



**Future Ready. Community Strong.**

## **Regular Meeting Agenda**

Diamondhead Education Center  
200 W. Burnsville Parkway  
Burnsville, MN, 55337

April 13, 2017

6:30 PM

(6:00 PM Board Listening Session with Directors Currier and Miller)

### I. Call to Order

A. Welcome

B. Public Recognition

1. Bowls for BrainPower

2. 2017 Inclusive Education Practices Award

Presenter: Stephanie Corbey, Executive Director of Individualized Student Services

### II. Business Meeting

A. Approval of Agenda

B. Consent Agenda

Although Board action is required, it is generally unnecessary to hold discussion on these items. In the event a Board member wishes to discuss an item, that item will be moved for separate consideration.

- |   |    |
|---|----|
| 1. Approve Meeting Minutes  | 3  |
| 2. Approve Personnel Recommendations  | 6  |
| 3. Adopt a Resolution to Accept Donations   | 7  |
| 4. Approve an Extended Field Trip to France June 11-22, 2018  | 9  |
| 5. Approve an Extended Field Trip to Puerto Rico March 24-29, 2018 (Revised Date)   | 10 |
| 6. Approve First Reading of Policies 502: <i>Search of Students Lockers, Desks, Personal Possessions, and Student's Person</i> ; 203.6: <i>Consent Agenda</i> ; and 206: <i>Public Participation in Board Deliberations</i>   | 11 |
| 7. Approve the Review of Board Policies 201: <i>Legal Status of the School Board</i> ; 202: <i>School Board Officers</i> ; 203: <i>Operation of the School Board - Governing Rules</i> ; 203.1: <i>School Board Procedures Rules of Order</i> ; 203.2: <i>Order of the Regular School Board Meeting</i> ; 203.5: <i>School Board Meeting Agenda</i> ; 204: <i>School Board Meeting Minutes</i> ; and 205: <i>Open and Closed Meetings</i> | 20 |
| 8. Approve Change Orders #257 and #258 for the 2015 Additions and Alterations to Burnsville High School   | 49 |

### III. New Business

- A. Approve Health Insurance Renewal and Rates 58  
Presenter: Stacey Sovine, Executive Director of Human Resources
- B. Approve the School Liaison Services Agreement 59
- C. Approve the 2017-18 Early Childhood Special Education Birth-to-Three Program and Evaluation Team Calendar 65  
Presenter: Stephanie Corbey, Executive Director of Individualized Student Services
- D. Award the Base Bid and Alternate #1 for the 2017 Pavement Maintenance Project at Harriet Bishop Elementary, Edward Neill Elementary and Diamondhead Education Center 67
- E. Award the Base Bid for the 2017 Operable Partition Replacement project at Nicollet Middle School 70
- F. Award the Base Bid for the 2017 Classroom Enclosure Project at Eagle Ridge Middle School 73

### IV. Reports

- A. Superintendent
  - 1. Status Update Regarding Network Outage Issue
- B. Board Members

### V. Adjourn

School Board Minutes  
INDEPENDENT SCHOOL DISTRICT 191  
March 23, 2017

The meeting of the Board of Education was called to order by Chair Alt at 6:30 p.m. at the Diamondhead Education Center, 200 West Burnsville Parkway, Burnsville, MN.

Call to Order

Members present: Directors Schmid, VandenBoom, Miller, Schatz, Luth, and Chair Alt. Director Currier was absent. Others in attendance were Superintendent Gothard, Student Representative Green, administrators, staff, and members of the public.

Attendance

Alt welcomed the audience and asked VandenBoom to lead the Pledge of Allegiance.

Pledge of Allegiance

Moved by Schatz, seconded by VandenBoom, to approve the agenda. Motion carried unanimously (6, 0).

Agenda

Moved by Schmid, seconded by Luth, to approve the consent agenda:

Consent Agenda

-Approve minutes of the regular board meeting on March 9, 2017.

Minutes

-Approve personnel recommendations for K. Essay, S. White, N. Mosher, K. Freeburg, J. Bear S. Spaulding, L. Coddington, T. Krebs, P. Leah, J. Remsing, K. Ward, J. Beenken, E. Feely, M. Anderson, B. Andrews, W. Hirschey, C. Knutson, M. Limberg, M. Lindell, H. Hussein, M. Frost, K. Souvannavong, K. Estey, S. Moore, N. Sanborn, J. Camos Mendoza, E. Anderson, R. Astacio Matos, D. Koch, K. Lopez, L. Peterson, and A. Strader.

Personnel

Recommendations

-Adopt a resolution to approve and accept donations as presented.

Donations

-Approve Feb payroll checks numbered 718687-718715 and Direct Deposit notices numbered 635919-638988, in the net amount of \$3,957,290.58.

Checks, Deposits,

Receipts and

Investments

Feb & Mar claims to date represented by checks numbered 451343-451855, 1017331-1017576, and 101879-101910 and wire transfers and adjustments totaling \$7,060,413.06. Also, that the Board accepts Feb receipts of \$11,294,288.57 and investments for the General Fund, 2012A Alt Facilities, 2015A School Building Bonds and OPEB of \$45,841,848.37 as of February 28, 2017.

-Accept the Budget Analysis for the month ending February 28, 2017.

Budget Analysis

-Approve, on a second reading basis, changes to Policies 406: *Public and Private Personnel Data*; 501: *Weapons Policy*; and 506: *Student Discipline*.

Board Policies

Motion carried unanimously (6, 0).

Moved by VandenBoom, seconded by Miller, award the base bid and alternate #1 in the amount \$169,145.00 for the Burnsville High School Miscellaneous Pavement Alterations project to Minnesota Roadways Company. Motion carried unanimously after discussion (6, 0).

Award Bid

Moved by Schmid, seconded by Miller, to award the base bid and alternate #1 in the amount \$125,445.00 for the Eagle Ridge Middle School Tennis Court Resurfacing / Replacement Project to Bituminous Roadways Inc. Motion carried unanimously after discussion (6, 0).

Award Bid

Moved by Luth, seconded by Schmid, to approve agreement, pipeline easement and temporary work space agreement to facilitate Northern Natural Gas's Cedar Station Upgrade project. Motion carried unanimously after discussion (6, 0).

Pipeline Agreement

Received verbal reports from VandenBoom on behalf of the Technology Committee; Schmid on behalf of the Policy Review Committee; Alt read Currier's report on behalf of the Student Performance and Achievement Committee; Luth on behalf of the Negotiating Committee; and Schatz on behalf of the 191 Foundation.

Reports

Received a verbal report from Directors Schatz and Luth on the listening session.

Listening Session

Moved by Luth, seconded by VandenBoom, to recess to a closed session at 7:02 p.m. as permitted by M.S. §13.D.05, Subdivision 2(a), to discuss private student data. Motion carried unanimously (6, 0).

Closed Session

The closed session to discuss private student data began at 7:06 p.m. Alt, Schmid, Schatz, Miller, Watkins, Booth, Helke, VandenBoom, Luth, Gothard, and Kenney were in attendance.

The regular board meeting reconvened at 8:05 p.m.

Reconvene

Moved by Schmid, seconded by Luth, to adopt the Resolution Relating to the Proposed Expulsion of the Student and expel the student immediately, for one calendar year from today's date. Motion carried unanimously (6, 0).

Expel Student

Moved by Schatz, seconded by VandenBoom, to adjourn to a board workshop at 8:06 p.m. Motion carried unanimously (6, 0).

Adjourn to a Workshop

The workshop began at 8:06 p.m. and concluded at 8:30 p.m. The purpose of the workshop was health and dental insurance renewal.

Adjourn

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Jim Schmid, clerk

April 13, 2017  
Date Approved

School Board Minutes  
INDEPENDENT SCHOOL DISTRICT 191  
April 3, 2017

The retreat of the Board of Education was called to order by Chair Alt at 7:00 p.m. at Holiday Inn Minneapolis-Lakeville, 20800 Kenrick Ave, Lakeville, MN, 55044.

Call to Order

Members present: Directors VandenBoom, Luth, Currier, Schmid, Miller, and Chair Alt. Schatz was absent.

Attendance

No staff or members of the public attended the meeting.

The purpose of the retreat was board planning.

Purpose

The retreat adjourned at 8:51 p.m.

Adjourn

April 13, 2017

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Jim Schmid, clerk

Date Approved

April 13, 2017

**Burnsville-Eagan-Savage Public Schools  
Independent School District 191  
Human Resources**

TO: Members, Board of Education  
Joe Gothard, Superintendent

FROM: Stacey Sovine, Executive Director of Human Resources

DATE: April 13, 2017 FINAL  
RE: Recommended Personnel Changes

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CLASSIFICATION	ACTION	POSITION CONTROL	NAME	FINAL	LOCATION	POSITION	FTE	EFFECTIVE DATE
Certified	Appointment		Julie Pettes		WM. Byrne Elementary School	Teacher - Long Term Substitute	1.0 FTE	3/24/17-6/9/2017
Certified	Appointment		Julie Isakson		WM. Byrne Elementary School	Teacher - Long Term Substitute	1.0 FTE	3/14/2017-6/9/2017
Certified	Appointment	New Position	Jennifer Hayes		Sky Oaks Elementary School	Registered Nurse	7.25 hrs/day	4/24/2017
Certified	Appointment	New Position	Jessica Wade		Sioux Trail Elementary School	Teacher	1.0 FTE	4/3/2017
Certified	Resignation		Kirstin Larson		Hidden Valley Elementary	Teacher	1.0 FTE	6/9/2017
Certified	Resignation		Paula Leach - Revised		ECSE Center	Teacher	1.0 FTE	6/9/2017
Certified	Resignation		Harrison Wojcik		Elementary Cluster	Teacher - Psychologist	1.0 FTE	6/9/2017
Certified	Resignation		Danielle Wadell	*	Rahn Elementary School	Teacher	1.0 FTE	6/9/2017
Certified	Retirement		Scott Carlson	*	Eagle Ridge Middle School	Teacher	1.0 FTE	6/9/2017
Certified	Leave of Absence		Corbin Orlenko		Vista View Elementary School	Teacher	.5 FTE	2017/2018 School Year
Classified	Appointment	New Position	Michelle Althoff		Diamondhead Education Center	CE Supervisor	8 hrs/day	3/27/2017
Classified	Appointment	New Position	Anthony Nguyen		Burnsville High School	Assistant Badminton Coach		Spring Season
Classified	Appointment	New Position	Chase Rogness		District-wide	AVID Tutor		3/23/2017
Classified	Appointment	New Position	Ubah Yusuf		Edward Neill Elementary	EA	4 hrs/day	4/3/2017
Classified	Change of Assignment		Kelli Mitsch		Rahn Elementary School	Food Service Associate	2.75 hrs/day	4/17/2017
Classified	Resignation		Katherine Souvannavong	*	Sioux Trail Elementary School	EA Level II	4 hrs/day	4/11/2017
Classified	Resignation		Mary Baker	*	Burnsville High School	Food Service Associate	3 hrs/day	5/26/2017
Classified	Retirement		Eloise Dahler		Vista View Elementary School	Administrative Assistant	8 hrs/day	6/13/2017
Classified	Retirement		Randell Day		Burnsville High School	Activities Director	8 hrs/day	4/21/2017
Classified	Retirement		Linda Utter		Burnsville High School	Food Service Associate	3.75 hrs/day	5/31/2017
Classified	Retirement		Deborah Bieleck	*	Metcalf Middle School	Clerical Level III	8 hrs/day	8/2/2017
Co-Curricular/Coach	Appointment	Replacement	Sheana Eggers		Burnsville High School	Assistant Boys Tennis Coach		Spring Season
Co-Curricular/Coach	Appointment	Replacement	Dayja Rosario	*	Burnsville High School	Assistant Softball Coach		Spring Season



**Agenda II.B.3.  
April 13, 2017**

**To:** Members, Board of Education  
Dr. Joe Gothard, Superintendent

**From:** Lisa K. Rider, Executive Director of Business Services

**Date:** April 7, 2017

**Re:** Donations

**RECOMMENDATION:** To adopt a resolution to approve and accept donations as presented.

**RESOLUTION TO ACCEPT DONATIONS**

**WHEREAS,**

1. School Board Policy 706 establishes guidelines for the acceptance of gifts to the District; and
2. Minnesota Statute 123B.02, Subd. 6 states the School Board may receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated; and
3. Minnesota Statute 465.03 states the School Board may accept a grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members; and
4. Businesses and individuals have submitted donations to the district;

**THEREFORE, BE IT RESOLVED** by the School Board of ISD 191 to approve and accept with appreciation the donations as presented below and to permit their use as designated by the donors.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Members in favor of the motion:

Members opposed:

Whereupon said Resolution was declared duly passed and adopted on April 13, 2017.

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Jim Schmid  
Clerk – Board of Education

Date	Donor	Recipient	Terms	Donation
3/16/2017	Elaine Geogleris	Gideon Pond Elementary	Bench for new playground	\$2,000.00
3/20/2017	Julie Tuma - Vital Images, Inc.	Joseph Nicollet Middle School	Company donating to the school	Quantity of 40 - 2" 3 ring Bindfers
3/23/2017	The Toro Company	Burnsville High School	Equipment to support the engineering and automotive pathway programs.	36 Briggs and Stratton engines (value \$4,320)
3/8/2017	Sheryl and Michael Burkhardt	BrainPower in a Backpack	Donation	\$50.00
3/23/2017	Presbyterian Church of the Apostles	BrainPower in a Backpack	Donation for food purchases	\$800.00
3/23/2017	Gideon Pond Parent Teacher Organization	BrainPower in a Backpack	Donation for food purchases	\$300.00
3/27/2017	Glendale United Methodist Women	BrainPower in a Backpack	Cash Donation	\$200.00
3/17/2017	Kathleen Volner	Burnsville High School	BHS	\$210.00
3/17/2017	Anonymous	District 191	Unsure	\$53.83
3/22/2017	Staff & Students of MMS	John Metcalf Middle School	Jen Gus Scholarships	\$571.00
3/6/2017	Chason-Cedar BP	John Metcalf Middle School	Donation	\$92.15
4/11/2017	Klein Bank, Rob Heimerman	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Coldwell Banker Burnet, Richard Tucker	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Walser Foundation, Nancy Warner	District 191	Community of Excellence Awards	\$125.00
4/11/2017	WSB & Associates, John Powell	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Dakota Electric, Peggy Johnson	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Firefly Credit Union, Marty Kelly	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Greater Twin Cities United Way, Andrea Ferstan	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Premier Best Western Burnsville, Nathan Kremer	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Chick-fil-A Burnsville, Andrew Johnson	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Hy-Vee Savage, Nick Haidar	District 191	Community of Excellence Awards	\$125.00
4/11/2017	Chick-fil-A Burnsville, Andrew Johnson	District 191	Community of Excellence Awards	200 chocolate chip cookies

Total monetary contributions to accept: **\$5,526.98**



**Agenda II.B.4.  
April 13, 2017**

**To:** Board of Education  
Dr. Joe Gothard, Superintendent

**From:** Lisa Rider, Executive Director of Business Services

**Date:** April 7, 2017

**Re:** Approve an Extended Field Trip to France June 11-22, 2018

**Recommendation:** Approve an application for initial approval of an extended field trip for Burnsville High School students to travel to France June 11-22, 2018.

The purpose of the field trip is for students to travel to Paris and southern France. They will immerse themselves in the culture of France.

The educational objective of the extended field trip is for students to use the French that they have learned to order food, ask directions, and engage in conversations. They will visit areas and sites that we have seen and discussed in pictures.

The estimated cost of the trip is \$4000 plus \$200 for spending money. Fundraising activities will be planned.

The estimated number of students is 10 with one chaperone.

Sara Holcombe is the staff person who is submitting this request.



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**Agenda II.B.5.  
April 23, 2017**

**To:** Board of Education  
Dr. Joe Gothard, Superintendent

**From:** Lisa Rider, Executive Director of Business Services

**Date:** April 7, 2017

**Re:** Approve an Extended Field Trip to Puerto Rico March 24-29, 2018

**Recommendation:** That the Board of Education approves an application for initial approval of an extended field trip for Burnsville High School students to travel to Puerto Rico March 24-29, 2018.

Board members approved this field trip request during the March 9 board meeting. It is being brought back to you for approval because the date of the trip has been changed from June 2018 to March 24-29, 2018 due to a scheduling conflict.

The proposed field trip is a six day trip to Puerto Rico to immerse students in the history, heritage, and culture of the Spanish Language. Students will spend time communicating in the target language, exploring the country through guided tours, eat Puerto Rican cuisine, and practice their Spanish language skills.

The educational objective of the trip is to Immerse Spanish language learners in the Spanish culture, practice Spanish language skills with native speakers, promote cultural awareness and historical understanding of Puerto Rico, and gain insight and respect for the natural world/biodiversity of Puerto Rico.

Estimated number of students attending is 20 with two chaperones. The anticipated cost of the trip is \$2237 plus \$200 for spending. Fundraising efforts will be provided to help finance the trip.

The sponsoring staff person is Amanda Jensen.



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**Agenda II.B.6.  
April 13, 2017**

**To:** Board of Education  
**From:** Dr. Joe Gothard, Superintendent  
**Date:** April 7, 2017  
**Re:** Approve First Reading of Policies 502: *Search of Students Lockers, Desks, Personal Possessions, and Student's Person*; 203.6: *Consent Agenda*; and 206: *Public Participation in Board Deliberations*

**Recommendation:** That the Board of Education approves, on a first reading basis, changes to Policies 502: *Search of Students Lockers, Desks, Personal Possessions, and Student's Person*; 203.6: *Consent Agenda*; and 206: *Public Participation in Board Deliberations*

Background Information: The Policy Review Committee will be reviewing all policies on a rotating basis every three to five years. New policies or policies with substantive changes will be listed under new business. Policies with non-substantive changes or changes that were made as a result of Minn. State Statute will be listed on the consent agenda.

The Policy Review Committee met on March 21 to review changes to the policies listed below and are recommending Board approval.

- Policy 502: *Search of Students Lockers, Desks, Personal Possessions, and Student's Person* – the legal reference section was updated.
- Policy 203.6: *Consent Agenda* – The committee shortened the general statement of policy to eliminate the word “controversial” in the general statement of policy.
- Policy 206: *Public Participation in Board Deliberations* – The committee removed the word “periodically” and “occasionally” from the policy and brought clarity to III.B. Public Hearings so that it matches Policy 207: *Public Hearings*.

Adopted: 12/95

Burnsville-Eagan-Savage School District Policy 502

Reviewed: 4/13/2017

Revised: 9/14

Rescinds: JIHA

## **502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON**

### **I. PURPOSE**

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

### **II. GENERAL STATEMENT OF POLICY**

#### **A. Lockers and Personal Possessions Within a Locker**

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

#### **B. Desks**

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

#### **C. Personal Possessions and Student's Person**

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

- D. Students violate this policy when they use lockers and desks for unauthorized purposes or to store contraband. Students violate this policy when they carry contraband on their persons or in their personal possessions.

### **III. DEFINITIONS**

- A. “Contraband” means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and “look-alikes,” alcoholic beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.
- B. “Personal possessions” includes but is not limited to purses, backpacks, bookbags, packages, and clothing.
- C. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official’s personal observation, a report from a student, parent or staff member, a student’s suspicious behavior, a student’s age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. “Reasonable scope” means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

### **IV. PROCEDURES**

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student’s person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student’s person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.

- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only by law enforcement in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.

**V. DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

**VI. SEIZURE OF CONTRABAND**

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

**VII. VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district’s Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

**Legal References:** U. S. Const., amend. IV  
 Minn. Const., art. I, § 10  
*New Jersey v. T.L.O.*, 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)  
 Minn. Stat. § 121A.72 (School Locker Policy)  
[\*G.C. v. Owensboro Public Schools\*, 711 F.3d 623 \(6<sup>th</sup> Cir. 2013\)](#)

**Cross References:** Burnsville-Eagan-Savage School District Policy 417 (Chemical Use and Abuse)  
 Burnsville-Eagan-Savage School District Policy 418 (Drug-Free Workplace/Drug-Free School)  
 Burnsville-Eagan-Savage School District Policy 501 (School Weapons)  
 Burnsville-Eagan-Savage School District Policy 506 (Student Discipline)

Adopted: 04/23/2015

Burnsville-Eagan-Savage School District Policy 203.6

Reviewed: ~~04/09/2015~~/13/2017

Revised:

Rescinds:

## 203.6 CONSENT AGENDAS

### I. PURPOSE

The purpose of this policy is to allow the use of a consent agenda.

### II. GENERAL STATEMENT OF POLICY

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda ~~for the passage of noncontroversial items or items of a similar nature.~~

### III. CONSENT AGENDAS

- A. The superintendent, in consultation with the school board chair, may place items on the consent agenda. By using a consent agenda, the school board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request.
- B. Consent items are those ~~which items that~~ (1) usually do not require discussion or explanation prior to school board action, (2) are noncontroversial and/or similar in content, or (3) ~~are those items which~~ have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school district buildings and grounds or approval of various schedules.
- C. Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.
- D. Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

**Cross References:** Burnsville-Eagan-Savage School District Policy 203.2 (Order of the Regular School Board Meeting)  
Burnsville-Eagan-Savage School District Policy 203.5 (School Board Meeting Agenda)  
Burnsville-Eagan-Savage School District Policy 204 (School Board Meeting Minutes)

Adopted: 11/2003 *Burnsville-Eagan-Savage School District Policy 206*  
Reviewed: ~~2/2010, 11/19/2015~~ 4/13/2017  
Revised: 9/2012, 12/3/2015  
Rescinds: BDDH

## **206 PUBLIC PARTICIPATION IN BOARD DELIBERATIONS**

### **I. PURPOSE**

The school board recognizes the value of public input in the deliberations and decisions on school district matters and the importance of conducting orderly and efficient proceedings. The purpose of this policy is to provide the procedures through which the public may provide input.

### **II. GENERAL STATEMENT OF POLICY**

Meetings of the Board are conducted for the purpose of carrying on the official business of the school district. The Board encourages discussion by the public of subjects related to the management of the school district and the public is welcome to attend all School Board meetings, workshops, public hearings and public forums.

The Board may hold public meetings where the public will not be invited to address the school board including regular business meetings, work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not necessarily be allotted time during the meeting to address the board.

### **III. THE PUBLIC'S OPPORTUNITY TO BE HEARD**

The school board provides three opportunities for public input:

#### **A. Board and/or Superintendent Listening Session**

The school board or superintendent may schedule a listening session prior to a regularly scheduled school board meeting during which time the public may make comments directly to the designated school board members or superintendent that deal with any topic related to the board's conduct of the schools. The school board, however, will not act at that day's/evening's regular meeting on any issue presented during the school board listening sessions if that issue was not previously published as an agenda item.

1. A report summarizing the listening session will be given and distributed to board members.

#### **B. Public Hearings**

Public hearings are required by law to be held concerning certain issues, including but not limited to, school closings (Minn. Stat. § 123B.51), truth in taxation (Minn. Stat. § 375.065) education district establishment (Minn. Stat. § 123A.15), and agreements for secondary education (Minn. Stat. § 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the discretion of the school board. Periodically, the school board is required by state law to hold public hearings to obtain public testimony or comment. A public hearing may occur as part of a regular or special meeting, or it may be the sole purpose of a special meeting.

C. Public Forums

~~Occasionally~~ The school board may schedule an open forum to create a venue in which the public can gather to become informed about a specific issue, ask questions, offer input, and/or engage in a public conversation.

#### IV. RIGHTS TO PRIVACY

School district employees and students have a legal right to privacy related to matters which may come before the school board as provided by Minnesota Law. During Board Listening Sessions, Public Hearings, and Public Forums speakers may offer objective criticism of school operations and programs, but no person may present orally or discuss personnel matters or complaints concerning specific employees or students, which should be addressed through established policies and procedures.

#### V. RESPONSIBILITIES

- A. Board Chair/Acting Chair – has the primary responsibility for monitoring compliance with this policy. The Board Chair may rule that a speaker is out of order and may require the speaker to end his or her presentation.
- B. Board Members – in the absence of a Board Chair, all members of the Board will be responsible for monitoring compliance with this policy.
- C. Public – members of the public attending a meeting of the Board will be expected to maintain appropriate and proper decorum at all times.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13D.05 (Open Meeting Law)

**Cross References:** Burnsville-Eagan-Savage School District Policy 103 (Complaints-Students, Employees, Parents, Other Persons/  
Burnsville-Eagan-Savage School District Policy 205 (Open Meetings and Closed Meetings)  
Burnsville-Eagan-Savage School District Policy 207 (Public Hearings)

Burnsville-Eagan-Savage School District Policy 406 (Public and Private Personnel Data)

Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)

MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)

MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)



**Future Ready. Community Strong.**

**Agenda II.B.7.  
April 13, 2017**

**To:** Board of Education

**From:** Dr. Joe Gothard, Superintendent

**Date:** April 7, 2017

**Re:** Review Board Policies 201: *Legal Status of the School Board*; 202: *School Board Officers*; 203: *Operation of the School Board - Governing Rules*; 203.1: *School Board Procedures Rules of Order*; 203.2: *Order of the Regular School Board Meeting*; 203.5: *School Board Meeting Agenda*; 204: *School Board Meeting Minutes*; and 205: *Open and Closed Meetings*

**Recommendation:** Approve the review of Board Policies 201: *Legal Status of the School Board*; 202: *School Board Officers*; 203: *Operation of the School Board - Governing Rules*; 203.1: *School Board Procedures Rules of Order*; 203.2: *Order of the Regular School Board Meeting*; 203.5: *School Board Meeting Agenda*; 204: *School Board Meeting Minutes*; and 205: *Open and Closed Meetings*.

Background Information: The Policy Review Committee will be reviewing all policies on a rotating basis every three to five years.

The Policy Review Committee met on March 21 to review the policies listed above and do not recommend any changes to the policies at this time.

Adopted: 4/23/2015

Burnsville-Eagan-Savage School District Policy 201

Reviewed: [04/09/154/13/2017](#)

Revised:

Rescinds:

## **201 LEGAL STATUS OF THE SCHOOL BOARD**

### **I. PURPOSE**

The care, management, and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties, and powers of the school board in carrying out its mission.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school board is the governing body of the school district. As such, the school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

### **III. DEFINITION**

“School board” means the governing body of the school district.

### **IV. ORGANIZATION AND MEMBERSHIP**

- A. The membership of the school board consists of seven elected directors. The term of office is four years.
- B. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.

### **V. POWERS AND DUTIES**

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.
- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
  - 1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
  - 2. conduct the business of the schools and pay indebtedness and proper expenses;
  - 3. employ and contract with necessary qualified teachers and discharge the same for cause;
  - 4. provide services to promote the health of its pupils;
  - 5. provide school buildings and erect needed buildings;
  - 6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
  - 7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
  - 8. employ and discharge necessary employees and contract for other services;
  - 9. provide for transportation of pupils to and from school, as governed by statute; and
  - 10. procure insurance against liability of the school district, its officers, and employees.
- F. The school board, at its discretion, may perform the following:

1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
2. furnish school lunches for pupils and teachers on such terms as the school board determines;
3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
4. lease rooms or buildings for school purposes;
5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
6. authorize cocurricular and extracurricular activities;
7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and
8. perform other acts as the school board shall deem to be reasonably necessary or required for the governance of the schools.

***Legal References:*** Minn. Stat. § 123A.22 (Cooperative Centers)  
Minn. Stat. § 123B.02 (General Powers)  
Minn. Stat. § 123B.09 (School Board Powers)  
Minn. Stat. § 123B.14 (School District Officers)  
Minn. Stat. § 123B.23 (Liability Insurance)  
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)  
Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)  
Minn. Stat. § 123B.85 (Definition)  
*Jensen v. Indep. Consol. Sch. Dist. No. 85*, 160 Minn. 233, 199 N.W. 911 (1924)

***Cross References:*** Burnsville-Eagan-Savage School District\_Policy 101 (Legal Status of the School District)  
Burnsville-Eagan-Savage School District\_Policy 202 (School Board Officers)  
Burnsville-Eagan-Savage School District\_Policy 203 (Operation of the School Board -Governing Rules)  
Burnsville-Eagan-Savage School District\_Policy 205 (Open Meetings and Closed Meetings)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Adopted: 08/2008  
Reviewed: [04/09/2015/13/2017](#)  
Revised: 04/23/2015  
Rescinds: BCB

*Burnsville-Eagan-Savage School District Policy 202*

## **202 SCHOOL BOARD OFFICERS**

### **I. PURPOSE**

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school board shall meet annually and organize by selecting a chair, a vice-chair, a clerk, and a treasurer.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

### **III. ORGANIZATION**

The school board shall meet annually on the second Thursday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers shall hold office for one year and until their successors are elected and qualify.

- A. The persons who perform the duties of clerk and treasurer need not be members of the school board.
- B. The school board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs.
- C. If a regularly scheduled board meeting is postponed due to bad weather, the meeting will be held at the discretion of the board chair and properly noticed.
- D. The school board will select the school district's legal counsel at the organizational meeting. The individuals authorized to contact legal counsel are the school board chair, the superintendent and his or her designees.

### **IV. OFFICER'S RESPONSIBILITIES**

- A. Chair

1. The chair when present shall preside at all meetings of the school board, preserve order, ensure all business before the school board is conducted with propriety and dispatch, countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions, and perform all duties a chair usually performs.
2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.
3. The chair will provide leadership in carrying out the powers and duties of the school board and act as spokesperson for the school board unless this responsibility has been delegated to others.
4. The chair will oversee all school board members' appointments to committees and outside organizations and bring such appointments to the school board for approval.
5. Other duties may be prescribed to the chair by law or school board action.

B. Vice-Chair

The vice-chair shall perform the duties of the chair in the event the chair is temporarily absent, assist the chair in the performance of his/her responsibilities, and plan and coordinate the school board's annual evaluation of the superintendent.

C. Treasurer

1. The treasurer shall deposit the funds of the school district in the official depository.
2. The treasurer shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

D. Clerk

1. The clerk shall keep a record of all meetings in the books provided.
2. Within three days after an election, the clerk shall notify all persons elected of their election.

3. On or before September 15 of each year, the clerk shall:
  - a. file with the school board a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.
  - b. make and transmit to the commissioner certified reports, showing:
    - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
    - (2) length of school term and enrollment and attendance by grades;
    - (3) the condition and value of school district property; and
    - (4) other items of information as called for by the commissioner.
4. The clerk shall enter into the clerk's record book copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the school district.
5. The clerk shall furnish to the county auditor, on or before September 30 of each year, an attested copy of the clerk's record, showing the amount of proposed property tax voted by the school district or the school board for school purposes.
6. The clerk shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the school board.
2. The superintendent shall perform the following:
  - a. visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;

- b. recommend to the school board employment and dismissal of teachers;
- c. annually evaluate each school principal assigned responsibility for supervising a school building within the district;
- d. superintend school grading practices and examinations for promotions;
- e. make reports required by the commissioner; and
- f. perform other duties prescribed by the school board.

***Legal References:*** Minn. Stat. § 123B.12 (Finance)  
Minn. Stat. § 123B.14 (Officers)  
Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 126C.17 (Referendum Revenue)  
Minn. Stat. Ch. 205A (School District Elections)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 101 (Legal Status of the School District)  
Burnsville-Eagan-Savage School District Policy 201 (Legal Status of the School Board)  
Burnsville-Eagan-Savage School District Policy 203 (Operation of the School Board – Governing Rules)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Adopted: 7/1985

Burnsville-Eagan-Savage School District Policy 203

Reviewed: [04/09/20154/13/2017](#)

Revised: 2/2012

Rescinds: BDDE

## **203 OPERATION OF THE SCHOOL BOARD – GOVERNING RULES**

### **I. PURPOSE**

The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

### **II. GENERAL STATEMENT OF POLICY**

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

### **III. RULES OF ORDER**

Rules of order for school board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
- C. *Robert's Rules of Order, Revised* (eleventh edition) where not inconsistent with A. and B., above.

**Legal References:** Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (School Board Matters)  
Minn. Stat. § 123B.14 (Officers)

**Cross References:**

Adopted: 07/1985

Burnsville-Eagan-Savage School District Policy 203.1

Reviewed: [04/09/2015/13/2017](#)

Revised: 04/23/2015

Rescinds: *BDDE*

## **203.1 SCHOOL BOARD PROCEDURES; RULES OF ORDER**

### **I. PURPOSE**

The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

### **II. GENERAL STATEMENT OF POLICY**

To ensure that school board meetings are conducted in an orderly fashion, the school board will follow rules of order which will allow the school board:

- A. To establish guidelines by which the business of the school board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the school board and decisions of the school board can be made in an orderly and reasonable manner;
- C. To insure that members of the school board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To insure that meetings and actions of the school board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

### **III. RULES OF ORDER**

- A. School board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. Some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion shall be recorded in the minutes.

- D. The chair shall decide the order in which school board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.
- E. The chair shall rule on all questions relating to motions and points of order brought before the school board.
- F. A ruling by the chair is subject to appeal to the full school board pursuant to Robert's Rules of Order.
- G. The school board shall have authority to recognize any member of the audience regarding a request to be heard at the school board meeting. Members of the public who wish to be heard shall follow school board procedures.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school board.
- K. The chair has the same right and responsibility as each school board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the school board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess, or to take measures to obtain a quorum.

***Legal References:*** Minn. Stat. § 13D.01, Subd. 4 (Open Meeting Law)  
Minn. Stat. § 122A.40 (Employment Contracts, Termination)  
Minn. Stat. § 123B.09, Subds. 6 and 7 (School Board Powers)  
Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)  
Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)

Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)

Minn. Stat. § 471.88 (Exceptions)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 203 (Operation of the School Board – Governing Rules)  
Burnsville-Eagan-Savage School District Policy 204 (School Board Meeting Minutes)  
Burnsville-Eagan-Savage School District Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
Burnsville-Eagan-Savage School District Policy 207 (Public Hearings)

Adopted: 04/23/2015

Burnsville-Eagan-Savage School District Policy 203.2

Reviewed: [04/09/20154/13/2017](#)

Revised:

Rescinds:

## **203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING**

### **I. PURPOSE**

The purpose of this policy is to ensure consistency in the order of business at regular school board meetings.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

### **III. ORDER**

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order similar to:

1. Call to order.
2. Welcome.
3. Pledge of Allegiance.
4. Public recognition.
5. Approval of agenda.
6. Consent agenda.
7. Approval of prior meeting minutes.
8. Personnel recommendations.
9. Donations.
10. Payroll, expenditures, receipts and investments.
11. Budget Analysis.
12. Other old or unfinished business.
13. New business.
14. Superintendent, board member and/or committee reports.
15. Adjournment.

B. Items in this order may be considered as part of a consent agenda.

C. The school board may depart from the order of business with the consent of the majority of members present.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 203 (Operation of the School Board – Governing Rules)  
Burnsville-Eagan-Savage School District Policy 203.5 (School Board Meeting Agenda)  
Burnsville-Eagan-Savage School District Policy 203.6 (Consent Agendas)

Adopted: 04/23/2015

Burnsville-Eagan-Savage School District Policy 203.5

Reviewed: [04/09/2015/13/2017](#)

Revised:

Rescinds:

## **203.5 SCHOOL BOARD MEETING AGENDA**

### **I. PURPOSE**

The purpose of this policy is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

### **II. GENERAL STATEMENT OF POLICY**

The policy of the school board is that school board meetings shall be conducted in a manner to allow the school board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

### **III. PROCEDURES**

- A. While all school board members may provide input, it shall be the responsibility of the school board chair and superintendent to develop, prepare, and arrange the order of items for the tentative school board meeting agenda for each school board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the school board chair or superintendent at least three days prior to the meeting. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired, and pertinent background information. The chair and superintendent shall determine whether to place the matter on the tentative agenda.
- C. The tentative agenda and supporting documents shall be sent to the school board members six (6) days prior to the scheduled regular school board meeting.
- D. Items may only be added to the agenda by a motion adopted at the meeting. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.
- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members shall be available in the meeting room for inspection by the public while the school board considers

their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

***Legal References:*** Minn. Stat. § 13D.01, Subd. 6 (Open Meeting Law)  
Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)  
Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)  
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 203 (Operation of the School Board – Governing Rules)  
Burnsville-Eagan-Savage School District Policy 203.2 (Order of the Regular School Board Meeting)  
Burnsville-Eagan-Savage School District Policy 203.6 (Consent Agendas)  
Burnsville-Eagan-Savage School District Policy 204 (School Board Meeting Minutes)  
Burnsville-Eagan-Savage School District Policy 207 (Public Hearings)

Adopted: 7/1985

Burnsville-Eagan-Savage School District Policy 204

Reviewed: [5/14/2015/13/2017](#)

Revised: 5/28/2015

Rescinds: BDDG

## **204 SCHOOL BOARD MEETING MINUTES**

### **I. PURPOSE**

The purpose of this policy is to establish procedures relating to the maintenance of records of the school board and the publication of its official proceedings.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

### **III. MAINTENANCE OF MINUTES AND RECORDS**

A. The clerk shall keep and maintain permanent records of the school board, including records of the minutes of school board meetings and other required records of the school board. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law shall be recorded in a journal kept for that purpose. Public records maintained by the school district shall be available for inspection by members of the public during the regular business hours of the school district. Minutes of meetings shall be available for inspection at the administrative offices of the school district after they have been prepared. Minutes of a school board meeting shall be approved or modified by the school board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.

#### **B. Recordings of Closed Meetings**

1. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the school district. Recordings of closed meetings shall be made separately from the recordings of an open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.
2. Recordings of closed meetings shall be preserved by the school district for the following time periods:
  - a. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.

- b. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
  - c. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting.
  - d. All other closed meetings shall be preserved by the school district for at least three (3) years after the date of the meeting.
  - e. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the school district's Records Retention Schedule.
3. Recordings of closed meetings shall be classified by the school district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
- a. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by the school district for the current budget period.
  - b. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school district has abandoned the purchase or sale.
  - c. Recordings of any other closed meetings shall be classified and/or released as required by court order.
4. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the school district, with the exception of recordings that have been classified as public data as set forth in Section III.B.3. above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.
5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
- a. The date of the closed meeting;
  - b. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and

- c. The classification of the data.
- 6. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

#### **IV. PUBLICATION OF OFFICIAL PROCEEDINGS**

- A. The school board shall cause its official proceedings to be published once in the official newspaper of the school district within thirty (30) days of the meeting at which the proceedings occurred; however, if the school board conducts regular meetings not more than once every thirty (30) days, the school board need not publish the minutes until ten (10) days after they have been approved by the school board.
- B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the school board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the school board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the school board, the proceedings to be published may reflect that fact.
- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the school board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the school district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the school district or by means of standard or electronic mail.

**Legal References:** Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)  
Minn. Stat. § 123B.09, Subd. 10 (Publishing Proceedings)  
Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)  
Minn. Stat. § 331A.01 (Definition)  
Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)  
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)  
Op. Atty. Gen. 161-a-20 (Dec. 17, 1970)  
*Ketterer v. Independent School District No. 1*, 248 Minn. 212, 79 N.W.2d 428 (1956)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 205 (Open Meetings and Closed Meetings)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Adopted: 7/1985

Burnsville-Eagan-Savage School District Policy 205

Reviewed: [5/14/2015/13/2017](#)

Revised: 5/28/2015

Rescinds: BD

## **205 OPEN MEETINGS AND CLOSED MEETINGS**

### **I. PURPOSE**

- A. The school board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the school board.
- B. The purpose of this policy is to provide guidelines to assure the rights of the public to be present at school board meetings, while also protecting the individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

### **II. GENERAL STATEMENT OF POLICY**

- A. Except as otherwise expressly provided by statute, all meetings of the school board, including executive sessions, shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

### **III. DEFINITION**

“Meeting” means a gathering of at least a quorum or more members of the school board, or quorum of a committee or subcommittee of school board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the school board. The term does not include a chance or social gathering.

### **IV. PROCEDURES**

- A. Meetings
  - 1. Regular Meetings

A schedule of the regular meetings of the school board shall be kept on file at its primary offices. If the school board decides to hold a regular meeting at a time or place different from the time or place stated in its schedule, it shall give the same notice of the meeting as for a special meeting.

2. Special Meetings

- a. For a special meeting, the school board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district or on the door of the school board's usual meeting room if there is no principal bulletin board. The school board's actions at the special meeting are limited to those topics included in the notice.
- b. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings.
- c. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the school board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.
- d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the school board is required to send notice to that person only concerning those particular subjects.
- e. The school board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than 60 days before the expiration date of request for notice, the school board shall send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

- a. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the school board, require immediate consideration.
- b. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.

- c. The school board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- d. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the school board.
- e. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the school board members.
- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

4. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

6. Actual Notice

If a person receives actual notice of a meeting of the school board at least 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

7. Health Pandemic or Declared Emergency

In the event of a health pandemic or an emergency declared under Minn. Stat. Ch. 12, a meeting may be conducted by telephone or other electronic means in compliance with Minn. Stat. § 13D.021.

B. Votes

The votes of school board members shall be recorded in a journal kept for that purpose, and the journal shall be available to the public during all normal business hours at the administrative offices of the school district.

C. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communications, relating to the agenda items prepared or distributed by the school board or its employees and distributed to or available to all school board members shall be available in the meeting room for inspection by the public while the school board considers their subject matter.
2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

D. Data

1. Meetings may not be closed merely because the data to be discussed are not public data.
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the school board's authority and is reasonably necessary to conduct the business or agenda item before the school board.
3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

E. Closed Meetings

1. Labor Negotiations Strategy
  - a. The school board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.
  - b. The time and place of the closed meeting shall be announced at the public meeting. A written roll of school board members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings shall be tape recorded, and the tape recording shall be preserved for two years after the contract discussed at the meeting is signed. The recording shall be made available to the public after all labor contracts are signed by the school board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services

All negotiations, mediation sessions, and hearings between the school board and its employees or their respective representatives are public meetings. These meetings may be closed only by the Commissioner of the Bureau of Mediation Services (BMS). The use of recording devices, stenographic records, or other recording methods is prohibited in mediation meetings closed by the BMS.

3. Preliminary Consideration of Charges

The school board shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the school board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

4. Performance Evaluations

The school board may close a meeting to evaluate the performance of an individual who is subject to its authority. The school board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the school board shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

5. Attorney-Client Meeting

A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or threatened, or when the school board needs advice above the level of general legal advice, i.e., regarding specific acts and their legal consequences. A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state

and federal law. The law does not require that such a meeting be recorded.

6. Dismissal Hearing

- a. A hearing on the dismissal of a licensed teacher shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- b. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing.
- c. To the extent a teacher or student dismissal hearing is held before the school board and is closed, the closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- a. If the school board has declined to renew the coaching assignment of a licensed or nonlicensed head varsity coach, it must notify the head coach within 14 days of that decision.
- b. If the head coach requests the reasons for the nonrenewal, the school board must give the head coach the reasons in writing within 10 days of receiving the request.
- c. On the request of the head coach, the school board must provide the head coach with a reasonable opportunity to respond to the reasons at a school board meeting.
- d. The meeting may be open or closed at the election of the head coach unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2, to discuss educational or certain other nonpublic data.
- e. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if the following types of data are discussed:

- a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- b. active investigative data collected or created by a law enforcement agency;
- c. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- d. an individual's personal medical records.
- e. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

9. Purchase and Sale of Property

- a. The school board may close a meeting:
  - (1) to determine the asking price for real or personal property to be sold by the school district;
  - (2) to review confidential or nonpublic appraisal data; and
  - (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- b. Before closing the meeting, the school board must identify on the record the particular real or personal property that is the subject of the closed meeting.
- c. The closed meeting must be tape recorded at the expense of the school district. The tape must be preserved for eight years after the date of the meeting and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school board has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of school board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.
- d. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the school board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

10. Security Matters

- a. The school board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the school board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the school district and the recording must be preserved for at least four years.

11. Other Meetings

Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

F. Procedures for Closing a Meeting

The school board shall provide notice of a closed meeting just as for an open meeting. A school board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the school board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 179A.14, Subd. 3 (Labor Negotiations)  
Minn. Rules Part 5510.2810 (Bureau of Mediation Services)  
*Brown v. Cannon Falls Township*, 723 N.W.2d 31 (Minn. App. 2006)  
*Brainerd Daily Dispatch v. Dehen*, 693 N.W.2d 435 (Minn. App. 2005)

*The Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. App. 2004)  
*Prior Lake American v. Mader*, 642 N.W.2d 729 (Minn. 2002)  
*Star Tribune v. Board of Education, Special School District No. 1*, 507 N.W.2d 869 (Minn. App. 1993)  
*Minnesota Daily v. University of Minnesota*, 432 N.W.2d 189 (Minn. App. 1988)  
*Moberg v. Independent School District No. 281*, 336 N.W.2d 510 (Minn. 1983)  
*Sovereign v. Dunn*, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)  
 Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)  
 Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)  
 Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)  
 Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)  
 Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)  
 Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)  
 Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

***Cross References:*** Burnsville-Eagan-Savage School District Policy 204 (School Board Meeting Minutes)  
 Burnsville-Eagan-Savage School District Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
 Burnsville-Eagan-Savage School District Policy 207 (Public Hearings)  
 Burnsville-Eagan-Savage School District Policy 406 (Public and Private Personnel Data)  
 Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)  
 MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)



**Agenda II.B.8.  
April 13, 2017**

**To: Members, Board of Education  
Superintendent Gothard**

**From: Lisa K. Rider, Executive Director of Business Services**

**Date: April 13, 2017**

**Re: Change Orders #257 and #258 for the 2015 Additions and Alterations to  
Burnsville High School**

RECOMMENDATION: That the Board of Education approve change Orders #257 and #258 for the 2015 Additions and Alterations to Burnsville High School.

On May 28<sup>th</sup>, 2015 the school board awarded contracts for bid package #1, on June 25, 2015 the school board awarded one contract for bid package #2, on August 13, 2015 the school board awarded contracts for bid package #3 and on October 22, November 5, November 19 and December 17, 2015 school board awarded contracts for bid package #4 for the 2015 Additions and Alterations to the Burnsville High School.

Change order #257 for contract #0610 (George F Cook Construction Co.) is in the amount of \$7,559.00. Items on this change order include modifications to the curtain partitions in the CNA lab, removal of existing hardware and installation of new hardware on the hollow metal doors to meet code in the keyboard lab, the removal and reinstallation of Marlite panels due to a leak which was backed charged to El Jay Plumbing and Heating and a credit for unused allowances.

Change order #258 for contract #3210 (Midwest Asphalt Corporation) is in the amount of \$52,059.00. The additional cost to this contract is the result of soil corrections that were needed in parking lots that were being reconstructed at the Burnsville High School.

To date total change orders in amount of \$2,385,957.00 to the 45 original contract amounts of \$37,734,946.00 brings the total contracts with change orders to \$40,120,903.00. This represents change orders of 6.32% of original bid amounts.



The items on these change orders have been reviewed and validated by ATS&R Architects and Engineers and WENCK Construction Inc.

# CHANGE ORDER

CONSTRUCTION MANAGER-ADVISER EDITION

AIA DOCUMENT G701/CMa FEB 17 2017

MAR 14 2017

OWNER	<input checked="" type="checkbox"/>	PCO # 257
CONSTRUCTION MANAGER	<input checked="" type="checkbox"/>	
ARCHITECT	<input checked="" type="checkbox"/>	
CONTRACTOR	<input checked="" type="checkbox"/>	
FIELD	<input type="checkbox"/>	
OTHER	<input type="checkbox"/>	

(Instructions on reverse side)

PROJECT: 2015 ADDITIONS & ALTERATIONS TO  
 (Name and address) BURNSVILLE HIGH SCHOOL BP #4  
 600 EAST HIGHWAY 13  
 BURNSVILLE, MINNESOTA 55337

CHANGE ORDER NO.: 610.008

INITIATION DATE: 02/09/17

TO CONTRACTOR: GEORGE F COOK CONSTRUCTION CO  
 (Name and address) 2300 NEVADA AVENUE NORTH SUITE 200  
 GOLDEN VALLEY, MINNESOTA 55427

PROJECT NOS.: 301504.01

CONTRACT FOR: Contract #0610  
 Selective Demolition  
 /Carpentry

CONTRACT DATE: 10/22/2015

The Contract is changed as follows:

Provide labor and material as necessary to complete the work as noted on the attached Page #2

# RECEIVED

FEB 22 2017

Not valid until signed by the Owner, Construction Manager, Architect and Contractor.

The original (Contract Sum) ( <del>XXXXXXXXXXXX</del> ) was .....	\$	1,443,000.00
Net change by previously authorized Change Orders .....	\$	89,240.00
The (Contract Sum) ( <del>XXXXXXXXXXXX</del> ) prior to this Change Order was .....	\$	1,532,240.00
The (Contract Sum) ( <del>XXXXXXXXXXXX</del> ) will be (increased) ( <del>decreased</del> ) ( <del>unchanged</del> ) by this Change Order .....	\$	7,559.00
The new (Contract Sum) ( <del>XXXXXXXXXXXX</del> ) including this Change Order will be .....	\$	1,539,799.00
The Contract Time will be ( <del>increased</del> ) ( <del>decreased</del> ) (unchanged) by .....	zero	( -0- ) days
The date of Substantial Completion as of the date of this Change Order therefore is .....		

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive. unchanged.

### WENCK CONSTRUCTION INC.

CONSTRUCTION MANAGER  
 7500 Olson Memorial Hwy, Golden Valley, MN 55427

ADDRESS: Mark Hovelson  
 BY: Mark Hovelson DATE: 2/20/17

### ARMSTRONG, TORSETH, SKOLD, & RYDEEN ARCHITECT

ARCHITECT  
 8501 Golden Valley Road, Ste. 300, Mpls., MN 55427

ADDRESS: [Signature]  
 BY: [Signature] DATE: 3/13/17

### GEORGE F COOK CONSTRUCTION CO

CONTRACTOR  
 2300 Nevada Ave. North, Ste 200, Golden Valley, MN 55427

ADDRESS: [Signature]  
 BY: [Signature] DATE: 17 FEB 17

### BURNSVILLE-EAGAN-SAVAGE PUBLIC SCHOOLS

OWNER  
 100 River Ridge Court, Burnsville, MN 55337

ADDRESS: \_\_\_\_\_  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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# Subcontract Change Order

Detailed, Grouped by Each Number

**Burnsville High School**

**Project # 30150401**

Tel: 952-707-2000 Fax: 952-707-2102

**Date: 2/9/2017**

**To Subcontractor/Vendor:**

George F. Cook Construction  
2300 Nevada Avenue North Suite 200  
Golden Valley, Minnesota 55427

**Architect's Project No:**

**Contract Date:**

**Contract Number: 0610**

**Change Order Number: 008**

The Contract is hereby revised by the following items:

PCO	Item #	Description	Amount
PR-137	007	Modifications to the Cubical Curtains.	3,950
PR-164	001	Remove and install new hardware per PR 164.	430
RCO-209	001	Remove/Reinstall Marlite Panels Due to Leak. Back charge to El Jay.	3,283
RCO-216	001	Credit for unused allowances	-104

The original Contract Value was.....	1,443,000
Sum of changes by prior Subcontract Change Orders.....	89,240
The Contract Value prior to this Subcontract Change Order was.....	1,532,240
The Contract Value will be changed by this Subcontract Change Order in the amount of.....	7,559
The new Contract Value including this Subcontract Change Order will be.....	1,539,799
The Contract duration will be changed by.....	0 days
The revised Substantial Completion date as of this Subcontract Change Order is.....	

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
Address

BY \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

George F. Cook Construction  
\_\_\_\_\_  
SUBCONTRACTOR/VENDOR  
2300 Nevada Avenue North Suite 200  
Golden Valley, Minnesota 55427  
\_\_\_\_\_  
Address

BY \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

*OK*

# CHANGE ORDER

CONSTRUCTION MANAGER-ADVISER EDITION

AIA DOCUMENT G701/CMa

OWNER   
 CONSTRUCTION MANAGER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

PCO # 258

(Instructions on reverse side)

PROJECT: 2015 ADDITIONS & ALTERATIONS TO  
 (Name and address) BURNSVILLE HIGH SCHOOL BP #3  
 600 EAST HIGHWAY 13  
 BURNSVILLE, MINNESOTA 55337

CHANGE ORDER NO.: 3210.006

INITIATION DATE: 03/06/17

TO CONTRACTOR: MIDWEST ASPHALT CORPORATION  
 (Name and address) 6340 INDUSTRIAL DRIVE SUITE #200  
 EDEN PRAIRIE, MINNESOTA 55346

PROJECT NOS.: 301504.01

CONTRACT FOR: Contract #3210

CONTRACT DATE: Asphalt Paving/Curbs

8/13/2015

The Contract is changed as follows:

Provide labor and material as necessary to complete the work as noted on the attached Page #2

Not valid until signed by the Owner, Construction Manager, Architect and Contractor.

The original (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) .....	\$	921,900.00
Net change by previously authorized Change Orders .....	\$	(11,784.00)
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) prior to this Change Order was .....	\$	910,116.00
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) will be (increased) ( <del>decreased</del> ) ( <del>unchanged</del> ) by this Change Order .....	\$	52,059.00
The new (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) including this Change Order will be ...	\$	962,175.00
The Contract Time will be (increased) ( <del>decreased</del> ) ( <del>unchanged</del> ) by .....	zero	( -0- ) days
The date of Substantial Completion as of the date of this Change Order therefore is .....		unchanged.

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

WENCK CONSTRUCTION INC.  
 CONSTRUCTION MANAGER  
 7500 Olson Memorial Hwy, Golden Valley, MN 55427  
 ADDRESS  
 BY *Todd Duer* DATE 3/15/17

ARMSTRONG, TORSETH, SKOLD, & RYDEEN ARCH.  
 ARCHITECT  
 8501 Golden Valley Road, Ste. 300, Mpls., MN 55427  
 ADDRESS  
 BY *W J Ferguson* DATE 3/15/17

MIDWEST ASPHALT CORPORATION  
 CONTRACTOR  
 6340 Industrial Drive, Suite #200, Eden Prairie, MN 55346  
 ADDRESS  
 BY *Wenck Construction* DATE 3/18/17

BURNSVILLE-EAGAN-SAVAGE PUBLIC SCHOOLS  
 OWNER  
 200 W Burnsville Parkway, Burnsville, MN 55337  
 ADDRESS  
 BY \_\_\_\_\_ DATE \_\_\_\_\_



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# Subcontract Change Order

Detailed, Grouped by Each Number

Burnsville High School

Project # 30150401

Tel: 952-707-2000 Fax: 952-707-2102

Date: 3/6/2017

To Subcontractor/Vendor:

Midwest Asphalt Corporation

P. O. Box 5477

Hopkins, MN 55343

Architect's Project No:

Contract Date:

Contract Number: 3210

Change Order Number: 006

The Contract is hereby revised by the following items:

PCO	Item #	Description	Amount
RCO-208	001	Additional soils correction in the parking lots as directed by NTI.	52,059

The original Contract Value was.....	921,900
Sum of changes by prior Subcontract Change Orders.....	-11,784
The Contract Value prior to this Subcontract Change Order was.....	910,116
The Contract Value will be changed by this Subcontract Change Order in the amount of.....	52,059
The new Contract Value including this Subcontract Change Order will be.....	962,175
The Contract duration will be changed by.....	0 days
The revised Substantial Completion date as of this Subcontract Change Order is.....	

\_\_\_\_\_  
 CONTRACTOR

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 BY

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 DATE

Midwest Asphalt Corporation  
 \_\_\_\_\_  
 SUBCONTRACTOR/VENDOR  
 P. O. Box 5477  
 Hopkins, MN 55343  
 \_\_\_\_\_  
 Address

BY Paul A. Hofer  
 \_\_\_\_\_  
 SIGNATURE Paul A. Hofer

DATE 3/8/17  
 \_\_\_\_\_

# BHS Budget Report with Change Orders

Information	Company	Wenck Estimates	Awarded Bid	Change Orders To Date	Percent of Change	Numer of Change Orders	Contract Amount With Change Orders	Percent of paid to Date
Bid Pack #1								
Contract #0600 General Construction Shop Annex	Ebert Construction	\$919,600.00	\$671,900.00	\$95,682.00	14.24%	18	\$767,582.00	100.00%
Contract #2300 Mechanical	Klamm Mechanical	\$647,800.00	\$900,000.00	\$47,621.00	5.29%	9	\$947,621.00	95.00%
Contract #2600 Electrical	Peoples Electric	\$293,600.00	\$566,500.00	\$90,391.00	15.96%	16	\$656,891.00	100.00%
Contract #3110 Site Demolition and Improvements	Max Steininger Inc.	\$775,285.10	\$530,000.00	\$347,577.00	65.58%	9	\$877,577.00	94.12%
Contract #3300 Site Utility Relocation	Veit & Co.	\$243,170.00	\$410,000.00	\$114,909.00	28.03%	6	\$524,909.00	100.00%
Contract #0240 Building Demolition	Veit & Co.	\$366,047.14	\$71,039.00	\$30,496.00	42.93%	5	\$101,535.00	100.00%
		<u>\$3,245,502.24</u>	<u>\$3,149,439.00</u>	<u>\$726,676.00</u>			<u>\$3,876,115.00</u>	
Bid Pack #2								
Contract #0345 Precast Concrete Wall Panels	Wells Concrete	\$2,403,594.00	\$2,615,000.00	(\$104,208.00)	-3.99%	5	\$2,510,792.00	94.43%
		<u>\$2,403,594.00</u>	<u>\$2,615,000.00</u>	<u>(\$104,208.00)</u>			<u>\$2,510,792.00</u>	
Bid Pack #3								
Contract #0420 Masonry	Crosstown Masonry Incorporated	\$1,305,616.00	\$1,240,000.00	\$94,132.00	7.59%	9	\$1,334,132.00	95.00%
Contract #3301 Site Utilities	Metro Utilities, Inc.	\$181,880.00	\$288,750.00	\$23,674.00	8.20%	6	\$312,424.00	95.00%
Contract #3290 Landscaping/Irrigation Systems	Urban Companies, LLC	\$305,275.00	\$240,069.00	\$51,972.00	21.65%	8	\$292,041.00	95.00%
Contract #3210 Asphalt Paving/Curbs	Midwest Asphalt Corporation	\$1,244,655.00	\$921,900.00	\$40,275.00	4.37%	6	\$962,175.00	90.97%
Contract #3100 Earthwork/Site Demolition	Max Steininger Inc.	\$1,179,458.00	\$1,071,000.00	\$122,691.00	11.46%	10	\$1,193,691.00	92.72%
Contract #2202 Mechanical	Klamm Mechanical	\$551,250.00	\$872,000.00	\$45,857.00	5.26%	8	\$917,857.00	95.00%
Contract #0510 Structural Steel Erection	Red Cedar Steel Erectors, Inc.	\$599,057.00	\$582,300.00	\$14,680.00	2.52%	5	\$596,980.00	100.00%
Contract #0340 Structural Precast Concrete	Wells Concrete	\$1,013,719.00	\$933,340.00	(\$9,510.00)	-1.02%	3	\$923,830.00	95.98%
Contract #0330 Cast-In-Place Concrete	Northland Concrete & Masonry, LLC	\$2,739,043.00	\$2,617,189.00	\$293,885.00	11.23%	15	\$2,911,074.00	95.00%
Contract #0241 Building Demolition	Lloyd's Construction Services Inc.	\$146,221.00	\$285,155.00	\$108,649.00	38.10%	4	\$393,804.00	95.00%
Contract #0512 Structural Steel Supply	American Structural Metals, Inc.	\$788,856.00	\$898,900.00	(\$23,172.00)	-2.58%	6	\$875,728.00	95.29%

Information	Company	Wenck Estimates	Awarded Bid	Change Orders To Date	Percent of Change	Numer of Change Orders	Contract Amount With Change Orders	Percent of paid to Date
		<u>\$10,055,030.00</u>	<u>\$9,950,603.00</u>	<u>\$763,133.00</u>			<u>\$10,713,736.00</u>	
Bid Pack #4								
Contract #0790 Caulking/Firestopping/Traffic Coatings	The Caulkers Company, Inc.	\$96,495.00	\$86,900.00	\$0.00	0.00%	0	\$86,900.00	95.00%
Contract #0335 Polished Concrete Floors	Questmark Flooring	\$33,633.60	\$15,969.00	\$0.00	0.00%	0	\$15,969.00	95.00%
Contract #0511 Miscellaneous Metals - Erection	Red Cedar Steel Erectors, Inc.	\$58,387.35	\$126,500.00	(\$1,489.00)	-1.18%	1	\$125,011.00	95.00%
Contract #0550 Miscellaneous Metals Fabrication- Supply	American Structural Metals, Inc.	\$411,285.00	\$802,450.00	(\$5,121.00)	-0.64%	3	\$797,329.00	95.00%
Contract #0990 Painting	Fransen Decorating, Inc.	\$401,378.25	\$230,305.00	\$16,252.00	7.06%	4	\$246,557.00	84.31%
Owner Direct - Architectural Purchase	Haldeman-Homme Inc.	\$1,636,582.50	\$1,084,781.00	(\$15,152.00)	-1.40%	11	\$1,069,629.00	94.26%
Contract #2601 Electrical/Communications/Security/Paging	Peoples Electric	\$3,736,950.00	\$3,558,650.00	\$271,538.00	7.63%	13	\$3,830,188.00	94.56%
Contract #2305 Testing and Balancing	Marcus Global, Inc.	\$71,299.20	\$67,800.00	\$0.00	0.00%	0	\$67,800.00	76.30%
Contract #2302 HVAC/Temperature Controls	Thelen Heating & Roofing, Inc.	\$3,479,700.00	\$2,751,800.00	\$81,832.00	2.97%	9	\$2,833,632.00	95.00%
Contract #2200 Plumbing and Heating	El-Jay Plumbing & Heating, Inc.	\$3,709,440.00	\$3,269,000.00	\$163,090.00	4.99%	11	\$3,432,090.00	92.16%
Contract #2100 Fire Protection	Total Fire Protection, Inc.	\$427,798.35	\$418,890.00	\$26,777.00	6.39%	2	\$445,667.00	95.00%
Contract #1440 Wheelchair Lift	DRN Enterprises, d.b.a Arrow Lift	\$15,750.00	\$26,989.00	\$1,384.00	5.13%	1	\$28,373.00	90.37%
Contract #1420 Elevators	ThyssenKrupp Elevator Americas	\$189,000.00	\$200,047.00	\$4,500.00	2.25%	1	\$204,547.00	92.91%
Contract #1140 Food Service Equipment	Advanced Contract Equipment and Design	\$15,750.00	\$18,381.00	\$7,216.00	39.26%	3	\$25,597.00	97.78%
Contract #0610 Selective Demolition/Carpentry	George F. Cook Construction Co.	\$1,521,190.65	\$1,443,000.00	\$96,799.00	6.71%	8	\$1,539,799.00	92.29%
Contract #1022 Folding Panel Partitions	W.L. Hall Company	\$61,425.00	\$52,904.00	\$0.00	0.00%	0	\$52,904.00	95.00%
Contract #0750 Roofing and Metal Panels	Palmer West Construction Company, Inc.	\$2,206,743.00	\$1,603,200.00	\$30,993.00	1.93%	6	\$1,634,193.00	95.00%
Contract #0966 Epoxy Terrazzo Flooring	Advance Terrazzo Flooring	\$612,417.75	\$508,000.00	\$25,096.00	4.94%	3	\$533,096.00	95.00%
Contract #0965 Resilient Flooring/Carpet	Floors by Becker, Inc.	\$368,131.05	\$431,132.00	\$27,885.00	6.47%	2	\$459,017.00	95.00%
Contract #0950 Acoustical Ceilings	Kirk Acoustics	\$383,939.85	\$300,280.00	\$12,225.00	4.07%	2	\$312,505.00	83.09%
Contract #0930 Tile	Multiple Concepts Interiors, Inc.	\$886,415.25	\$1,324,000.00	\$21,763.00	1.64%	6	\$1,345,763.00	95.00%

Information	Company	Wenck Estimates	Awarded Bid	Change Orders To Date	Percent of Change	Numer of Change Orders	Contract Amount With Change Orders	Percent of paid to Date
Contract #0920 Drywall/Cold Formed Metal Framing/DEF	Commercial Drywall, Inc.	\$1,222,033.05	\$609,850.00	\$93,870.00	15.39%	8	\$703,720.00	94.32%
Contract #0840 Aluminum Entrances I Storefronts I Curta	Envision Glass, Inc.	\$1,668,936.15	\$1,276,534.00	\$19,337.00	1.51%	4	\$1,295,871.00	94.41%
Contract #0833 Coiling/Overhead Doors	Overhead Door of the Northland	\$76,125.00	\$73,689.00	\$0.00	0.00%	0	\$73,689.00	85.09%
Contract #0810 Doors/Frames/Hardware - Supply	Kendell Doors & Hardware, Inc.	\$445,068.75	\$409,848.00	\$37,843.00	9.23%	6	\$447,691.00	94.02%
Owner Direct - Chiller Plant Purchase	Train Co.	\$1,470,000.00	\$1,296,580.00	\$83,718.00	6.46%	5	\$1,380,298.00	86.91%
Contract #1044 Signage	( Lawrence) Walker Sign Holdings, Inc.	\$47,250.00	\$32,425.00	\$0.00	0.00%	0	\$32,425.00	95.00%
		<u>\$25,253,124.75</u>	<u>\$22,019,904.00</u>	<u>\$1,000,356.00</u>			<u>\$23,020,260.00</u>	
	Grand Totals	<b><u>\$40,957,250.99</u></b>	<b><u>\$37,734,946.00</u></b>	<b><u>\$2,385,957.00</u></b>	<b>6.32%</b>		<b><u>\$40,120,903.00</u></b>	
							<b><u>\$41,716,739.00</u></b>	

REVIEW AND COMMENT CONSTRUCTION BUDGET WITH ALTERNATIVE FACILITIES FUNDING

**\$41,716,739.00**



**Agenda III.A.**

**To:** Members, Board of Education

**From:** Stacey Sovine, Executive Director of Human Resources

**Date:** April 13, 2017

**Re:** Approve Premiums and Rates for Employee Benefits

**RECOMMENDATION:** That the Board of Education approves the FY18 premiums and rates for employee benefits.

Below are the premiums/rates for the respective employee benefits for our July 1, 2017 through June 30, 2018 plan years.

**Health Self Insured Employee Benefit:**

Family coverage, Annual premium of \$23,019.48 and a \$2,000 HRA contribution for a monthly combined premium of \$2,084.96

Single coverage, Annual premium of \$8,974.92 and a \$1,000 HRA contribution for a monthly combined premium of \$831.25

**Dental Self Insured Employee Benefit with Delta Dental:**

Family coverage full monthly premium of \$93.94 and an annual cost of \$1,127.28  
Single coverage full monthly premium of \$35.97 and an annual cost of \$431.54

**Group Life Insurance:**

Rates hold at \$0.086 per \$1,000 effective July 1, 2017

**Long Term Disability Insurance:**

Rates hold at .00418 per \$1,000 effective July 1, 2017

Employer and Employee portion of above premiums and rates are dependent upon contract language covering employee's employment with the district.



**AGENDA III.B.  
April 13, 2017**

**TO:** Members, Board of Education  
Dr. Joe Gothard, Superintendent

**FROM:** Lisa K. Rider, Executive Director of Business Services

**DATE:** April 6, 2017

**RE:** Approve agreement between the City of Burnsville and ISD 191 for school liaison services.

**RECOMMENDATION:** That the Board of Education approves the Agreement between the City of Burnsville and ISD 191 for the purpose of funding school liaison services effective July 1, 2017 for the 2017-18 school year with renewal for no more than three more years.

The proposed contract includes a cost of \$84,788 for the services of two (2) FTE School Resource Officers at the Burnsville High School for 2017-2018 school year. The costs proposed through 2019-2020 school years represent an annual 3% increase similar to our most current multi-year agreement with the City of Burnsville.

I recommend approval of the agreement between City of Burnsville and ISD 191 for school liaison services.

**SCHOOL LIAISON SERVICES AGREEMENT**

**THIS AGREEMENT**, dated this \_\_\_\_ day of \_\_\_\_\_, 2017, is between **INDEPENDENT SCHOOL DISTRICT 191 (“ISD 191”)** and the **CITY OF BURNSVILLE**, a Minnesota municipal corporation (“**City**”).

**WHEREAS**, ISD 191 and the City desire to participate in providing specialized security services with the school setting; and

**WHEREAS**, this program is designed and intended to provide staff and students with friendly and personal contact with the Dakota County Juvenile Court System; and

**WHEREAS**, the parties desire to promote a positive and safe learning environment and easy access to police and other services provided by the City and Dakota County.

**NOW, THEREFORE**, in consideration of the mutual undertakings herein, the parties agree as follows:

1. **TERM**. The initial term of this Agreement shall be for one year commencing on July 1, 2017. This Agreement shall automatically renew for an additional one year term, and for no more than three additional extensions, unless written notice is given from one party to the other at least ninety (90) days prior to the expiration of the renewal term.

2. **SERVICES**.

A. **SERVICES TO BE PROVIDED.**

Burnsville High School: Two (2) FTE School Resource Officers

- i. Provide easy access for staff and students for support with issues and student problems which may require an understanding of the Dakota County Juvenile Court System.

- ii. Maintain community outreach officer services to the school on a daily basis providing intervention for possession of or use of drugs.
- iii. Develop positive rapport between students and law enforcement officials for friendly and personal contact opportunities.
- iv. Provide positive education and environment for students and staff via increased peace of mind as a result of officers presence.
- v. Provide community outreach services to member school communities.
- vi. Network with other community agencies which may be working within the community.
- vii. Provide other services consistent with the City’s current job description for school liaison officer.

**3. COST OF SERVICES.**

A. The School District shall reimburse the City for the term of this agreement set forth as follows:

2017/2018 School Year	\$84,788
2018/2019 School Year	\$87,332
2019/2020 School Year	\$89,952

**4. PAYMENT FOR SERVICES.** Payments to the City for services provided shall be made on an annual basis upon an invoice submitted each year by the City. Payment shall be made within thirty (30) days of receipt of the invoice.

**5. RECORDS AVAILABILITY AND RETENTION.** Pursuant to Minn. Stat. § 16B.06, Subd. 4, ISD 191 agrees that the City, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may

reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of ISD 191 and involve transactions relating to this Agreement.

**6. DATA PRACTICES.** All data collected, created, received, maintained, or disseminated or used for any purposes in the courts of this Agreement by each party is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such act now in force or as adapted, as well as federal regulations on data privacy.

**7. INDEMNIFICATION.** Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. Each party's liability shall be governed by the provisions of Minnesota Statute Chapter 466 and other applicable law as modified hereby.

**8. INSURANCE.** The City shall at all times during the term of this Agreement keep in force adequate insurance for:

- A. General Liability.
- B. Professional Liability.
- C. Automobile Liability.
- D. Workers' Compensation Insurance as required by Minnesota Statute.

**9. MERGER AND MODIFICATION.**

A. It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.

B. Any material alterations, variations, modifications, or waivers of provisions of this Agreement shall be valid only when they have been reduced to writing as an amendment and signed by the parties.

**10. SUBCONTRACTING.** The City shall not enter into any subcontract for performance of any services contemplated under this Agreement without the prior written approval of ISD 191 and subject to such conditions and provisions as they may deem necessary.

**11. NONDISCRIMINATION.** During the performance of this Agreement, the parties agree to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable federal and state laws against discrimination.

**12. TERMINATION.** This Agreement may be terminated with or without cause by any party. To be effective, the notice of termination must be given in writing after January 1 and before August 30. The termination shall become effective six months after receipt of the notice.

**13. AMENDMENTS FOR CHANGED CIRCUMSTANCES.**

The Parties acknowledge that resources and needs may change during the term of this Agreement. Either party may propose amendments to this Agreement at any time by submitting a written request for modification to the other party. Any request shall be promptly reviewed and responded to in writing by the receiving party.

**14. NOTICES.** All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, to the following addresses:

If to City: City of Burnsville  
Chief Eric Gieseke  
100 Civic Center Pkwy.  
Burnsville, MN 55337

With Copy to: Burnsville City Attorney  
Campbell Knutson P.A.  
1380 Corporate Center, Suite 317  
Eagan, MN 55121

If to ISD 191: Independent School District 191  
100 River Ridge Court  
Burnsville, MN 55337

Dated: \_\_\_\_\_

**CITY OF BURNSVILLE**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Manager

Dated: \_\_\_\_\_

**INDEPENDENT SCHOOL DISTRICT 191**

By: \_\_\_\_\_  
School Board Clerk

By: \_\_\_\_\_  
Superintendent

**Burnsville-Eagan-Savage School District 191  
Individualized Student Services**

200 W. Burnsville Pkwy  
Burnsville, MN 55337  
952.707.2082



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TO: Members, Board of Education  
Superintendent Joe Gothard

Agenda Item III.C  
April 13, 2017

FROM: Stephanie A. Corbey, Executive Director

DATE: March 24, 2017

RE: Approve 2017-2018 Early Childhood Special Education Birth-to-Three Program and  
Evaluation Team Calendar

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**RECOMMENDATION:** *That the Board of Education approve the 2017-2018 Birth-to-Three Early Childhood Special Education Program and Evaluation Team Calendar. This calendar is unique as the services and programming occur throughout the calendar year.*

Services for infants and toddlers are provided through an Individual Family Services Plan (IFSP) and referrals are taken by the Birth-to-Three Early Childhood Special Education Program year round. Over 200 families are served in this district program.

Legal mandates require that an evaluation for program eligibility occur within 45 calendar days of the referral and that services start without delay. This calendar has been developed in order for the program staff to meet these timelines.

This calendar reflects the same number of contracted staff work days “stretched” across the entire year to limit the length of breaks. The professional development and conference days have been aligned with the district school calendar to facilitate collaboration with other district programs.

# Independent School District 191

## Burnsville/Eagan/Savage

### Birth-3 ECSE Program

### 2017-2018 Calendar

- School in Session
- Holidays/Breaks
- Teacher Workdays (Without Students)

July 2017						
S	M	T	W	T	F	S
						1
2	<del>3</del>	<del>4</del>	<del>5</del>	<del>6</del>	<del>7</del>	8
9	10	11	12	13	14	15
16	17	18	19	20	<del>21</del>	22
23	24	25	26	27	28	29
30	31					

August 2017						
S	M	T	W	T	F	S
		1	2	3	4	5
6	<del>7</del>	<del>8</del>	<del>9</del>	<del>10</del>	<del>11</del>	12
13	<del>14</del>	<del>15</del>	<del>16</del>	<del>17</del>	<del>18</del>	19
20	<del>21</del>	<del>22</del>	<del>23</del>	<del>24</del>	<del>25</del>	26
27	(28)	(29)	(30)	(31)		

September 2017						
S	M	T	W	T	F	S
					<del>1</del>	2
3	<del>4</del>	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	(16)	<del>17</del>	<del>18</del>	<del>19</del>	<del>20</del>	21
22	<del>23</del>	24	25	26	27	28
29	30	31				

November 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	(6)	7	8	9	10	11
12	13	14	15	16	17	18
19	<del>20</del>	<del>21</del>	<del>22</del>	<del>23</del>	<del>24</del>	25
26	27	28	29	30		

December 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	<del>18</del>	<del>19</del>	<del>20</del>	<del>21</del>	<del>22</del>	23
24	<del>25</del>	<del>26</del>	<del>27</del>	<del>28</del>	<del>29</del>	30
						31

January 2018						
S	M	T	W	T	F	S
	<del>1</del>	2	3	4	5	6
7	8	9	10	11	12	13
14	<del>15</del>	16	17	18	19	20
21	(22)	23	24	25	26	27
28	29	30	31			

February 2018						
S	M	T	W	T	F	S
				1	2	3
4	<del>5</del>	<del>6</del>	<del>7</del>	<del>8</del>	<del>9</del>	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	(26)	27	28			

March 2018						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	(12)	13	14	15	16	17
18	19	20	21	22	23	24
25	<del>26</del>	<del>27</del>	<del>28</del>	<del>29</del>	<del>30</del>	31

April 2018						
S	M	T	W	T	F	S
1	<del>2</del>	<del>3</del>	<del>4</del>	<del>5</del>	<del>6</del>	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2018						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	<del>28</del>	29	30	31		

June 2018						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	(8)	9
10	<del>11</del>	<del>12</del>	<del>13</del>	<del>14</del>	<del>15</del>	16
17	<del>18</del>	<del>19</del>	<del>20</del>	<del>21</del>	<del>22</del>	23
24	<del>25</del>	<del>26</del>	<del>27</del>	<del>28</del>	<del>29</del>	30



**Agenda III.D.  
April 13, 2017**

**To: Members, Board of Education  
Superintendent Gothard**

**From: Lisa K. Rider, Executive Director of Business Services**

**Date: April 13, 2017**

**Re: Award the bid for the 2017 Pavement Maintenance Project at Harriet Bishop Elementary, Edward Neill Elementary and Diamondhead Education Center.**

RECOMMENDATION: That the Board of Education award the base bid and alternate #1 in the amount of \$312,814.03 for the 2017 Pavement Maintenance Project at Harriet Bishop Elementary, Edward Neill Elementary and Diamondhead Education Center to McNamara Contracting, Inc.

On Tuesday, April 4, 2017 sealed bids were received and publicly read aloud for the 2017 Pavement Maintenance Project at Harriet Bishop Elementary, Edward Neill Elementary and Diamondhead Education Center. Three bids were submitted; the low bid submitted by McNamara Contracting, Inc. with their base bid amount of \$293,274.37 along with alternate #1 in the amount of \$19,539.66 for a combined total of \$312,814.03 is within the budgeted amount of our long term facility maintenance projects.

Attached are the bid tabulation results as well as ATS&R's recommendation letter.



ARMSTRONG TORSETH SKOLD & RYDEEN INC

April 5, 2017

Mr. Glenn Simon  
ISD 191 Burnsville-Eagan-Savage  
200 West Burnsville Parkway  
Burnsville, MN 55337

Re: Bid Results and Recommendation for Award of Contract for:  
Pavement Maintenance at Harriet Bishop ES, Edward Neill ES, and Diamondhead Education Center  
ATS&R Project Number 16082

Dear Mr. Simon:

On Tuesday, April 4, 2017, bids were received for the Harriet Bishop Elementary School, Edward Neill Elementary School, and Diamondhead Education Center Pavement Maintenance project. Three (3) bidders submitted bids for the work; all of the bids were complete and responsive. The apparent low, responsible bidder for this work was McNamara Contracting Inc. with a Base Bid of \$293,274.37.

The project included one Bid Alternate. After review of the Bid Alternate with District Administration, it is the recommendation that Alternate No. 1 be awarded. The acceptance of the Bid Alternate does not change the low, responsible bidder.

It is the recommendation of ATS&R for the Burnsville-Eagan-Savage Public School District, based on the bids received and follow-up confirmation with the Contractor, to award the Contract for Construction, including the Base Bid and Alternate No. 1, to:

McNamara Contracting Inc.  
16700 Chippendale Avenue  
Rosemount, MN 55068  
Phone: (651) 322-5500  
Fax: (651) 322-5550  
Email: m.mcnamara@mcnamaracontracting.com

in the amount of:

Base Bid	\$293,274.37
Alt. No. 1 – Harriet Bishop ES - Replace South Bituminous Path	\$ 19,539.66
<b>Total Contract Amount</b>	<b>\$312,814.03</b>

Thank you for your consideration in this matter. We look forward to a very successful project.

Sincerely,

Mark G. Hayes, AIA  
Project Architect / Partner

MGH/dme

Enclosure / Bid Tabulation

cc: Debbie Erickson, ATS&R  
Phil Olson, ATS&R

**HARRIET BISHOP ELEM., EDWARD NEILL ELEM. AND DIAMONDHEAD ED. CENTER -  
PAVEMENT MAINTENANCE  
BURNSVILLE-EAGAN-SAVAGE SCHOOD DISTRICT  
PROJECT NUMBER: 16082**

**BID DATE: APRIL 4, 2017 @ 2:00 PM**

<b>CONTRACTOR</b>	<b>MCNAMARA CONTRACTING, INC.</b>	<b>MINNESOTA ROADWAYS CO.</b>	<b>BITUMINOUS ROADWAYS, INC.</b>
<b>BASE BID</b>	\$293,274.37	\$344,485.00	\$305,525.00
<b>Alternate No. 1 Additional Pavement Corrections</b>	\$19,539.66	\$29,536.00	\$23,650.00
<b>BID SECURITY</b>	YES	YES	YES
<b>ADDENDUMS 1 AND 2</b>	YES	YES	YES
<b>CERTIFICATION OF COMPLIANCE WITH RESPONSIBLE CONTRACTOR ACT</b>	YES	YES	YES
<b>BASE BID + ALTERNATE NO. 1</b>	\$312,814.03	\$374,021.00	\$329,175.00

cc: Accounting, Mark Hayes, File, FO

**00000-END BID TABULATIONS**



**Agenda III.E.  
April 13, 2017**

**To: Members, Board of Education  
Superintendent Gothard**

**From: Lisa K. Rider, Executive Director of Business Services**

**Date: April 13, 2017**

**Re: Award the bid for the 2017 Operable Partition Replacement project at  
Nicollet Middle School**

RECOMMENDATION: That the Board of Education award the base bid in the amount of \$207,000.00 for the 2017 Operable Partition Replacement project at Nicollet Middle School to CM Construction Company Inc.

On Tuesday, April 4, 2017 sealed bids were received and publicly read aloud for the operable partition replacement project at Nicollet Middle School. Four bids were submitted; the low bid submitted by CM Construction Company Inc. with their bid amount of \$207,000.00 is within the budgeted amount of our long term facility maintenance projects.

Attached are the bid tabulation results as well as ATS&R's recommendation letter.



ARMSTRONG TORSETH SKOLD & RYDEEN INC

April 5, 2017

Mr. Glenn Simon  
ISD 191 Burnsville-Eagan-Savage  
Diamondhead Education Center  
200 West Burnsville Parkway  
Burnsville, MN 55337

Re: Bid Results and Recommendation for Award of Contract for:  
Nicollet Middle School Operable Partition Replacement  
ATS&R Project Number 16070.5

Dear Mr. Simon:

On Tuesday, April 4, 2017, bids were received for the Nicollet Middle School Operable Partition Replacement project. Four (4) bidders submitted bids for the work; all of the bids were complete and responsive. The apparent low, responsible bidder for this work was CM Construction Company, Inc. with a Base Bid of \$207,000.00.

It is the recommendation of ATS&R for the Burnsville-Eagan-Savage Public School District, based on the bid received and follow-up confirmation with the Contractor, to award the Contract for Construction to:

CM Construction Company, Inc.  
12215 Nicollet Avenue South  
Burnsville, MN 55337  
Phone: 952-895-8223  
Fax: 952-895-8183  
Email: [maryp@cmconstructionco.com](mailto:maryp@cmconstructionco.com)

for a total Contract Amount of **\$207,000.00**.

Thank you for your consideration in this matter. We look forward to a very successful project.

Sincerely,

Mark G. Hayes, AIA  
Project Architect / Partner

MGH/dme

Enclosure / Bid Tabulation

cc: Debbie Erickson, ATS&R  
Phil Olson, ATS&R

**NICOLLET MIDDLE SCHOOL - OPERABLE PARTITION REPLACEMENT  
 BURNSVILLE-EAGAN-SAVAGE SCHOOD DISTRICT  
 PROJECT NUMBER: 16070.5**

**BID DATE: APRIL 4, 2017 @ 1:00 PM**

<b>CONTRACTOR</b>	<b>CM CONSTRUCTION CO.</b>	<b>MORCON CONSTRUCTION</b>	<b>CM CONSTRUCTION</b>	<b>IYAW &amp; ASSOCIATES</b>
<b>BASE BID</b>	\$207,000.00	\$220,000.00	\$258,886.00	\$264,000.00
<b>BID SECURITY</b>	YES	YES	YES	YES
<b>ADDENDUM 1</b>	YES	YES	YES	YES
<b>CERTIFICATION OF COMPLIANCE WITH RESPONSIBLE CONTRACTOR ACT</b>	YES	YES	YES	YES

cc: Accounting, Mark Hayes, File, FO

**00000-END BID TABULATIONS**



**Agenda III.F.  
April 13, 2017**

**To: Members, Board of Education  
Dr. Joe Gothard, Superintendent**

**From: Lisa K. Rider, Executive Director of Business Services**

**Date: April 6, 2017**

**Re: Award the bid for the 2017 Classroom Enclosure Project at Eagle Ridge Middle School.**

RECOMMENDATION: That the Board of Education award the base bid in the amount of \$294,000.00 for the 2017 Classroom Enclosure Project at Eagle Ridge Middle School to Iyawe and Associates Builders.

On Tuesday, April 4, 2017 sealed bids were received and publicly read aloud for the classroom enclosure project at Eagle Ridge Middle School. Four bids were received with the apparent low bidder Iyawe and Associates Builders submitting a bid of \$294,000.00.

This project is funded by building bond funds from Vision One91 as it is considered a part of the establishment of a middle school environment conducive to collaboration and the use of one to one technology planned for our middle schools.

Attached are the bid tabulation results as well as ATS&R's recommendation letter.



ARMSTRONG TORSETH SKOLD & RYDEEN INC

April 5, 2017

Mr. Glenn Simon  
ISD 191 Burnsville-Eagan-Savage  
Diamondhead Education Center  
200 West Burnsville Parkway  
Burnsville, MN 55337

Re: Bid Results and Recommendation for Award of Contract for:  
Eagle Ridge Middle School Classroom Enclosure  
ATS&R Project Number 16084

Dear Mr. Simon:

On Tuesday, April 4, 2017, bids were received for the Eagle Ridge Middle School Classroom Enclosure project. Four (4) bidders submitted bids for the work; all of the bids were complete and responsive.

The apparent low, responsible bidder for this work was Iyawe and Associates Builders with a Base Bid of \$294,000.00.

It is the recommendation of ATS&R for the Burnsville-Eagan-Savage Public School District, based on the bids received and follow-up confirmation with the Contractor, to award the Contract for Construction to:

Iyawe and Associates Builders  
2500 New Brighton Boulevard, Suite 203  
Minneapolis, MN 55418  
Phone: 612-267-2880  
Fax: 612-788-1807  
Email: [siyawe@iaabuilders.com](mailto:siyawe@iaabuilders.com)

for a total Contract Amount of **\$294,000.00**.

Thank you for your consideration in this matter. We look forward to a very successful project.

Sincerely,

Mark G. Hayes, AIA  
Project Architect / Partner

MGH/dme

Enclosure / Bid Tabulation

cc: Debbie Erickson, ATS&R  
Phil Olson, ATS&R

**EAGLE RIDGE MIDDLE SCHOOL - CLASSROOM ENCLOSURE  
 BURNSVILLE-EAGAN-SAVAGE SCHOOD DISTRICT  
 PROJECT NUMBER: 16084**

**BID DATE: APRIL 4, 2017 @ 3:00 PM**

<b>CONTRACTOR</b>	<b>CM CONSTRUCTION CO.</b>	<b>MORCON CONSTRUCTION</b>	<b>J.S. CATES CONSTRUCITON</b>	<b>IYAWE &amp; ASSOCIATES BUILDERS</b>
<b>BASE BID</b>	\$349,400.00	\$310,700.00	\$296,000.00	\$294,000.00
<b>BID SECURITY</b>	YES	YES	YES	YES
<b>ADDENDUM 1</b>	YES	YES	YES	YES
<b>CERTIFICATION OF COMPLIANCE WITH RESPONSIBLE CONTRACTOR ACT</b>	YES	YES	YES	YES

cc: Accounting, Mark Hayes, File, FO

00000-END BID TABULATIONS