

Regular School Board Meeting

Duluth Public Schools, ISD 709

Agenda

Tuesday, December 16, 2014

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of the Agenda**
5. **Reading and Approving Minutes**
 - A. Regular School Board Meeting - November 18, 2014 2
 - B. Special School Board Meeting / Executive Closed Session - November 25, 2014 9
 - C. Special School Board Meeting - December 2, 2014 14
6. **School and Community Recognition**
7. **Truth in Taxation Presentation**
8. **Audience**
9. **Reading Communications, Petitions, Etc.** 20
10. **Report of the Superintendent**
 - A. Schedule of Meetings and Events 21
11. **Report of Standing Committees**
 - A. Education Committee (*see separate report*)
 - B. Human Resources Committee (*see separate report*)
 - C. Business Committee (*see separate report*)
12. **Special Resolutions**
 - A. Resolution SP-12-14-3220 - School Board Member Attendance at MSBA Leadership Conference 22
13. **Questions / Other**
14. **Adjournment**

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, November 18, 2014

Members Present:

Annie Harala
Art Johnston
Rosie Loeffler-Kemp
Mike Miernicki
Judy Seliga Punyko
Harry Welty
Bill Westholm

Others Present:

William Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives:

Paul Manning
Kobe Tremble

There was a tenured teacher celebration prior to the board meeting. Chair Miernicki congratulated all the newly tenured teachers.

➤ Chair Miernicki called the regular school board meeting of November 18, 2014 to order at 6:32 p.m., and the pledge of allegiance to the American flag was given.

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

Chair Miernicki asked school board members if there were any corrections or changes to the minutes of the Regular School Board Meeting of October 21, 2014.

M-Westholm, S-Seliga Punyko, to approve the minutes of the October 21, 2014 Regular School Board Meeting as presented. Upon a vote, the same was approved as presented - unanimously.

School and Community Recognition

November 2014

Ed Crawford: Members of the Board, this month I'm pleased to present representatives from the Denfeld and Duluth East High School Key Clubs for recognition. Key Club is an international student run service organization providing opportunities to build character and develop leadership by creating a better community through acts of service. Working individually and in partnership, both the Denfeld and Duluth East high school Key Clubs are making significant contributions to our community. Recently the two Clubs worked together to help collect donations for Life House, an organization dedicated to helping homeless teens. This Camp In A Box event collected over \$3,400. The Denfeld Key Club recently celebrated its 30th Anniversary. They worked to collect over \$1,000 for the Feed Local Kids campaign and are collecting items for Operation Christmas Child and Toyland Express. The Duluth East Key Club recently helped clean up Lismore

Road. They worked with Kiwanis of Friendly Duluth members as part of the "Adopt a Highway" program. They'll be working on Light the Lakewalk with Life House in December and bell ringing for the Salvation Army. The list of activities for both Key Clubs, past and future – literally – could go on and on. Congratulations to our two high school Key Clubs and the excellent work they're doing to help our community.

Public Comments

November 2014

Terry Dzuck, 2415 West Skyline, President of the Education Minnesota Clerical unit, spoke to the school board regarding their support for the clerical reclassifications on the board report.

Barb Walcome, 5314 Wyoming, spoke to the school board regarding her concern with civility among the board members, and the investigation into Member Johnston.

Marcia Stromgren, no address provided, spoke to the school board regarding her concern with her increased taxes and lack of student achievement.

Communications, Petitions, Etc.

November 2014

Chair Miernicki stated that there no communications had been received.

Superintendent's Report

November 2014

Superintendent Gronseth – Congratulated all the tenured teachers celebrated prior to the meeting. Our students have been busy! I am so impressed with the events and opportunities our students are creating. From The Path to Peace Walk organized by our high school students, to "Socktober" at Congdon, and the "Feed the Hungry" which I believe we will hear more about next month--- our students are making a difference in the community. We can be proud of the work they are doing. The November 6th Annual Meeting- shared DWCIP & WBWF progress, went well, thank you to the students and staff who helped to make it possible (Myers Wilkins World Beat Drummers, Sterling Strings, Culinary Students, Deb Hannu for making the Art displays, and the many groups that had informational tables. There was a Realtor tour- Last Friday, 15-20 realtors, toured Laura MacArthur, Lincoln, Denfeld and East and we are planning another tour soon. Reminder again now that our weather has turned wintery-- we have the possibility of two-hour late starts for cold/snow days (shared through social media, media outlets, and email). There will be many opportunities in the coming weeks for the community to come to events in our schools, or to see students performing throughout the community. I encourage people to come and enjoy these performances and celebrations-- I think the talents of our students bring a special joy to this season that I always look forward to.

Education Committee Report

November 2014

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

Member Westholm 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	United States Department of Education	Edith Howes	Johnson O'Malley Grant	\$18,036 plus carry forward amount of \$20,362.40	Funds from this grant award will be used to support the Duluth Public Schools Indian Education Program.
2	Minnesota Department of Education	Tonya Sconiers	Alternatives to Suspension Grant – Cohort 2	\$20,000	Funds from this grant award will be used to support the continuation of reducing out-of-school suspensions at Denfeld High School.
3	Ordean Foundation	Deidre Quinlan	Habitat Teen Parent Collaborative Grant	\$40,000 plus carry forward amount of \$5,000	Funds from this grant award will be used to support the Habitat Teen Parent Collaborative.
4	Minnesota State Arts Board	Annette Petersmeyer	Arts Learning Grant	\$6,750	Funds from this grant award will be used to support the Arts at Woodland Hills Academy.

E-11-14-3210

November 18, 2014

M-Harala, S-Loeffler-Kemp, to approve Resolution E-11-14-3210 – Acceptance of Grant Awards to Duluth Public Schools. Upon a vote, the same was approved - unanimously.

M-Harala, S-Loeffler-Kemp, to approve the Education Committee Report.

Member Welty withheld Item 1.A.4)
Member Johnston withheld Item 1.A.1) and 1.A.2)
Member Seliga Punyko withheld Item 1.A.3)

Member Johnston withheld Item 1.A.1) -MN PCAE – to comment on the presentation and thanked Deb Hannu as well as Jeremy Holien.

Member Johnston withheld Item 1.A.2) – Regulation 6095R-Curriculum (K-12) – to note that he would like more discussion on a seventh hour. Discussion continued regarding the seventh hour issue and board members asked for more information including cost. Superintendent Gronseth stated that administration could put information together for them.

Member Seliga Punyko withheld Item 1.A.3) – New Fab Lab Elective Course Proposal for the 2015-16 School Year to ask if there is special licensure required for the course. Mike Carey explained that there is and there has already been staff hired.

Member Welty withheld Item 1.A.4) – Regulation 5040R Student Transfers to review the transfer issue. Discussion continued regarding the transfer process.

Upon a vote on the Education Committee, the same was approved – unanimously.

Human Resources Committee Report

November 2014

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

M-Welty, S-Seliga Punyko, to approve the Human Resource Committee report.

Member Johnston withheld Item 3.A. and 3.B.

Member Johnston withheld Item 3.A. and began to read a statement. Chair Miernicki ruled him out of order.

Member Johnston withheld Item 3.A. – Questions regarding Duluth Federation of Teachers Contract to note his concern with the timing of contract negotiations. Discussion continued regarding the issue.

Member Johnston withheld Item 3.B. – Discussion of revisions to the next Superintendent's Review document to note that he believes there should be a committee assigned to do this. Discussion continued regarding the issue.

Upon a vote, the same was approved - unanimously.

Business Committee Report

November 2014

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

Member Loeffler-Kemp presented the resolution:

RESOLUTION
Acceptance of Donations to Duluth Public Schools

WHEREAS, Minnesota Statute 465.03 requires a school district to accept donations by resolution expressed in the terms prescribed by the donor in full; and,

WHEREAS, acceptance of the donations 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 donations 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.

SCHOOL	FIRST NAME	LAST NAME/ORGANIZATION	RESTRICTION	AMOUNT
Congdon		Target Corporation	None	2,027.38
Congdon		Zeitgeist Arts	Lego Club	203.81
Congdon		Congdon PTA	Reusable bowls for Congdon cafeteria	446.19
Lakewood	Target	Take Charge of Education	None	848.99
Lakewood		Lakewood Aux American Legion	None	100.00
Lakewood		Lakewood Aux American Legion	None	200.00
Lakewood	Carmen	Arnold	None	200.00
Lakewood	Kristen	Woodhull	None	100.00
Denfeld	Target	Take Charge of Education	General Acct needs	3,023.11
Denfeld		Maurices	General Fund Acct	350.00
Denfeld		Maurices	General Fund Acct	650.00
Denfeld		United Health Foundation	Robotics	500.00
Denfeld		Allendale Motel	Robotics	500.00
Denfeld	Keith and Debra	Olafson	Art	30.00
Denfeld	Debra	Alander	Art	30.00
Denfeld	Mary and Michael	Gerchman Smith	Art	30.00
Denfeld	Heather	Emmel	Art	30.00
Denfeld	James and Gwen	Stabe	Art	30.00
Denfeld	Krista and Michael	Hill	Art	20.00
Denfeld	Marcy and Keith	Easty	Art	25.00
Denfeld	Elmer and Margaret	Leppi	Art	25.00
Denfeld	Julie and Jeffrey	Johnson	Art	25.00
Denfeld	Thomas and Marilee	Tusken	Art	25.00
Denfeld	Carla and Michael	Liston	Art	25.00
Denfeld	Kevin and Anne	Skwira-Brown	Art	25.00
Denfeld	Shelly Jo	Wick-Zeman	Art	30.00
Denfeld	Michelle	Van Dell	Art	30.00
Denfeld		The Men's Wearhouse	General Fund Acct	155.00
Denfeld	Carmen	Rich	Art	25.00
Denfeld	Carmen	Rich	Art	20.00

Myers-Wilkins	Target	Take Charge of Education	None	737.47
Myers-Wilkins	Cathleen	Brown	None	75.00

Resolution B-11-14-3211

November 18, 2014

M-Loeffler-Kemp, S-Harala, to approve Resolution B-11-14-3211 – Acceptance of Donations to Duluth Public Schools. Upon a vote, the same was approved - unanimously.

M-Loeffler-Kemp, S-Harala, to approve the remainder of the Business Committee Report:

Member Johnston withheld Items 1.B., 3., 6.D. and F. Separate vote on 1.G.

Member Johnston withheld Item 1.A. – Payment of Claims to ask questions regarding specific items on the Payment of Claims. Discussion continued regarding the item.

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

Member Johnston withheld Item A.3. - Policies and Regulations to ask when the policy regarding adding items agenda might be discussed.

Member Johnston withheld Item 6.D. – Facilities Management & Capital Project Status Report to ask about the vandalism at the Central High and STC sites. Kerry Leider reviewed the incidents. Discussion continued regarding the report.

Member Johnston withheld Item 6.F. – Discussion on Decision Making Process to make notes about the discussion that took place at the committee meeting. Discussion took place regarding the item.

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

Yea: Harala, Loeffler-Kemp, Miernicki, Seliga Punyko, Westholm, Welty

Nay: Johnston

Other
November 2014

Chair Miernicki stated that the board is working for the students and he thanked the student representatives for serving on the board.

Student Representative Manning stated that there are a lot of great things going on. He asked that the board members stick to the agenda.

Student Representative Tremble stated that it is important to have a diverse curriculum and is excited about the Fab Lab. He said he would like to see more language and industrial tech classes in the future.

Member Loeffler Kemp encouraged people to go out to the web site and look at the annual report. She also encouraged people to get out to the holiday programs taking place in the schools.

Member Harala stated that she is happy with the administrative reorganization and that now there is someone in charge of curriculum and integrated technology learning.

- Chair Miernicki adjourned the Regular School Board Meeting of November 18, 2014 at 8:27p.m.

Chair

Clerk

Minutes of the Special 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, November 25, 2014

Members Present

Annie Harala (arrived at 4:32)
 Art Johnston
 Rosie Loeffler-Kemp
 Mike Miernicki
 Judy Seliga Punyko
 Harry Welty

Others Present

Bill Gronseth, Superintendent
 Bill Hanson, Deputy Clerk
 Sue Talerico, Secretary

Members Absent

Bill Westholm

- Chair Miernicki called the special school board meeting of November 25, 2014 to order at 4:30 p.m.

Member Seliga-Punyko presented the resolution:

RESOLUTION Executive (Closed) Session

WHEREAS, Pursuant to Minnesota Statute 13D.05 Subd. 3.(c) allowing a closed meeting for discussion related to the purchase or sale of real property.

WHEREAS, Pursuant to Minnesota Statutes section 13D.03 subdivision 1.(b) allowing a closed meeting for discussion and review of labor negotiation proposals.

RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on Tuesday, November 25, 2014, at approximately 4:30 p.m. in the Board Conference Room of the Historic Old Central High School for the purpose of:

- A. Updates related to the status of property disposals as listed on attachment; and,
- B. Updates related to pending labor negotiations with the remaining nine bargaining units:
 - Duluth District-Wide Instructional Administrators' Association
 - Duluth Principals Association
 - Education Directors Association
 - Education Minnesota Duluth Clerical Local 692-A
 - Executive Employees Association
 - Food Service Employees – AFSCME Council 5
 - National Conference of Firemen and Oilers, Local 32BJ, Chapter 956 (Maintenance Unit)
 - Non-Certified Business Division Administrators' Association
 - Paraprofessionals

B/HR-11-14-3212

November 25, 2014

M- Seliga-Punyko, S- Loeffler-Kemp, to approve Resolution B/HR-11-14-3212 - Executive Closed Session. Upon a vote the same passed – 5-0.

Recess at: 4:31 p.m.

Reconvene at: 6:00 p.m.

Member Harala presented the Resolution:

RESOLUTION

Authorizing the Sale of the Central High School Property Located at 800 East Central Entrance

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 Central High 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, the School Board authorizes the sale of real property located at 800 East Central Entrance legally described and depicted on Exhibit A attached hereto, 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 November 25, 2014, and to sign all other documents required for closing this sale transaction.

[See Exhibit A on following pages]

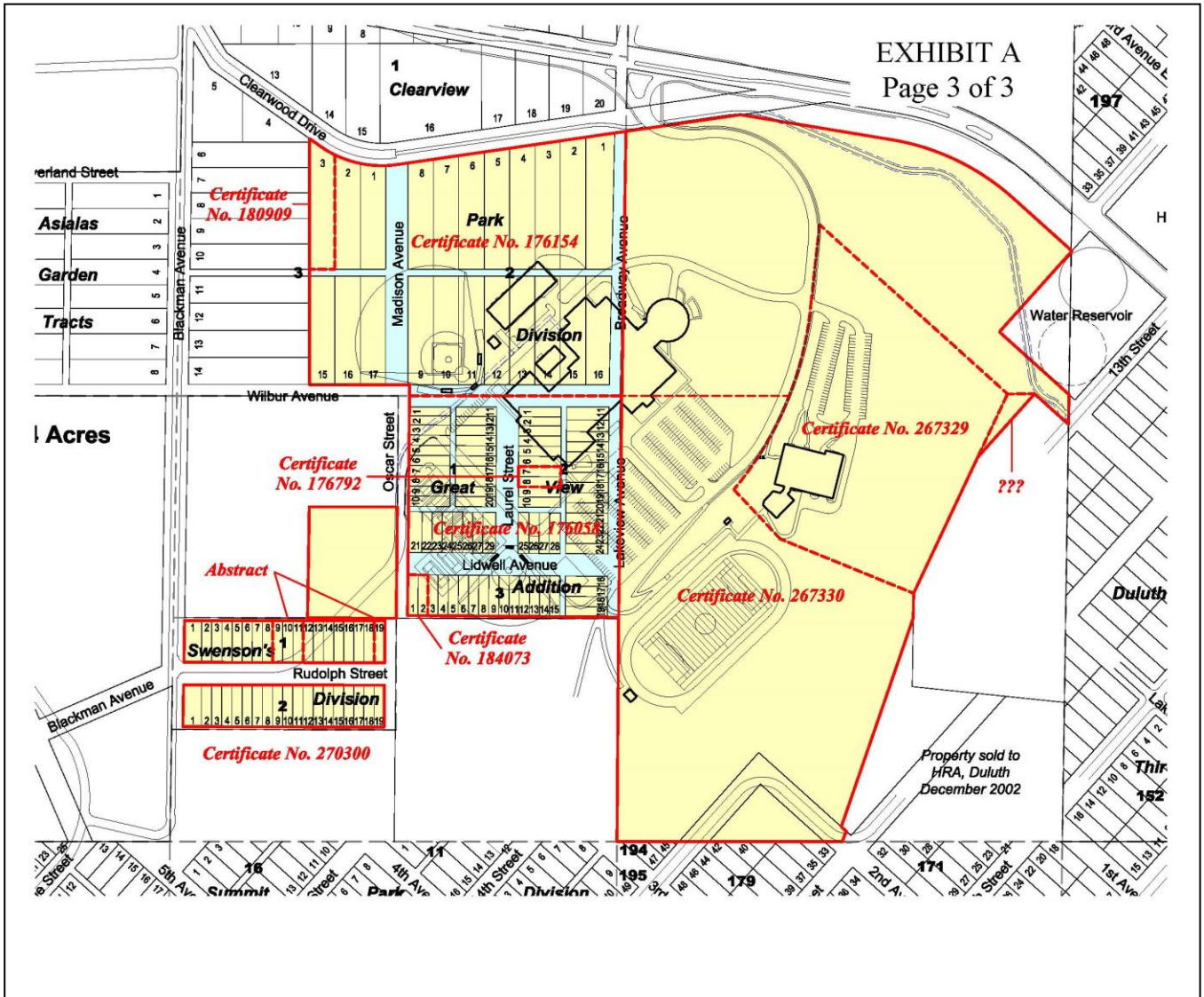
Central High School Parcels

deed	division/description	blk	lot	parcel code	acres	lot size
Certificate No. 267330 (1995)	NE 1/2 of SE 1/4 Lying South of...			010-2710-06120	19.19	
	SE 1/4 of SE 1/4 Except... (Field)			010-2710-06200	14.27	
Certificate No. 267329 (1995)	E 1/2 of SE 1/4 Commencing at... (STC)			010-2710-06203	10.50	
	Part of SE 1/4 of SE 1/4 Commencing at...			010-2710-06206	0.14	
Certificate No. 176154 (1967)	Clearview Park Division	2	1	010-0550-00230	0.87	92x410
	Clearview Park Division	2	2	010-0550-00240	0.68	75x395
	Clearview Park Division	2	3	010-0550-00250	0.67	75x388
	Clearview Park Division	2	4	010-0550-00260	0.65	75x377
	Clearview Park Division	2	5	010-0550-00270	0.63	75x366
	Clearview Park Division	2	6	010-0550-00280	0.61	75x355
	Clearview Park Division	2	7	010-0550-00290	0.59	75x345
	Clearview Park Division	2	8	010-0550-00300	0.58	75x334
	Clearview Park Division	2	9	010-0550-00310	0.57	75x330
	Clearview Park Division	2	10	010-0550-00320	0.57	75x330
	Clearview Park Division	2	11	010-0550-00330	0.57	75x330
	Clearview Park Division	2	12	010-0550-00340	0.57	75x330
	Clearview Park Division	2	13	010-0550-00350	0.57	75x330
	Clearview Park Division	2	14	010-0550-00360	0.57	75x330
	Clearview Park Division	2	15	010-0550-00370	0.57	75x330
	Clearview Park Division	2	16	010-0550-00380	0.64	85x330
	Clearview Park Division	3	1	010-0550-00390	0.78	108x315
Clearview Park Division	3	2	010-0550-00400	0.55	75x321	
Certificate No. 180909 (1969)	Clearview Park Division	3	3	010-0550-00410	0.60	75x347
	Clearview Park Division	3	15	010-0550-00530	0.55	75x320
Certificate No. 176154 (1967)	Clearview Park Division	3	16	010-0550-00540	0.55	75x320
	Clearview Park Division	3	17	010-0550-00550	0.55	75x320
Certificate No. 176058 (1967)	Great View Addition to Duluth	1	1	010-1990-00010	0.10	30x145
	Great View Addition to Duluth	1	2	010-1990-00020	0.09	30x128
	Great View Addition to Duluth	1	3	010-1990-00030	0.09	30x128
	Great View Addition to Duluth	1	4	010-1990-00040	0.09	30x128
	Great View Addition to Duluth	1	5	010-1990-00050	0.09	30x128
	Great View Addition to Duluth	1	6	010-1990-00060	0.09	30x128
	Great View Addition to Duluth	1	7	010-1990-00070	0.09	30x128
	Great View Addition to Duluth	1	8	010-1990-00080	0.09	30x128
	Great View Addition to Duluth	1	9	010-1990-00090	0.09	30x128
	Great View Addition to Duluth	1	10	010-1990-00100	0.09	30x128
	Great View Addition to Duluth	1	11	010-1990-00110	0.10	30x145
	Great View Addition to Duluth	1	12	010-1990-00120	0.10	30x145
	Great View Addition to Duluth	1	13	010-1990-00130	0.10	30x145
	Great View Addition to Duluth	1	14	010-1990-00140	0.10	30x145
	Great View Addition to Duluth	1	15	010-1990-00150	0.10	30x145
	Great View Addition to Duluth	1	16	010-1990-00160	0.10	30x145
	Great View Addition to Duluth	1	17	010-1990-00170	0.10	30x145
	Great View Addition to Duluth	1	18	010-1990-00180	0.10	30x145
	Great View Addition to Duluth	1	19	010-1990-00190	0.10	30x145
	Great View Addition to Duluth	1	20	010-1990-00200	0.10	30x145
	Great View Addition to Duluth	1	21	010-1990-00210	0.11	38x161
	Great View Addition to Duluth	1	22	010-1990-00220	0.11	30x161
	Great View Addition to Duluth	1	23	010-1990-00230	0.11	30x161
	Great View Addition to Duluth	1	24	010-1990-00240	0.11	30x161
	Great View Addition to Duluth	1	25	010-1990-00250	0.11	30x161
	Great View Addition to Duluth	1	26	010-1990-00260	0.11	30x161
	Great View Addition to Duluth	1	27	010-1990-00270	0.11	30x161
	Great View Addition to Duluth	1	28	010-1990-00280	0.11	30x161
Great View Addition to Duluth	2	1	010-1990-00290	0.12	30x176	
Great View Addition to Duluth	2	2	010-1990-00300	0.12	30x176	

Central High School Parcels

Exhibit A
Page 2 of 3

deed	division/description	blk	lot	parcel code	acres	lot size
	Great View Addition to Duluth	2	3	010-1990-00310	0.12	30x176
	Great View Addition to Duluth	2	4	010-1990-00320	0.12	30x176
	Great View Addition to Duluth	2	5	010-1990-00330	0.12	30x176
	Great View Addition to Duluth	2	6	010-1990-00340	0.12	30x176
Certificate No. 176792 (1967)	Great View Addition to Duluth	2	7	010-1990-00350	0.12	30x176
	Great View Addition to Duluth	2	8	010-1990-00360	0.12	30x176
Certificate No. 176058 (1967)	Great View Addition to Duluth	2	9	010-1990-00370	0.12	30x176
	Great View Addition to Duluth	2	10	010-1990-00380	0.12	30x176
	Great View Addition to Duluth	2	11	010-1990-00390	0.12	30x176
	Great View Addition to Duluth	2	12	010-1990-00400	0.12	30x176
	Great View Addition to Duluth	2	13	010-1990-00410	0.12	30x176
	Great View Addition to Duluth	2	14	010-1990-00420	0.12	30x176
	Great View Addition to Duluth	2	15	010-1990-00430	0.12	30x176
	Great View Addition to Duluth	2	16	010-1990-00440	0.12	30x176
	Great View Addition to Duluth	2	17	010-1990-00450	0.12	30x176
	Great View Addition to Duluth	2	18	010-1990-00460	0.12	30x176
	Great View Addition to Duluth	2	19	010-1990-00470	0.12	30x176
	Great View Addition to Duluth	2	20	010-1990-00480	0.12	30x176
	Great View Addition to Duluth	2	21	010-1990-00490	0.12	30x176
	Great View Addition to Duluth	2	22	010-1990-00500	0.12	30x176
	Great View Addition to Duluth	2	23	010-1990-00510	0.12	30x176
	Great View Addition to Duluth	2	24	010-1990-00520	0.12	30x176
	Great View Addition to Duluth	2	25	010-1990-00530	0.26	71x161
	Great View Addition to Duluth	2	26	010-1990-00540	0.11	30x161
Great View Addition to Duluth	2	27	010-1990-00550	0.11	30x161	
Great View Addition to Duluth	2	28	010-1990-00560	0.11	30x161	
Certificate No. 184073 (1970)	Great View Addition to Duluth	3	1	010-1990-00570	0.11	30x153
	Great View Addition to Duluth	3	2	010-1990-00580	0.11	30x153
Certificate No. 176058 (1967)	Great View Addition to Duluth	3	3	010-1990-00590	0.11	30x153
	Great View Addition to Duluth	3	4	010-1990-00600	0.11	30x153
	Great View Addition to Duluth	3	5	010-1990-00610	0.11	30x153
	Great View Addition to Duluth	3	6	010-1990-00620	0.11	30x153
	Great View Addition to Duluth	3	7	010-1990-00630	0.11	30x153
	Great View Addition to Duluth	3	8	010-1990-00640	0.11	30x153
	Great View Addition to Duluth	3	9	010-1990-00650	0.11	30x153
	Great View Addition to Duluth	3	10	010-1990-00660	0.11	30x153
	Great View Addition to Duluth	3	11	010-1990-00670	0.11	30x153
	Great View Addition to Duluth	3	12	010-1990-00680	0.11	30x153
	Great View Addition to Duluth	3	13	010-1990-00690	0.11	30x153
	Great View Addition to Duluth	3	14	010-1990-00700	0.11	30x153
	Great View Addition to Duluth	3	15	010-1990-00710	0.11	30x153
	Great View Addition to Duluth	3	16	010-1990-00720	0.27	71x166
	Great View Addition to Duluth	3	17	010-1990-00730	0.11	30x166
Great View Addition to Duluth	3	18	010-1990-00740	0.11	30x166	
Great View Addition to Duluth	3	19	010-1990-00750	0.11	30x166	
Certificate No. 270300 (1996)	Swenson's Division of Duluth (lots 1-8, 12-18)	Block 1		010-4310-00010	1.68	
Abstract of Title	Swenson's Division of Duluth (lots 9-11, 19)	Block 1				
Certificate No. 270300 (1996)	Swenson's Division of Duluth	Block 2			1.68	
	S 1/2 of NW 1/4 of SW 1/4 of SE 1/4, except...				1.96	



B-11-14-3213

November 25, 2014

M-Harala, S-Welty, to approve Resolution B-11-14-3213 – Authorizing the Sale of the Central High School Property. Upon a vote, the same was approved – 6-0

- Chair Miernicki adjourned the Special School Board meeting of November 25, 2014 at 6:02 p.m.

Minutes of the Special 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 2, 2014

Members Present:

Annie Harala
Art Johnston
Rosie Loeffler-Kemp
Mike Miernicki
Judy Seliga Punyko
Harry Welty
Bill Westholm

Others Present:

Bill Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

- Chair Miernicki called the special school board meeting of December 2, 2014 to order at 4:30 p.m.

Member Johnston, S-Welty, to amend the agenda to allow public comment.

M-Loeffler-Kemp, S-Seliga Punyko, to call the question. Upon a vote, the same was approved 5-2 as follows:

Yea: Harala, Loeffler-Kemp, Miernicki, Seliga Punyko, Westholm

Nay: Johnston, Welty

Upon a vote to amend the agenda to include public comment, the same failed 2-5 as follows:

Yea: Johnston, Welty

Nay: Harala, Loeffler-Kemp, Miernicki, Seliga Punyko, Westholm

Chair Miernicki read a statement outlining how the meeting would be run.

- Question and answer period with Mary Rice, Investigator, with Fafinski, Mark & Johnson Law Firm
 - Mary Rice gave a presentation of the investigation process and her findings.
 - Board Members asked questions of Ms. Rice

➤ Action taken

Member Westholm introduced the following Resolution and moved its adoption:

RESOLUTION PROPOSING REMOVAL OF A SCHOOL BOARD MEMBER

WHEREAS, on June 10, 2014, the School Board authorized an investigation into allegations against Board Member Art Johnston;

WHEREAS, Mary Rice, an independent investigator and attorney, has conducted a comprehensive investigation into the allegations against Mr. Johnston and has submitted her final report to the District;

WHEREAS, individual School Board members have had an opportunity to review and carefully consider the findings outlined in Ms. Rice's investigation report;

WHEREAS, the School Board has determined the results of the investigation provide a legitimate basis to move forward with the proposed removal of Mr. Johnston from the School Board.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, as follows:

1. The School Board is satisfied that Ms. Rice's investigation fully and completely examined the allegations against Mr. Johnston in a neutral and unbiased manner.
2. The School Board proposes the removal of Mr. Johnston from the School Board upon proper cause for the following reasons:
 - a. Mr. Johnston's conduct during an interaction with the District's Superintendent William Gronseth following the June 4, 2014 Duluth East High School graduation ceremony amounted to conduct unbecoming a School Board member. By way of example, the following findings in Ms. Rice's report support this conclusion:
 - i. Mr. Johnston publicly confronted Mr. Gronseth about a personnel issue following the June 4, 2014 Duluth East High School graduation ceremony. Mr. Johnston and Mr. Gronseth had already met the previous day to privately discuss the same issue.
 - ii. During the confrontation, Mr. Johnston approached Mr. Gronseth from behind and gave him a shove, which was offensive under the circumstances.
 - iii. After Mr. Johnston shoved Mr. Gronseth, he proceeded to angrily point his finger at Mr. Gronseth, continued to discuss the personnel issue, and threatened to initiate litigation against the District.
 - iv. Mr. Johnston's conduct was intimidating, threatening, and abusive, and caused Mr. Gronseth to reasonably fear for his safety.
 - v. Mr. Johnston's conduct was disruptive and interfered with his duties as a School Board member and Mr. Gronseth's role as Superintendent following the graduation ceremony.
 - vi. Mr. Johnston's conduct was motivated by a personal conflict of interest, demonstrated a public refusal to support the Superintendent

- in a personnel matter, and compromised the administration and School Board's ability to appropriately address personnel matters.
- b. Mr. Johnston's conduct during an interaction with School Board Chair Mike Miernicki following the June 4, 2014 Duluth East High School graduation ceremony amounted to conduct unbecoming a School Board member. By way of example, the following findings in Ms. Rice's report support this conclusion:
- i. Mr. Johnston publicly confronted Mr. Miernicki about a personnel matter in the parking lot as Mr. Miernicki and School Board Member Bill Westholm left the East High School graduation ceremony.
 - ii. During the confrontation, Mr. Johnston approached Mr. Miernicki, grabbed Mr. Miernicki's arm, and turned Mr. Miernicki to face him.
 - iii. After grabbing Mr. Miernicki, Mr. Johnston proceeded to angrily yell at Mr. Miernicki about the personnel matter and accused Mr. Miernicki of participating in an attempt to target him through a District employee.
 - iv. Mr. Johnston's conduct was intimidating, threatening, and abusive, and caused Mr. Miernicki to reasonably fear for his safety.
 - v. Mr. Johnston's conduct was disruptive and reflected poorly on his role as a School Board member, Mr. Miernicki's role as the School Board chair, and the School Board as a whole.
 - vi. Mr. Johnston's conduct was motivated by a personal conflict of interest, demonstrated public disparagement of a fellow Board member, and compromised the administration and School Board's ability to appropriately address personnel matters.
- c. Mr. Johnston's conduct with respect to a personnel issue involving a District employee demonstrated a personal conflict of interest and an abuse of his authority as a School Board Member. By way of example, the following findings in Ms. Rice's report support this conclusion:
- i. As discussed above, Mr. Johnston's personal involvement in a personnel matter concerning a District employee motivated his confrontation with Mr. Gronseth on June 4, 2014.
 - ii. As discussed above, Mr. Johnston's personal involvement in a personnel matter concerning a District employee motivated his confrontation with Mr. Miernicki on June 4, 2014.
 - iii. Mr. Johnston made public comments on June 6, 2014 in which he falsely claimed the District's personnel decision involving an employee was motivated by the fact the administration and other School Board members do not like him.
 - iv. Mr. Johnston made public comments on June 6, 2014 in which he falsely claimed an administrator initiated a personnel decision involving an employee for personal reasons, as opposed to legitimate work-related reasons.

- v. Mr. Johnston's decision to accompany a District employee to a non-disciplinary meeting with supervisors and the comments Mr. Johnston made during the meeting demonstrate a personal conflict of interest and an abuse of his authority as a School Board member. Mr. Johnston had not attended meetings between other employees and their supervisors in the past.
- vi. Mr. Johnston has made false and misleading comments to the media when discussing a personnel matter involving a District employee.
- d. On several occasions, Mr. Johnston has engaged in conduct that violates School Board Policy 8050. By way of example, this conclusion is supported by the following:
 - i. Mr. Johnston's conduct, as described in Paragraphs a and b, violates sections (4), (5), (8), (9), and (10) of School Board Policy 8050.
 - ii. Mr. Johnston's June 4, 2014 threat to initiate legal action against the District due to his disagreement with the administration's handling of a personnel matter violates sections (8), (9), and (10) of School Board Policy 8050.
 - iii. Mr. Johnston's June 6, 2014 comments in which he publicly disparaged several District employees, including the Superintendent, violate sections (5), (8), (9), (10), and (11) of School Board Policy 8050.
 - iv. Mr. Johnston's false public claims that the District's personnel decision involving an employee was motivated by the fact that the administration and other School Board members do not like him violate sections (4), (5), (8), (10), and (11) of School Board Policy 8050.
 - v. Mr. Johnston's false and misleading comments to the media when discussing a personnel matter involving a District employee violate sections (5), (8), (9), (10), and (11) of School Board Policy 8050.
 - vi. Mr. Johnston's decision to accompany a District employee to a non-disciplinary meeting with supervisors and the comments Mr. Johnston made during the meeting violate sections (5), (8), (9), and (10) of School Board Policy 8050.
 - vii. Mr. Johnston has a history of engaging in behavior that violates School Board Policy 8050, which includes the following examples: (1) during a Board meeting on February 25, 2014, Mr. Johnston publicly accused District administration of not providing information to him and later admitted he had not checked his District e-mail when he learned the information had been provided to him by e-mail; (2) at a Board meeting on March 18, 2014, Mr. Johnston openly criticized the job performance of the District's Superintendent; (3) at a Board meeting on May 20, 2014, Mr. Johnston falsely claimed most of a May 12, 2014 business committee meeting was spent "bashing" him; (4) at a Board meeting

on September 16, 2014, Mr. Johnston falsely claimed a District employee was hired for a position because the person supported a referendum; (5) at a Board meeting on September 16, 2014, Mr. Johnston falsely accused District administration of misrepresenting financial information; and (6) at a Board meeting on September 16, 2014, Mr. Johnston interrupted a discussion on racial disparity to discuss allegations against him and falsely accused District administration of harassing a District employee.

3. The above described conduct demonstrates that Mr. Johnston abdicated his responsibilities as a member of the School Board in favor of his personal private interests. In addition, Mr. Johnston has demonstrated that he is willing to use his authority and influence as a member of the School Board to further his personal private interests.
4. Based upon the information available at this time, the School Board believes the conduct described above, and described in more detail in the investigation report, constitutes proper cause for the removal of Mr. Johnston from the School Board and hereby proposes his removal.
5. Mr. Johnston shall have ten (10) days from the date of the passage of this Resolution to request, in writing, a hearing over his proposed removal. If Mr. Johnston fails to timely request such a hearing, he shall be deemed to have acquiesced in his removal from the School Board. The School Board shall then have the authority to proceed directly to take action to remove Mr. Johnston from the School Board.
6. In the event Mr. Johnston timely submits a written request for a hearing over his proposed removal, the School Board hereby appoints the Honorable Myron S. Greenberg to serve as the independent hearing officer. Judge Greenberg shall have the authority to take whatever action is necessary to conduct the hearing on behalf of the School Board over the proposed removal of Mr. Johnston. The hearing shall be transcribed. Judge Greenberg shall submit a written document constituting his recommended findings of fact, conclusions, and decision on whether Mr. Johnston may be removed from the School Board.
7. After Judge Greenberg has submitted his recommended findings of fact, conclusions, and decision, the School Board will meet to take action on the removal of Mr. Johnston from the School Board.

The motion for the adoption of the foregoing Resolution was duly seconded by Member Seliga Punyko.

M-Loeffler-Kemp, S-Seliga Punyko, to call the question.

Member Johnston made a point of order stating that there were other members lights on and there should be discussion. Chair Miernicki denied his request indicating that he did not see any other lights on.

M-Johnson, S-Welty, to appeal to the decision of the chair.

Chair Miernicki denied the appeal.

Upon a vote to uphold the Chairs decision, the same was approved 5-2 as follows:

Yea: Harala, Loeffler-Kemp, Miernicki, Seliga Punyko, Westholm

Nay: Johnston, Welty

Upon a vote to call the question, the same was approved 5-2 as follows:

Yea: Harala, Loeffler-Kemp, Miernicki, Seliga Punyko, Westholm

Nay: Johnston, Welty

and upon a vote being taken thereon, the following voted in favor of the motion:

Harala, Loeffler-Kemp, Miernicki, Seliga-Punyko, Westholm

And the following voted against the motion:

Johnston, Welty

Whereupon said Resolution was declared duly passed and adopted.

HR-12-14-3215

December 2, 2014

M-Loeffler-Kemp, S-Harala to adjourn. Upon a vote the same was approved – unanimously.

- Chair Miernicki adjourned the Special School Board meeting of December 2, 2014 at 7:08 p.m.

8. Communications, Petitions, etc.

No communications received at this time.

DULUTH PUBLIC SCHOOLS, ISD 709
SCHEDULE OF MEETINGS AND EVENTS - REVISED

All meetings are scheduled at Historic Old Central High School, 215 N 1st Avenue East, unless otherwise noted.

December 15 – December 19, 2014

Tuesday	December 16	6:30 p.m.	Regular School Board Meeting (Agenda Attached) • Includes Truth in Taxation Hearing Board Room – 2 nd Floor
Thursday	December 18	5:30 p.m.	Education Equity Advisory Committee Board Room – 2 nd Floor

December 22 – December 26, 2014

No meetings scheduled at this time.

December 29, 2014 – January 2, 2015

No meetings scheduled at this time.

January 5 – January 9, 2015

Monday	January 5	4:30 p.m.	Annual Organizational Meeting Board Room – 2 nd Floor
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January 12 – January 16, 2015

Monday	January 12	4:15 p.m.	Human Resources Committee Board Room – 2 nd Floor
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Monday	January 12	4:30 p.m. <i>(or to follow the Human Resources Comm. Mtg)</i>	Business Committee Board Room – 2 nd Floor
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Tuesday	January 13	4:15 p.m.	Education Committee Board Room – 2 nd Floor
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January 19 – January 23, 2014

Tuesday	January 20	6:30 p.m.	Regular School Board Meeting Board Room – 2 nd Floor
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Thursday	January 22	5:30 p.m.	Education Equity Advisory Committee Board Room – 2 nd Floor
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January 26 – January 30, 2015

No meetings scheduled at this time.

February 2 – February 6, 2015

No meetings scheduled at this time.

*Office of the Superintendent
December 11, 2014*

RESOLUTION**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 Minnesota School Boards Association 2015 Leadership Conference in Minneapolis, Minnesota on January 15-16, 2015.

Resolution SP-12-14-3220

December 16, 2014