

# SHAKOPEE PUBLIC SCHOOLS



SCHOOL BOARD AGENDA





Shakopee Public Schools  
Special School Board Business Meeting  
District Office Board Room, 1200 Town Square,  
Shakopee, MN 55379

---

June 11, 2018  
6:00 PM

1. Call to Order
  1. 1. Acceptance of Appointment and Oath of Office 3

At the April 23, 2018 Regular School Board Meeting, the Board voted to appoint Judith Tomczik to the School Board. Tomczik's appointment will expire December 31, 2018. With the conclusion of the 30-day waiting period, the Oath of Office will now be administered by the School Board Clerk Shawn Hallett for Judith Tomczik.
2. Adjournment to Closed Session 4

The School Board will close the meeting pursuant Minn. Stat. § 13D.05, subd. 2(a)(3) to discuss private educational data regarding a special education matter, and Minn. Stat. § 13D.05, subd. 3(b)(the attorney-client privilege) to discuss litigation in the United States District Court, Case No. 18-CV-936.
3. Adjourn to Open Session
4. Consideration of Approving Settlement Agreement
5. Adjournment of Special School Board Business Meeting

# Certificate of Appointment to Office of School Board Member for Judith Tomczik

You are hereby notified that at a Regular Meeting of Independent School District #720 on the 23<sup>rd</sup> day of April, 2018 you were duly appointed School Board Member of said District. Your term of office will expire December 31, 2018.

\_\_\_\_\_  
Clerk of Said District

## Notice of Acceptance to Clerk of Said District

To the Clerk of Independent School District No. 720 in the County of Scott and State of Minnesota:  
I hereby signify my acceptance of the office of School Board Member in Independent School District No. 720 County of Scott to which your notice of appointment, dated April 23, 2018, informs me that I have been appointed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
School Board Member

## Form of Oath to be Administered to School District Member upon Qualifying

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Minnesota, and faithfully discharge the duties of my office according to law and the best of my ability and understanding so help me God.

\_\_\_\_\_  
School Board Member

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_

**EXTRACT OF MINUTES OF MEETING  
OF SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 720,  
SHAKOPEE, MINNESOTA**

Pursuant to due call and notice thereof, a special meeting of the School Board of Independent School District No. 720, Shakopee, Minnesota was held on the 11th day of June, 2018 at 6:00 P.M.

The following Board members were present:

and the following were absent:

Board Member \_\_\_\_\_ introduced the following Resolution and moved its adoption:

**RESOLUTION  
APPROVING SETTLEMENT OF SPECIAL EDUCATION LITIGATION**

WHEREAS, Pupil A, the son of Parents A, is a child with disability as the term is defined in the Individuals with Disabilities Education Act (AIDEA@). Pupil A is a resident of Independent School District No. 720, Shakopee, Minnesota (the ASchool District@) and, since the 2016-2017 school year, has been receiving services in a Setting IV special education program provided by an intermediate school district that is the School District's contracted service provider; and

WHEREAS, Parents A have disagreed with the appropriateness of the evaluations and educational services provided to Pupil A by the School District and its contracted service provider pursuant to state and federal law; and

WHEREAS, as a result of said disagreement, special education litigation ensued between the parties pursuant to the IDEA and state law; and

WHEREAS, the School District and Parents A now desire to compromise and settle any and all outstanding issues and potential claims to date related to or arising from Pupil A's enrollment in the aforementioned Setting IV program; and

WHEREAS, the administration of the School District and Parents A, through their respective legal counsel, have negotiated and agreed upon the terms of a certain Settlement Agreement and Release of All Claims (the AAgreement@), attached hereto, whereby Parents A agree to waive and release any and all claims they have or may have against the School District up to the date of the Agreement; and

WHEREAS, the administration of the School District now recommends to the Board of Education that the Board confirm and approve the Agreement, and authorize its Board Chair and Clerk to execute the Agreement on behalf of the School District.

NOW, THEREFORE, BE IT RESOLVED, by the School Board of Independent School District No. 720 that, based upon its review of this matter, it hereby confirms and approves the Agreement and hereby authorizes its Board Chair and Clerk to execute and deliver the Agreement on behalf of the School District; and

BE IT FURTHER RESOLVED, that pursuant to a proper request, Independent School District No. 720, Shakopee, Minnesota, shall provide copies of this Resolution. However, any release of said Resolution shall not include the Agreement, attached hereto, as the School Board finds that such materials constitute private data on individuals pursuant to the Minnesota Government Data Practices Act, more specifically Minn. Stat. ' 13.32, and education records as defined in the Family Educational Rights and Privacy Act (AFERPA@), 20 U.S.C. ' 1232g. The Superintendent is specifically directed to maintain the private data classification of these materials in accordance with all applicable state and federal laws, including the provisions of Minnesota Statutes, Chapter 13 and FERPA.

The motion for the adoption of the foregoing Resolution was duly seconded by Board Member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

