

Human Resources - Regular School Board Meeting

Duluth Public Schools, ISD 709

Agenda

Tuesday, October 16, 2018

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

6:30 PM

- | | |
|---|----------|
| 1. Staffing Report Action Items | 2 |
| 2. Other HR Action Items | |
| <ul style="list-style-type: none"> A. <u>New Policy - 401 Equal Employment Opportunity</u> | <u>4</u> |
| Attached is the edited MSBA Model Policy 401 - Equal Employment Opportunity for the first reading. This policy would replace the current policy 4010. | |
| <u>Recommendation:</u> It is recommended that the Duluth School Board approve Policy 401 - first reading. | |
| <ul style="list-style-type: none"> B. <u>Delete Policy - 4010 Equal Employment and Promotional Opportunities</u> | <u>6</u> |
| In moving to MSBA Model Policies, administration is recommending the deletion of Policy 4010 which will be replaced with MSBA Policy 401. | |
| <u>Recommendation:</u> It is recommended that the Duluth School Board approve the deletion of Policy 4010 - first reading. | |
| <ul style="list-style-type: none"> C. <u>New Policy - 402 Disability Non Discrimination Policy</u> | <u>7</u> |
| Attached is the edited MSBA Model Policy 402 - Disability Non Discrimination for the first reading. | |
| <u>Recommendation:</u> It is recommended that the Duluth School Board approve Policy 402 - first reading. | |
| <ul style="list-style-type: none"> D. <u>New Policy - 405 Veteran's Preference</u> | <u>8</u> |
| Attached is the MSBA Model Policy 405 - Veteran's Preference for the first reading. | |
| <u>Recommendation:</u> It is recommended that the Duluth School Board approve Policy 405 - first reading. | |
| 3. HR Informational Items | |
| <ul style="list-style-type: none"> A. Co-Curricular Appointments will go through the November Board | |
| 4. Other HR Future Items | |
| <ul style="list-style-type: none"> A. There are no Future HR Items at this time. | |

HUMAN RESOURCES ACTION ITEMS FOR: 10/16/2018

<u>CERT APPOINTMENT</u>	<u>POSITION/LOCATION/CLASS&STEP/REPLACING</u>	<u>EFFECTIVE DATES</u>	
ANDREWS, SARAH	.3 FACS/ORDEAN EAST, III+15 5, NEW POS	10/16/18	
ANDREWS, SARAH	.4 SOCIAL STUDIES/ORDEAN EAST, III+15 5, NEW POS	10/16/18	
ATATISE SKINAWAY, DOREEN	.9 OJIBWE ELEM IMMERSION/LOWELL, III 8, NEW POS	08/30/18	
CUNEO, ERIN	GRADE 1/CONGDON, IV 8, S HUIBREGTSE	08/28/18	
DESUTTER, BRITTA	GRADE 4/MYERS-WILKINS, IV 8, J OLSON	08/28/18	
DRENGLER, ERIKA	ELEM PHY ED SPEC/MACARTHUR, IV 9, K MCCORMICK	08/28/18	
ELLIS, TIFFANIE	.8 PHY ED/.1 HEALTH/ORDEAN EAST, III 8, B RUD	08/30/18	
FLORESTANO, JOSEPH	.7 MATH/DENFELD, III 4, NEW POS	08/28/18	
FRISCHMANN, JESSE	GRADE 3/MYERS-WILKINS, III 8, TEMP, A SHEVICH	08/28/18	06/07/19
FUCHS, JENNIFER	.8 SCHOOL SOCIAL WORKER/DW, IV 6, C DEVRIENDT	09/24/18	
HARALA, MARY	GRADE 5/HOMECROFT, IV+45 9, TEMP, NEW POS	09/11/18	06/07/19
KOLAR, PATRICIA	KINDERGARTEN/MACARTHUR, IV 8, TEMP, NEW POS	08/30/18	06/07/19
KRAFTHEFER, BROOKE	.7 SCIENCE/ORDEAN EAST/DENFELD, III+30, NEW POS	08/28/18	
LAULUNEN, SARAH	.5 GEN EDUC SCHOOL SOCIAL WORKER/DENFELD, IV,9 M MEYER	10/15/18	
LAULUNEN, SARAH	.5 TOSA CHECK & CONNECT COORD/DENFELD, IV,9 M MEYER	10/15/18	
LUNDORFF, JAMES	GRADE 4/MYERS-WILKINS, III 8, TEMP, K TRUITT	08/30/18	06/07/19
MCDOWELL, JENNIFER	.60 ELL/DW, IV 7	08/28/18	
MONGER, JOY	KINDERGARTEN/PIEDMONT, III 8, TEMP, NEW POS	09/10/18	06/07/19
MOOERS, BRIAN	.7 PHY ED SPEC/LESTER/CHESTER/MERRITT, III+15	08/30/18	
PAVLISICH, KALINA	GRADE 1/MACARTHUR, III 3, TEMP, B BOOMER	08/30/18	06/07/19
PETRICH, WADE	.8 ENGLISH/ORDEAN EAST, III+45 3, C KLABER-HARTL	08/28/18	
SANDBERG, SARAH	.4 SPEECH LANG PATH/DW, IV+15 9, TEMP POS, A BROSELL	08/28/18	06/07/19
SAUVE, MARA	SPEC ED DCDIII/EAST, III 3, M KLEINSCHMIDT	08/28/18	
SIMONS, DONALD	VOC INDUSTRIAL ARTS & TRADE/EAST/DENFELD, III 8, K CHEDERQUIST	10/16/18	
USELMAN, DALE	READING INTERVENTION TOSA/LOWELL, III+15 7, N GIBSON & K PELKEY	08/28/18	
VALLIE, SARA	.80 ELEM PHY ED SPEC/LAKEWOOD/CONGDON, IV 3, K BRYANT	08/30/18	
WADE, MATTHEW	SPEC ED RESOURCE/PIEDMONT, IV 3, NEW POS	09/17/18	
Total: 27			
<u>CERT LEAVES</u>			
SKOOG, ALICIA	AUTISM TEACHER/LOWELL, PARENTAL LWOP	08/28/18	06/07/19
Total: 1			
<u>CERT LONG TERM SUB</u>			
AMMESMAKI, MARCUS	KINDERGARTEN OJIBWE IMMERSION/LOWELL, III 2, R HANKS	09/13/18	12/07/18
ARMBRUSTER, AUSTIN	.5 SPEC ED RESOURCE/LOWELL, III 3, A SKOOG	09/10/18	06/07/19
NELSON, ELIZABETH	GRADE 5/LOWELL, III 3, K HOLT	09/07/18	12/03/18
Total: 3			
<u>CERT PERM DECREASE</u>			
STOKKE, KARA	PHYSICAL THERAPIST/DW, 1.0 TO .8	08/28/18	
Total: 1			
<u>CERT PERM INCREASE</u>			
BUSH, SHANIA	SCIENCE/ALC/AEO/EAST, .7 TO .9	08/28/18	
PELKEY, KAYLEE	GIFTED & TALENTED/DW, ELEM INTERVENTION/ST. JAMES, .5 TO .85	08/28/18	
SCHEUFELI, KATIE	PRE-K/DW, .75 TO .925	08/28/18	
Total: 3			
<u>CERT TEMP DECREASE</u>			
FELDMAN MCCULLOUGH, HARMONY	PRE-K/LOWELL, .675 TO .25, VOLUNTARY	09/10/18	06/07/19
Total: 1			
<u>CERT TEMP INCREASE</u>			
BARNES, JANE	ECFE PARENT EDUCATOR/DW, .65 TO .7125	08/28/18	06/07/19
GLASER, LINDA	ECFE PARENT EDUCATOR/DW/STOWE, .125 TO .625	08/28/18	06/07/19
GOLDFINE, BRENDA	ECFE PARENT EDUCATOR/STOWE, HALF 1/6 O.L.	08/28/18	06/07/19
HANSON, CHAD	MEDIA SPEC/CHESTER CREEK, .7 TO .8	08/28/18	06/07/19
JOHNSON, HALEY	PRE-K/ECFE/DW, .825 TO .90	08/28/18	06/07/19
MOOERS, BRIAN	PHY ED SPEC/LESTER/CHESTER/MERRITT/DENFELD, .7 TO .8	09/11/18	06/07/19
SIMONS, DONALD	VOC INDUSTRIAL ARTS & TRADE/EAST, HALF 1/6 O.L.	09/10/18	06/07/19
SUNDAL, JENNIFER	ECFE PARENT EDUCATOR/DW, .75 TO .90	08/28/18	06/07/19

CERT TEMP INCREASE

SWEDBERG, JUDITH
Total: 9

POSITION/LOCATION/CONDITION

ECFE PARENT EDUCATOR/DW, .75 TO 1.0

EFFECTIVE DATES

08/28/18 06/07/19

NONCERT APPOINTMENT

CHRISTEAN, TERRI
DICKENSON, JULIE
GOAR, AMY
GRAVES, GABRIEL
GUIDOTTI, SHEAHAN
HUBER, PARKER
LAWREY, ELYSE
MATTONEN, STUART
PEAK, SUSAN
PRIMUS, ABBILYN
ROBISON, KATIE
SMITH, CHARLES
WESTRICK, VICKI
Total: 13

POSITION/LOCATION/WEEKS/RATE OF PAY/REASON

HELPER/LOWELL, 15/38WKS, \$11.32/HR, K SANDERS
HELPER/EAST, 18.75/38WKS, \$11.32/HR, NEW POS
1ST PARA/PRE-SCHL/STOWE, 39/38WKS, \$15.76/HR, D MONGAN
ASL LANG FACILITATOR PARA/DW, 31.25/38WKS, \$15.76/HR, REALLOCATE FTE
SPEC ED PARA/STUD SP/MACARTHUR, 20/38WKS, \$15.76/HR, M WESTBERG
SPEC ED PARA/PROG/MALE REQ/LINCOLN PARK, 32.5/38WKS, \$15.76/HR, M MAKI
HELPER/LESTER PARK, 15/38WKS, \$11.32/HR, J HAKALA
TECH TUTOR PARA/DENFELD, 13/38WKS, \$16.80/HR, S CARLSON
HEALTH PARA/LPN/LESTER PARK, 31.25/38WKS, \$17.84/WK, H PRENTICE
SPEC PARA/PROGRAM/DENFLED, 32.5/38WKS, \$15.76/HR, M SCRIGNOLI
2ND PARA/PIEDMONT, 18/38WKS, \$15.76/HR, T HAMMER
INTEGRATION SPEC/EAST, 20/40.4WKS, \$37,715/YR, J BENNET
SPEC ED PARA/LPN/PROG/ORDEAN EAST, 32.5/38WKS, \$17.84/HR, D NICHOLSON

EFFECTIVE DATES

09/24/18
09/18/18
10/04/18
08/29/18
09/25/18
09/11/19
09/04/18
09/26/18
09/12/18
08/28/18
09/05/18
09/25/18
09/24/18

NONCERT DEMOTION

CONSTANTINI, THOMAS
PETERSON, CONNIE
Total: 2

NEW POSITION/LOCATION/OLD POSITION/LOCATION/RATE OF PAY

SUPV PARA/EAST, SPED ED PARA/STUD SP/EAST, \$14.88/HR
INSTR PARA/ECFE/DW, PARA/PROG/STOWE, \$16.66/HR

EFFECTIVE DATES

09/04/18
09/04/18

NONCERT LEAVES

CANAVAN, JASMINE
LY, NAM
RUSK, THOMAS
SHOCKLEY, DENISE
SPECHT, DEBORAH
Total: 5

POSITION/LOCATION/TYPE OF LEAVE

HELPER/ORDEAN EAST, A" PERSONAL LWOP"
HELPER/HOMECROFT, A" PERSONAL LWOP"
COOK/DW, B" PERSONAL LWOP"
BUS DRIVER II/TRANSPORTATION, A" MEDICAL LWOP TO DATE TBD"
SPECIAL ED PARA/HOMECROFT, A" PERSONAL LWOP"

EFFECTIVE DATES

10/17/18 10/22/18
09/10/18 10/05/18
09/07/18 09/07/19
09/25/18
10/01/18 10/05/18

NONCERT PERM DECREASE

BARNETT, RITA
Total: 1

POSITION/LOCATION/CONDITION

SPEC ED PARA/STUD SP/MACARTHUR, .8125 TO .78125

EFFECTIVE DATES

09/05/18

NONCERT PROMOTION

ADAMSKI, SCOTT
CHOPP, BARBARA
GERTH, DAVID
KNOEPFLER, TAWNYA
MCNELLY, TERESA
PALMER, MICHELLE
VANG, PAO
Total: 7

NEW POSITION/LOCATION/OLD POSITION/LOCATION/RATE OF PAY

SPEC ED PARA/PROG/MALE REQ/DENFELD, SUPV PARA/DENFELD, \$15.76/HR, K WILSON
ENGINEER III/LINCOLN PARK, ENGINEER II/MYERS-WILKINS, \$23.97, J CHOPP
ENGINEER III/ORDEAN EAST, ENGINEER II/CONGDON, \$24.69, S MICHELIZZI
SPEC ED PARA/ECSE/BW, SUPV PARA/ORDEAN EAST, \$15.76/HR, NEW POS
1ST INSTR PARA/SCHL READINESS/LOWELL, INSTR PARA/DW, \$15.76/HR, K COLARETA
SATELLITE MGR II/CONGDON, HELPER/LESTER PARK, \$14.48/HR, J CULLEN
COMM LIAISON PARA/STOWE, SPEC ED PARA/BW/STOWE, \$19.19/HR, NEW POS

EFFECTIVE DATES

09/05/19
09/07/18
09/10/18
09/27/18
08/28/18
08/29/18
09/17/18

NONCERT RESIGNATION

DEGRIO, DARLENE
O'REILLY, CATHERINE
PRESTON, JILL
Total: 3

POSITION/LOCATION

BUS DRIVER II/TRANSPORTATION
OFFICE SUPPORT SPECIALIST SENIOR/TECHNOLOGY
HELPER/DENFELD

EFFECTIVE DATES

08/30/18
10/05/18
08/27/18

NONCERT RETIREMENT

SISLO, BETTY
Total: 1

POSITION/LOCATION

FOOD SERVICE SITE SUPERVISOR/HOCHS

EFFECTIVE DATES

12/03/18

NONCERT TERMINATION

BUSSEY SR, JOSEPH
Total: 1

POSITION/LOCATION

SPEC ED PARA/BW/ORDEAN EAST

EFFECTIVE DATES

09/28/18

(Changes requested at the HR Committee Meeting are shaded in grey).

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal employment **opportunity and promotional opportunities** for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for **disabled** employees **with a disability**.

The School District, in accordance with all applicable federal, state, and local anti-discrimination laws, including Chapter 363A of Minnesota Statutes, will use approved traditional and non-traditional methods to recruit, employ, train, assign, transfer, retain, and to promote equity in employment of women, people of color and other legally protected characteristics.

~~**[Note: The Minnesota Human Rights Act defines "sexual orientation" to include "having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness." Minn. Stat. § 363A.03, Subd. 44.]**~~

- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. Every school district employee shall be responsible for following this policy.
- E. Any person having a question regarding this policy should discuss it with **the Senior Human Resource Manager in Human Resources.**

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)

29 U.S.C. § 2615 (Family and Medical Leave Act)
38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 405 (Veteran's Preference)
MSBA/MASA Model Policy 413 (Harassment and Violence)

Replacing: Policy 4010
First Reading: 10-16-2018
Adopted:

~~4010 — EQUAL EMPLOYMENT AND PROMOTIONAL OPPORTUNITIES~~

~~Equal employment and promotional opportunities will be provided for all persons without regard to race, creed, color, religion, sex, age, disabilities, marital status, national origin, status with respect to public assistance or any other legally protected characteristic. The School District, in accordance with all applicable federal, state, and local anti-discrimination laws, including Chapter 363A of Minnesota Statutes, will use approved traditional and non-traditional methods to recruit, employ, train, assign, transfer, retain, and to promote equity in employment of women, people of color and other legally protected characteristics through a positive recruitment plan. Additionally, the recruitment plan will be superseded by all criteria as defined by contracts, collective bargaining agreements and state/federal laws. The School Board will provide resources to implement this plan in every department and school and at all levels of operation.~~

~~Employees with questions or complaints concerning the School District's compliance with Federal and State anti-discrimination laws are encouraged to utilize the "Equal Opportunity Policy Complaint Procedure" to register such questions and complaints.~~

~~Adopted: 04-08-1975 ISD 709~~

~~Revised: 12-11-1979~~

~~03-08-1983~~

~~06-20-1995~~

~~09-21-2004 ISD 709~~

~~Deleted: 10-16-2018 ISD 709~~

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact **the Senior Human Resource Manager in Human Resources**. This individual is the school district's appointed ADA coordinator.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 29 U.S.C. 794 *et seq.* (Rehabilitation Act of 1973, § 504)
 42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)
 29 C.F.R. Part 32
 34 C.F.R. Part 104

Cross References: MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

Replacing: None
 First Reading: 10-16-2018
 Second Reading:

(Changes requested at the HR Committee Meeting are shaded in grey).

405 VETERAN'S PREFERENCE

I. PURPOSE

The purpose of this policy is to comply with the Minnesota Veterans Preference Act (VPA) which provides preference points for veterans applying for employment with political subdivisions, including school districts, as well as additional rights for veterans in the discharge process.

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The school district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges, and in writing. This paragraph does not apply to the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
 - 1. A credit of ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 2. A credit of fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 3. A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.
 - 4. A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.
- E. When notifying applicants that they have been accepted into the selection process, the school district shall notify applicants that they may elect to use

veteran's preference.

- F. The school district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The school district may or may not use a 100-point hiring system for filling teaching **and non licensed** positions. If a 100-point hiring system is not used for filling **a teaching and non licensed** position, preference points will not be added, but all veteran applicants who have proper licensure **and/or meet the qualifications** for **the teaching position or non licensed positions** will be granted an interview for the position.
- G. If the school district rejects a member of the finalist pool who has claimed veteran's preference, the school district shall notify the finalist in writing of the reasons for the rejection and file the notice with the school district's personnel officer.
- H. In accordance with the VPA, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position. **(The school district may require a veteran to complete an initial hiring probationary period as defined in Minn. Stat. § 43A.16.)**
1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 2. A veteran must irrevocably elect to be governed either by the VPA or by arbitration provisions set forth in a collective bargaining agreement in the event of a discharge.
- I. The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

Legal References: Minn. Stat. § 43A.11 (Veteran's Preference)
 Minn. Stat. § 197.455 (Veteran's Preference Applied)
 Minn. Stat. § 197.46 (Veterans Preference Act)
Hall v. City of Champlin, 463 N.W.2d 502 (Minn. 1990)
Young v. City of Duluth, 410 N.W.2d 27 (Minn. Ct. App. 1987)

Cross References: MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

Replacing: None

First Reading: 10-16-2018

Adopted: