

Human Resources - Regular School Board Meeting

Duluth Public Schools, ISD 709

Agenda

Tuesday, December 17, 2019

UnitedHealth Group Building

4316 Rice Lake Road

Suite 108

Duluth, MN 55811

6:30 PM

1. **Staffing Report Action Items** 2
2. **HR Action Items**
 - A. **New Policy 426- Nepotism In Employment** 4

Attached is the New Policy MSBA model Policy 426 - Nepotism In Employment for the first reading.
Recommendation: It is recommended that the Duluth School Board approve Policy 426 - first reading
3. **HR Informational Items**
 - A. A superintendent search update
4. **Other HR Future Items**
 - A. There are no Future HR Items at this time.

HUMAN RESOURCES ACTION ITEMS FOR: 12/17/2019

| <u>CERT APPOINTMENT</u> | <u>POSITION/LOCATION/CLASS&STEP/REPLACING</u> | <u>EFFECTIVE DATES</u> |
|-------------------------|---|------------------------|
| HOLESTINE, FAITH | .5 INTERVENTIONIST/PIEDMONT, (BA)III 2, M WADE | 11/25/2019 |
| JARVIS, HEATHER | FOCUS ROOM/MTSS/PBIS COORD TOSA/DENFELD, (MA)IV 4, M MEYER | 11/18/2019 |
| KITTERMAN, SAMUEL | SPEC ED RESOURCE/DENFELD, (MA)IV 4, P BROWN | 11/25/2019 |
| LINN, ADAM | .8 HEALTH/PHY ED/ROCKRIDGE, (BA)III 3, A EK | 11/07/2019 |
| PLASTER, AMANDA | .5 MEDIA SPECIALIST/MACARTHUR, (BA)III 2, C KNETTEL | 11/13/2019 6/08/2020 |
| THOMPSON, KATRINA | .2 SCHOOL COUNSELOR TOSA/DENFELD, (BA)III+30 2, L HAMM-DIGATONO | 11/13/2019 |
| THOMPSON, KATRINA | .3 SCHOOL COUNSELOR TOSA/EAST, (BA)III+30 2, L HAMM-DIGATONO | 11/13/2019 |
| Total: 7 | | |

| <u>CERT LEAVES</u> | <u>POSITION/LOCATION/LEAVE TYPE</u> | <u>EFFECTIVE DATES</u> |
|--------------------|-------------------------------------|------------------------|
| DEMIANIUK, ALLISON | GRADE 2/MACARTHUR, PARENTAL LWOP | 1/02/2020 6/08/2020 |
| Total: 1 | | |

| <u>CERT LONG TERM SUB</u> | <u>POSITION/LOCATION/CLASS & STEP/REPLACING</u> | <u>EFFECTIVE DATES</u> |
|---------------------------|---|------------------------|
| HOLESTINE, FAITH | GRADE 5/PIEDMONT, (BA)III 2, L SCHWEIGER | 8/27/2019 11/22/2019 |
| Total: 1 | | |

| <u>CERT PERM INCREASE</u> | <u>POSITION/LOCATION/CLASS & STEP/REPLACING</u> | <u>EFFECTIVE DATES</u> |
|---------------------------|--|------------------------|
| KING, JACK | SPEECH LANGUAGE PATHOLOGIST/DW, .5 TO 1.0, K JOHNSON | 1/03/2020 |
| WIECZOREK, ISIAH | PHY ED/LINCOLN PARK, .6 TO 1.0, K MCCORMICK | 11/04/2019 |
| Total: 2 | | |

| <u>CERT RESIGNATION</u> | <u>POSITION/LOCATION</u> | <u>EFFECTIVE DATES</u> |
|-------------------------|------------------------------|------------------------|
| SMITH, CHARLES | IMMERSION COORDINATOR/LOWELL | 11/21/2019 |
| Total: 1 | | |

| <u>CERT RETIREMENT</u> | <u>POSITION/LOCATION</u> | <u>EFFECTIVE DATES</u> |
|------------------------------|-----------------------------|------------------------|
| DOWNES, KRISTINA | GRADE 3/STOWE, REVISED DATE | 1/17/2020 |
| KERSTING-PETERSON, ELIZABETH | HOMEBOUND/DW | 1/02/2020 |
| SMITH-JOHNSON, MARY | DEAF & HARD OF HEARING/DW | 6/08/2020 |
| Total: 3 | | |

| <u>CERT TEMP INCREASE</u> | <u>POSITION/LOCATION/CONDITION</u> | <u>EFFECTIVE DATES</u> |
|---------------------------|--|------------------------|
| SIMONS, DONALD | VOC TRADE & INDUSTRIAL ARTS/EAST, 1/6 OVERLOAD | 8/27/2019 6/08/2020 |
| ZWAK, WILLIAM | STUDENT GOVERNMENT, HALF 1/6 OVERLOAD | 8/27/2019 6/08/2020 |
| Total: 2 | | |

| <u>NONCERT APPOINTMENT</u> | <u>POSITION/LOCATION/WEEKS/RATE OF PAY/REASON</u> | <u>EFFECTIVE DATES</u> |
|----------------------------|---|------------------------|
| ANDERSON, AIMEE | HEALTH ASST LPN PARA/MACARTHUR, 31.25/38WKS, \$18.20/HR, H LAMBERSON-MAKELA, TEMP | 12/02/2019 |
| BERKLICH, CODY | SCHOOL CUSTODIAN II/EAST, 40/52WKS, \$12.76/HR, P SHAW | 11/18/2019 |
| CLARK, ALLYSON | FOOD SERVICE HELPER/LOWELL, 15/38WKS, \$11.55/HR, ADDTL STAFF | 11/04/2019 |
| CROWE, KAYLI | SPEC ED PARA/BW/LOWELL, 31.25/38WKS, \$16.08/HR, TEMP POS | 11/18/2019 1/31/2020 |
| KOECHER, CINDY | SPEC ED ECSE PARA/BW/DW, 14/38WKS, \$16.08/HR | 11/18/2019 |
| KUDAIBERGENOV, YERGAZY | SCHOOL BUS DRIVER II/TRANSPORTATION, 25/38WKS, \$15.96/HR, W MACMILLAN | 11/18/2019 |
| MCDEVITT, MATTHEW | SPEC ED PARA/STUD SPEC/MALE REQ/MERRITT CREEK, 31.25/38WKS, \$16.08/HR, NEW POS | 11/19/2019 |
| MEADE, LUCY | FOOD SERVICE HELPER/EAST, 21.25/38WKS, \$11.55/HR, G SISLO | 11/15/2019 |
| NEPHEW, DANIEL | SCHOOL CUSTODIAN II/PIEDMONT, 40/52WKS, \$12.76/HR, S GREGG | 11/15/2019 |
| SANDS, ALEXANDER | SCHOOL BUS DRIVER II/TRANSPORTATION, 25/38WKS, \$15.96/HR, D BREWSTER | 11/20/2019 |
| SARGENT, TAMMY | SCHOOL CUSTODIAN II/DENFELD, 40/52WKS, \$12.76/HR, C THOMPSON | 11/05/2019 |
| WALSBURG, ERIN | SPEC ED PARA/BW/LESTER PARK, 15/38WKS, \$16.08/HR, TEMP POS | 11/18/2019 |
| Total: 12 | | |

| <u>NONCERT LEAVES</u> | <u>POSITION/LOCATION/TYPER OF LEAVE</u> | <u>EFFECTIVE DATES</u> |
|-------------------------|--|------------------------|
| HARRIS-MCCLELLAN, PATSY | FOOD SERVICE HELPER/EAST, A" PERSONAL LWOP" | 11/11/2019 11/19/2019 |
| KUNKEL, ROBERTA | FOOD SERVICE HELPER/MYERS-WILKINS, A" PERSONAL LWOP" | 10/21/2019 10/24/2019 |
| SLAGLE, MARGARET | SPEC ED LPN PARA/LINCOLN, A" PERSONAL LWOP" | 11/05/2019 11/12/2019 |
| Total: 3 | | |

| <u>NONCERT LONG TERM SUB</u> | <u>POSITION/LOCATION/RATE OF PAY/REPLACING</u> | <u>EFFECTIVE DATES</u> |
|------------------------------|---|------------------------|
| CANAVAN, JASMINE | SATELLITE MGR I/MYERS-WILKINS, 32/38 WKS, \$15.86/HR, R TARAN | 8/27/2019 12/03/2019 |
| Total: 1 | | |

| <u>NONCERT PERM DECREASE</u> | <u>POSITION/LOCATION/CONDITION</u> | <u>EFFECTIVE DATES</u> |
|--|---|---|
| SHEMWELL, ETHNA Total: 1 | SPEC ED PARA/BW/MACARTHUR, .975 TO .78125 | 11/06/2019 |
| <u>NONCERT PERM INCREASE</u> | <u>POSITION/LOCATION/CONDITION</u> | <u>EFFECTIVE DATES</u> |
| ANDERSON, LISA EADES, JOSHUA GILBERTSON, MOLLIE Total: 3 | SPEC ED ECSE PARA/BW, .4 TO .78125 PRE SCHOOL 1ST PARA/MACARTHUR, .8125 TO .975, E SHEMWELL SPCE ED PARA/BW/ORDEAN EAST, .78125 TO .8125, J DELUCA | 11/18/2019 11/14/2019 11/18/2019 |
| <u>NONCERT PROMOTION</u> | <u>NEW POSITION/LOCATION/OLD POSITION/LOCATION/RATE OF PAY</u> | <u>EFFECTIVE DATES</u> |
| KAPSNER, MCKENZIE LUOTO, KIMBERLY Total: 2 | SPEC ED PARA/PROG/LESTER, SUPV PARA/DENFELD, \$16.08/HR, A GORHAM FIRE II/ORDEAN EAST, SCHOOL CUSTODIAN II/DW, \$17.06/HR, R ANDERSON | 11/18/2019 11/05/2019 |
| <u>NONCERT RESIGNATION</u> | <u>POSITION/LOCATION</u> | <u>EFFECTIVE DATES</u> |
| BACKSTROM, MARY HANSON, BRENDA JAKUBEK, DIANE JONES, CARMEN KITTERMAN, SAMUEL SORENSEN, MELANIE VAUGHT, DANIEL Total: 7 | SPEC ED PARA/LAURA BUS DRIVER II/TRANSPORTATION, RESCINDED PRE-SCHOOL PARA/PROG/STOWE CULTURAL IMMERSION PARA/LOWELL SPEC ED PARA/DENFELD FOOD SERVICE HELPER/LESTER SPEC ED RN PARA/PROG/LINCOLN | 11/29/2019 11/12/2019 11/04/2019 11/11/2019 11/22/2019 11/20/2019 8/26/2019 |
| <u>NONCERT RETIREMENT</u> | <u>POSITION/LOCATION</u> | <u>EFFECTIVE DATES</u> |
| LAURVICK, SANDRA TREBESCH, DONNA Total: 2 | SPEC ED RE PARA/LINCOLN SPEC ED PARA/MYERS-WILKINS | 6/05/2020 12/31/2019 |
| <u>NONCERT TEMP DECREASE</u> | <u>POSITION/LOCATION/CONDITION</u> | <u>EFFECTIVE DATES</u> |
| FINK, MAGNOLIA Total: 1 | SIGN LANG INTERP/MYERS-WILKINS, .88125 TO .875 | 10/07/2019 6/05/2020 |
| <u>NONCERT TEMP INCREASE</u> | <u>POSITION/LOCATION/CONDITION</u> | <u>EFFECTIVE DATES</u> |
| ANDERSON, LEANE ERICKSON, SARAH THOMAS, EMILY Total: 3 | FOOD SERVICE HELPER/DENFELD, .53125 TO .59375 ASL FACILITATOR PARA/MYERS-WILKINS, .78125 TO .88125 SUPV PARA/COMM ED, .475 TO .59375 | 10/21/2019 6/05/2020 10/31/2019 6/05/2020 11/11/2019 6/05/2020 |

426 NEPOTISM IN EMPLOYMENT —~~CHARTER SCHOOLS~~

~~***[Note: Charter schools are required by the charter school law to have a policy addressing this issue.]***~~

I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines and to prevent situations where an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the ~~charter school~~ **School District**.

II. GENERAL STATEMENT OF POLICY

The ~~charter school~~ **School District** may employ family members of current employees. However, to be hired, transferred, or promoted, close family members may *not* be assigned to the following:

- A. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or
- B. Positions where one reports to, directs the work of, or otherwise has direct or indirect supervision of another close family member.

III. DEFINITIONS

A. Close Family Member

A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, +including father- and mother-in-law, daughter- and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

B. Direct or Indirect Supervision

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

IV. APPLICATION TO BOARD MEMBERS

Board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved.

V. EXCEPTIONS; SPECIAL CIRCUMSTANCES

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by the ~~charter school's chief administrator~~ **Superintendent**. Any direct or indirect supervision relationship approved by the ~~chief administrator~~ **Superintendent** shall be reported to the ~~board of directors~~ **School Board**. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel or, if no other supervisory personnel exist, to the ~~charter school's board of directors~~ **Superintendent**. Exceptions involving the ~~charter school's chief administrator~~ **Superintendent** and a close family member of the ~~chief administrator~~ **Superintendent** shall be approved in writing by the ~~charter school's board of directors~~ **School Board**.

VI. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES

Any ~~charter school~~ **School District** employee involved in a direct or indirect supervision relationship with a close family member that existed *prior to* the original approval date of this policy or that arises *after* the adoption of this policy shall promptly notify the ~~charter school's chief administrator~~ **Superintendent** of such relationship. The ~~chief administrator~~ **Superintendent** shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the ~~chief administrator~~ **Superintendent** under Section V. shall be reported to the ~~board of directors~~ **School Board**. The ~~chief administrator~~ **Superintendent** shall promptly notify the ~~charter school's board of directors~~ **School Board** of any direct or indirect supervision relationship which arises concerning a close family member of the ~~chief administrator~~ **Superintendent**. All such direct or indirect supervision relationships involving the ~~chief administrator~~ **Superintendent** shall be resolved by the ~~board of directors~~ **School Board** in accordance with this policy.

VII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by the ~~charter school~~ **School District**.

Legal References: ~~Minn. Stat. § 124E.07, Subd. 6 (Charter Schools)~~

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: ~~MSBA/MASA Model Policy 210.1 (Conflict of Interest — Charter School Board Members)~~

MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

Replacing: None
First Reading: 12-17-2019