approve Resolution B-9-11-2932 – Resolution to Approve the Site Plan Schematic Design for Congdon Park School:

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Board discussion took place regarding the site plan.

Upon a vote, the same passed 5-2 as follows:

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

Nay: Glass, Johnston

Member Grover presented the resolution:

RESOLUTION

Authorizing the Sale of the Woodland Middle School Property Located at 201 Clover Street

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 Woodland Middle School property; and

WHEREAS, said property will no longer be used for purposes set forth in Minnesota Statute Section 123B.51.

NOW, THEREFORE, BE IT RESOLVED that the School Board hereby authorizes the sale of real property located at 201 Clover Street legally described as Lots 1-10, partial 11, partial 31-33 & 34, Block 18, Motor Line Division; Lots 1-10 & partial 11-22, Block 19, Motor Line Division; Lots 1-4 & 6-26, Block 2, Clover Hill Division; All of Block 3 (Lots 1-14), Clover Hill Division (together with vacated right of way); All of Block 4 (Lots 1-16), Clover Hill Division (together with vacated right of way), All of Block 5 (Lots 1-17), Clover Hill Division (together with vacated right of way); Lots 6-12, Block 8, Clover Hill Division (together with vacated right of way), All of Block 9 (Lots 1-12), Clover Hill Division (together with vacated right of way); All of Block 18 (Lots 1, 12-16), Willard's Addition; Lot 8, Block 19, Willard's Addition; Lots 1-3, Block 6, Mount Royal Division, City of Duluth, in St. Louis County, and;

BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to execute a purchase agreement consistent with the terms considered by the board in Executive Closed Session on September 12, 2011 and to sign all other documents required for closing this sale transaction.

B-9-11-2933

September 20, 2011

M-Grover, S-Wasson, to approve Resolution B-9-11-2933 Authorizing the Sale of the Woodland Middle School Property Located at 201 Clover Street. Upon a vote, the same was approved – 6-1 as follows:

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

Nay: Glass

Member Grover presented the resolution:

RESOLUTION

Authorizing the Sale of the Lincoln Park School Property Located at 2424 West 5th Street

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 Lincoln Park School property; and

WHEREAS, said property will no longer be used for purposes set forth in Minnesota Statute Section 123B.51.

NOW, THEREFORE, BE IT RESOLVED that the School Board hereby authorizes the sale of real property located at 2424 West Fifth Street legally described as All of Block 21, Duluth Proper, Second Division, City of Duluth, in St. Louis County, and;

BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to execute a purchase agreement consistent with the terms considered by the board in Executive Closed Session on September 20, 2011 and to sign all other documents required for closing this sale transaction.

B-9-11-2934

September 20, 2011

M-Grover, S-Kasper, To Approve Resolution B-9-11-2934 – Authorizing the Sale of the Lincoln Park School Property Located at 2424 West 5th Street. Upon a vote, the same was approved – 6-1 as follows:

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

Nay: Glass

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

Member Glass withheld Item 1.B., 6.I., K., & L.

Member Johnston withheld Items 4.A.1, 4.B.2., 6.I., & 6.K.

Member Glass withheld Item 1.B. – Approval of Payment of Claims to note payments to JCI and the Duluth News Tribune. He noted several payments that he felt could be eliminated to save money.

Member Johnston withheld Item 4.A.1) – Congdon Park School Additional Design Services for Johnson Controls to ask what the fee is for. Kerry Leider, Facilities Management Supervisor, explained the additional fees.

Member Johnston withheld Item 4.B.2) Change Orders to the Eastern Middle School to ask about the reference to remaining within budget, and suggested that verbiage be removed from the

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report. Kerry Leider explained the verbiage and approved budget.

Members Glass and Johnston withheld Item 6.I. Maximum Levy Certification to ask for an update. Bill Hanson explained where the District is with the process.

Members Glass and Johnston withheld Item 6.K. – Agenda Format to note that some of the recommended changes would require changes to the Bylaws which would require two readings, and would not allow for a test agenda to be put in place in October. Member Grover suggested that the board could suspend policy to allow for the changes to the agenda. Discussion continued regarding the suggested changes.

Member Glass withheld Item 6.L. – In-Process Cost Reduction Efforts, to note some of his suggestions for cost reductions.

Upon a vote on the remainder of the business committee report as presented, the same was approved 5-2 as follows:

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

Nay: Glass, Johnston

Other
September 2011

Chair Seliga Punyko adjourned the regular school board meeting of September 20, 2011 at 9:23 p.m.