

Consent Agenda - Regular School Board Meeting

Duluth Public Schools, ISD 709

Agenda

Tuesday, December 15, 2020

VIA VIDEO CONFERENCE

Google Meet

Duluth, MN 55802

7:00 PM

1. Consent Agenda

A. Approval of Minutes from Past School Board Meetings

- | | |
|---|----|
| 1) Special School Board Meeting - November 13, 2020 | 3 |
| 2) Regular School Board Meeting - November 17, 2020 | 6 |
| 3) Special School Board Meeting - December 1, 2020 | 10 |

B. Approval of Resolutions

- | | |
|--|----|
| 1) <u>Human Resources</u> | |
| 2) <u>Finance</u> | |
| a. B-12-20-3773 - Acceptance of Donations | |
| b. B-12-20-3774 - Authorized Bank Account Signer | |
| c. B-12-20-3775 - Certified Tax Levy | |
| 3) <u>Other</u> | |
| a. E-12-20-3772 - Designation of Identified Official with Authority
for the MDE External User Access Recertification System | 11 |
| It is recommended that the Duluth School Board authorize Sheryl Williams to
act as the Identified Office with Authority (IOWA) for the Head Start
Organization, Duluth Head Start 7010-84-001. | |

C. Approval of Action Items

- | | |
|---|----|
| 1) <u>Human Resources</u> | |
| a. <u>Staffing Report</u> | |
| b. <u>Other Action Items</u> | |
| (1) Approval of Hourly/Substitute Pay Rate/Minimum Wage
Increase Sheet - Effective January 1, 2021 | 12 |
| 2) <u>Finance</u> | |
| a. <u>Financial Report</u> | |
| b. <u>Bids, RFPs and Quotes</u> | |
| (1) <u>Bids</u> - None | |
| (2) <u>RFPs</u> - None | |
| (3) <u>Quotes</u> - None | |
| c. <u>Contracts, Change Orders, Leases</u> | |
| (1) <u>Contracts</u> | |
| (1) Facilities Project Management Contract (ICS) - <i>Pulled</i> | |
| (2) <u>Change Orders</u> - None | |
| (3) <u>Leases</u> - None | |
| 3) <u>Items Brought Forward From the Monthly Committee of the Whole Meeting</u> | |

- a. B-12-20-3776 - Resolution Establishing Combined Polling Places for Multiple Precincts and Designation Hours During Which the Polling Places will Remain Open for Voting for School District Elections Not Held on the Day of a Statewide Election 13

4) Other

- a. Diploma Requests 15

It is recommended that the Duluth School Board approve the attached requests for students who have met all graduation requirements for the Duluth Public Schools and should be awarded a diploma.

- b. Data Sharing Agreements - NONE

D. Approval of Policy Readings

1) First Readings

- a. MSBA Model Policy 520 - Student Surveys 21

Assistant Superintendent Anthony Bonds

Administration is recommending adoption of MSBA Model Policy 520 - Student Surveys. This is a mandatory school board policy, necessary to meet the requirements of state and federal law.

2) Second Readings

- a. MSBA Model Policy 206 - Public Participation in School Board Meetings/Complaints About Persons at School Board Meetings and 27

Data Privacy Considerations

Policy Committee Chair, Member Rosie Loffler-Kemp

Suggested revisions: Yellow - revisions to model policy - Green - incorporate from existing district policy.

E. Approval of Committee Reports

By approving Committee Reports, the board acknowledges and approves all informational and action items represented in the Regular School Board Meeting Report of each committee.

- 1) Human Resources/Finance Committee - December 8, 2020
- 2) Monthly Committee of the Whole - December 1, 2020
- 3) Policy Committee - December 3, 2020

Minutes of the Special School Board Meeting

Of the School Board of Independent School District No. 709 held at: virtually via video conference, Duluth, Minnesota 55802, on

Friday, November 13, 2020

Members Present:

Kelly Durick Eder
David Kirby
Rosie Loeffler-Kemp
Jill Lofald
Alanna Oswald
Paul Sandholm
Sally Trnka

Others Present:

John Magas, Superintendent
Cathy Erickson, CFO
Melinda Thibault, Secretary

Chair Lofald called the Special School Board meeting of November 13, 2020 to order at 5:18 p.m.

Chair Lofald presented the resolution:

RESOLUTION

Canvassing Returns of Votes of School District Special Election of November 3, 2020

BE IT RESOLVED, by the School Board of Independent School District 709, as follows:

1. It is hereby found, determined and declared that the Special Election of the voters of this district, held on November 3, 2020, was in all respects duly and legally called and held.

2. **At Large:**

As specified in the attached Abstract and Return of Votes Cast, a total of 56,368 voters of the district voted at said election on the election of nominees for election as school board member for one one-year term due to a vacancy caused by a board member resignation as follows:

Kelly Durick-Eder	36,626
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3. Candidate Kelly Durick-Eder having received the highest number of votes, is elected to a one-year term for the one At-Large school board seat beginning January 4, 2021.
4. The School District Clerk is hereby authorized to certify the results of the election to the County Auditor of each County in which the School District is located in whole or in part.

Resolution B-11-20-3768

November 13, 2020

M-Trnka, S-Kirby, to approve Resolution B-11-20-3768 Canvassing Returns of Votes of School District Special Election of November 3, 2020. Upon a vote, the same was approved – unanimously.

Chair Lofald presented the resolution:

RESOLUTION

Employment of a School Board Member by the District

WHEREAS, the School Board member(s) below are/will be employed by the Duluth Public Schools during their service as a School Board member, and

WHEREAS, Minnesota Statute 123B.195 Board Member's Right to Employment requires that the member receive a majority approval by the School Board to be initially employed or to continue in employment at a meeting at which all board members are present, and

WHEREAS, Minnesota Statute 123B.195 Board Member's right to Employment states that the employment relationship will not exceed \$8,000 in a fiscal year, excluding compensation for being a School Board member,

BE IT RESOLVED, that the School Board authorize the employment of the following School Board members as listed, not to exceed \$8,000 in a fiscal year.

BOARD MEMBER

Jill Lofald

Alanna Oswald

Paul Sandholm

TIME FRAME

July 2020 - June 2021

July 2020 - June 2021

July 2020 - June 2021

HR-11-20-3766

November 13, 2020

M-Kirby, S-Trnka, to approve Resolution HR-11-20-3766 Employment of a School Board Member by the District. Upon a vote, the same was approved – 6-0 as follows:

Yea: Durick Eder, Kirby, Loeffler-Kemp, Lofald, Sandholm, Trnka

Abstain: Oswald

M-Trnka, S-Oswald, to adjourn the meeting. Upon a vote, the same was approved – unanimously.

Chair Lofald adjourned the Special School Board meeting of November 13, 2020 at 5:28 p.m.

Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at: virtually via video conference, Duluth, Minnesota 55802, on

Tuesday, November 17, 2020

Members Present:

Kelly Durick Eder
David Kirby
Rosie Loeffler-Kemp
Jill Lofald
Alanna Oswald
Paul Sandholm

Members Absent:

Sally Trnka

Others Present:

John Magas, Superintendent
Cathy Erickson, CFO
Melinda Thibault, Secretary

Student Representatives:

Nabiha Imtiaz (East)
Phoenix Ocean (Denfeld)

- Chair Lofald called the Regular School Board meeting November 17, 2020 to order at 6:36 p.m.

M-Durick Eder, S-Loeffler-Kemp, to approve the agenda. Upon a vote on the agenda as presented, the same was approved 6-0.

School and Community Recognition

November 2020

Anthony Bonds:

Members of the Board, this month it's my pleasure to present for recognition Amy Westbrook, MPH, Public Health Division Director and Sarah Miller RN, PHN. They're from St. Louis County Public Health & Human Services.

- Ms. Westbrook and Ms. Miller have become essential members of our response team as our school district navigates the COVID 19 pandemic.
- It is important that everyone in our school community take steps to reduce COVID-19 transmission.
- At the same time, schools are balancing the need to maintain a strong education system that effectively supports staff, students, and communities.
- Doing so in a thoughtful, strategic way requires reaching out to people with experience, training and expertise in public health and health issues.
- Ms. Westbrook and Ms. Miller are two such professionals, working in partnership with district leadership as we respond to COVID 19.
- They generously share their knowledge and provide guidance on an almost daily basis.

- They work in partnership with our COVID Lead Crystal Diehl. They consult with Superintendent Magas. They attend meetings to provide public health information to staff and families. They assist us in making tough decisions under often challenging conditions.
- They continue to closely monitor the situation and review information as it comes from the CDC and the Minnesota Department of Health. And they help us understand and incorporate that information into what we do.
- They work not only with us but with cities and townships, other school districts and the medical community.
- Ms. Westbrook, Ms Miller - Your service and support for our schools, students, families and staff are deeply appreciated. Thank you for your ongoing work to ensure what we do keeps our schools and community safe.

Public Comments
November 2020

Public comments were read into the record by the board members or played via voice messages (no public presence was allowed at the meeting) as follows (some spellings/names may be incomplete due to lack of information via voice messages):

The following people spoke regarding their thoughts and concerns related to the return to learn plan including; requests for more in person learning, concerns with the distance learning plan, not enough live learning/contact opportunities, the need for more synchronous learning, and grading policies:

Colleen Holliday, AM Lawn Care, Karin Patronas, Tobias Pedretti, Kelly Goetzman, Jeff Goetzman

The following people spoke asking the board not to cancel or delay the athletics/activities programs citing needs for student contact, and mental health concerns:

Nancy Janzig, Michael Kastelic, Wendy Burke, Lisa Maciver, Chris Fuller, Nathaniel Burke, Kristin Kartch, Kelly Goetzman, Gina Udd, Marina Udd, Jeff Goetzman

Mehgan Blair spoke to support removing the school resource officers from the schools and to request the district use the education equity framework when reviewing the contract.

Communications, Petitions, Etc.
November 2020

Chair Lofald stated that there were no communications received.

Superintendent's Report
November 2020

Student Representative Nabiha Imtiaz (East): Reported that two students recently committed to play college sports. Ethan Cole committed to UMD for baseball and Tommy Smythe committed to Elmhurst University for lacrosse. The Exec Board has been holding events the past month to boost student morale both online and they had a couple in person outdoors as well. She stated that as a student she supports the decision to close down activities and athletics due to the rising COVID cases until it is safe to return to in-person activities. She called attention to the lack of mental health resources for students and that at the School Board needs to be more intentional and devote more time to the issue because students are struggling and in need of more support. She stated that one thing that might help is switching the schedules to a Monday to Friday format because it is the system they have been using their entire and any sense of normalcy would be appreciated by students. The Thursday to Wednesday schedule does not allow students to have any time when they don't have schoolwork assigned and the constant stress, even if they aren't doing homework every single day, knowing that you have assignments hanging over you is really detrimental to our mental health and we would really benefit from having a couple days when we don't have any work assigned.

Student Representative Phoenix Ocean (Denfeld): Reported that Denfeld held an outdoor homecoming coronation ceremony and celebrated the homecoming king and queen, who exemplified Denfeld's values, as well as the whole court of students. Several students committed to colleges this week including Joe Rudd at St. Thomas for swimming and Isaac Fink at Augusta for distance running. Some activities and clubs are navigating practices and meetings online. However, many students are disappointed that their sports and activities are on hold right now. The importance of health and safety in the school and community comes first, so we hope that it is safe to return at a later date. Until then we will need to be patient and strong together. She stated that she would like to reiterate what Nabiha has said about secondary students needing more mental and emotional supports going forward and is looking forward what the superintendent has to say about that in his report.

Superintendent Magas gave an update on the return to learn planning and discussion took place regarding the update.

Chair Lofald reviewed the schedule of meetings.

Policy Committee Report
November 2020

Member Loeffler-Kemp presented the Policy Committee report which was available electronically to each school board member.

Monthly Committee of the Whole Report
November 2020

Member Lofald presented the Monthly Committee of the Whole report which was available electronically to each school board member.

Human Resources/Finance Committee Report
November 2020

Member Kirby presented the Human Resources Committee report which was available electronically to each school board member.

Consent Agenda
November 2020

M-Loeffler-Kemp, S-Durick Eder, to approve the Consent Agenda.

M-Loeffler-Kemp, S-Oswald, to pull Policy 206 from the consent agenda. Upon a vote the same was approved 6-0.

M-Lofald, S-Oswald, to remove the HR placeholder for the food service contract from the consent agenda. Upon a vote, the same was approved 6-0.

Upon a vote on the Consent Agenda as amended. the same was approved – 6-0.

Special Resolutions/Other Action Items
November 2020

None

Other
November 2020

M-Durick Eder, S-Loeffler-Kemp, to adjourn the meeting. Upon a vote, the same was approved – 6-0.

Chair Lofald adjourned the Regular School Board Meeting of November 17, 2020 at 9:30 p.m.

Minutes of the Special School Board Meeting

10

Of the School Board of Independent School District No. 709 held at: virtually via video conference, Duluth, Minnesota 55802, on

Tuesday, December 1, 2020

Members Present:

Kelly Durick Eder
David Kirby
Rosie Loeffler-Kemp
Jill Lofald
Alanna Oswald
Paul Sandholm
Sally Trnka

Others Present:

John Magas, Superintendent
Cathy Erickson, CFO
Melinda Thibault, Secretary

Chair Lofald called the Special School Board meeting of December 1, 2020 to order at 4:33 p.m.

Superintendent Magas gave an overview of the decision to hire an interim director, and a synopsis of the contract.

M-Loeffler-Kemp, S-Kirby, to approve the hiring and contract of Bruce Watkins as the Interim Director of Human Resources. Upon a vote, the same was approved – 6-1-0.

Yea: Durick Eder, Kirby, Loeffler-Kemp, Lofald, Oswald, Sandholm

Abstain: Trnka

M-Loeffler-Kemp, S-Sandholm, to adjourn the meeting. Upon a vote, the same was approved – Unanimously.

Chair Lofald adjourned the Special School Board meeting of December 1, 2020 at 4:58 p.m.

RESOLUTION**Designation of Identified Official with Authority for the MDE External User Access Recertification System**

WHEREAS, The Minnesota Department of Education (MDE) requires that school districts annually designate an Identified Official with Authority to comply with State Access Control Security Standard 1.0 which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The Identified Official with Authority will assign job duties and authorize external user's access to MDE secure systems for their local education agency (LEA).

NOW, THEREFORE, BE IT RESOLVED, the Superintendent recommends the Board authorize Sheryl Williams to act as the Identified Official with Authority (IOWA) for the Head Start Organization, Duluth Head Start 7010-84-001.

HOURLY/SUBSTITUTE PAY RATE SHEET

PROPOSED EFF. 1/1/2021

12

<u>COMMUNITY EDUCATION</u>			
American Indian Facilitator	Hourly	\$10.00	\$10.08
Lifeguard	Hourly	\$10.15	\$10.23
Locker Room Attendant	Hourly	\$10.00	\$10.08
Pool Director	Hourly	\$10.00	\$10.08
Puppeteer	Hourly	\$10.15	\$10.23
School-Aged/Pre-K Worker	Hourly	\$10.00	\$10.08
Special Needs Helper	Hourly	\$10.00	\$10.08
<i>Youth Development Programs</i>			
Cross Age Student Helper Playground Leader Gym Supervisor			
Activity Leader Summer Youth Placement Coordinator	Hourly	\$10.00	\$10.08
<u>FOOD SERVICE</u>			
Cook and Head Cook Substitute	Substitute	\$10.15	\$10.23
Food Service Substitute/Non-Unit Helper	Hourly & Substitute	\$10.00	\$10.08
<u>MAINTENANCE AND CONSTRUCTION</u>			
Lead Person for Laborers	Substitute	\$10.00	\$10.08
Snow Shovelers, Temporary	Hourly	\$10.00	\$10.08
Summer AV Repair	Hourly	\$10.00	\$10.08
Summer Hourly Substitute	Substitute	\$10.00	\$10.08
<u>BUILDING OPERATIONS</u>			
Substitute for Licensed People	Substitute	\$10.00	\$10.08
Summer Hourly and Summer Hourly Lawn Crew	Hourly	\$10.00	\$10.08
<u>TRANSPORTATION</u>			
Bus Helper	Substitute	\$10.00	\$10.08
Field Trip	Substitute	\$10.15	\$10.23
<u>PRINT SHOP</u>			
Summer Hourly	Hourly	\$10.00	\$10.08
<u>PURCHASING (STOREROOM)</u>			
Hourly Regular Substitute	Substitute	\$10.00	\$10.08
Hourly Student	Hourly	\$10.00	\$10.08
<u>CLERICAL</u>			
Hourly Clerical	Hourly	\$10.15	\$10.23
Regular Substitute	Substitute	\$10.15	\$10.23
<u>PARAPROFESSIONALS</u>			
Career Center Assistant	Hourly	\$10.00	\$10.08
Child Care Assistant	Substitute	\$10.15	\$10.23
Community Assistant	Substitute	\$10.00	\$10.08
Community Liaison	Substitute	\$10.00	\$10.08
Cultural Assistant (no language skills)	Substitute	\$10.00	\$10.08
Cultural Assistant (with language skills)	Substitute	\$10.15	\$10.23
Experience Center Manager	Substitute	\$10.00	\$10.08
Indian Oriented Assistant	Substitute	\$10.00	\$10.08
Instructional Assistant (Tutor)	Hourly & Substitute	\$10.00	\$10.08
Media Assistant	Substitute	\$10.00	\$10.08
Occupational Therapy Assistant	Substitute	\$10.15	\$10.23
Special Education Assistant	Hourly & Substitute	\$10.15	\$10.23
Supervisory Assistant	Substitute	\$10.15	\$10.23
<i>Technical Tutor</i>			
Graphic Artist Cultural Assistant (with language skills) RDT Asian Oriented Evaluation/Testing	Substitute	\$10.15	\$10.23
<u>MISCELLANEOUS</u>			
Accounting Intern	Hourly	\$10.00	\$10.08
Assistant Examiner	Hourly	\$10.00	\$10.08
Cafeteria/Playground Monitor	Hourly	\$10.00	\$10.08
Crossing Guard	Hourly	\$10.00	\$10.08
Deli Assistant	Hourly	\$10.00	\$10.08
Desegregation Assistant	Hourly	\$10.00	\$10.08
HRA Headstart Resource Aide	Hourly	\$10.00	\$10.08
Indian Adult Basic Education Assistant	Hourly	\$10.00	\$10.08
Parental Involvement Coordinator	Hourly	\$10.00	\$10.08
Technology Student Intern (after 17 months)	Hourly	\$10.00	\$10.08
Technology Student Intern(ISD#709 Student)	Hourly	\$10.00	\$10.08
Work Study	Hourly	\$10.00	\$10.08

RESOLUTION

Establishing Combined Polling Places for Multiple Precincts and Designating Hours During Which the Polling Places Will Remain Open for Voting For School District Elections Not Held on the Day of a Statewide Election

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

1. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for school district elections are those precincts or parts of precincts located within the boundaries of the school district which have been established by the cities or towns located in whole or in part within the school district. The board hereby confirms those precincts and polling places so established by those municipalities.

2. Pursuant to Minnesota Statutes, Section 205A.11, the board may establish a combined polling place for several precincts for school district elections not held on the day of a statewide election. Each combined polling place must be a polling place that has been designated by a county or municipality. The following combined polling places are established to serve the precincts specified for all school district special and general elections not held on the same day as a statewide election:

**Combined Polling Places (Townships
And the City of Rice Lake):** Lakewood Town Hall
3110 Strand Road
Duluth, MN 55803

"This combined polling place serves the townships of Gnesen, Lakewood, Normanna, North Star, Unorganized Precinct 2, Unorganized Precinct 23 and the City of Rice Lake, all territory in Independent School District No. 709 located in St. Louis County, Minnesota."

Combined Polling Places (District #1): Lakeview Covenant Church
(City of Duluth, Precinct #5)
1001 Jean Duluth Road
Duluth, MN 55804

"These combined polling places serve all territory in Independent School District No. 709 located in the City of Duluth (Precincts 1, 2, 4-7 located in St. Louis County, Minnesota.)"

Combined Polling Place (District #2): Unitarian Universalist Congregation of Duluth
(City of Duluth, Precinct 12)
835 West College Street
Duluth, MN 55811

"This combined polling place serves all territory in Independent School District No. 709 located in the City of Duluth (Precincts 3, 8-14) located in St. Louis County, Minnesota."

Combined Polling Place (District #3): Holy Cross Lutheran Church
(City of Duluth, Precinct #22)
410 North Arlington Avenue
Duluth, MN 55811

"This combined polling place serves all territory in Independent School District No. 709 located in the City of Duluth (Precincts 15-20, 22-25) located in St. Louis County, Minnesota."

Combined Polling Place (District #4): Asbury United Methodist Church
(City of Duluth, Precinct #32)
6822 Grand Avenue
Duluth, MN 55807

"This combined polling place serves all territory in Independent School District No. 709 located in the City of Duluth (Precincts 21, 26-30, 32-34) located in St. Louis County, Minnesota."

Combined Polling Places (District At-Large): Use combined polling places for Districts 1-4

3. Pursuant to Minnesota Statutes, Section 205A.09, the polling places will remain open for voting for school district elections not held on the same day as a statewide election between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m.

4. The clerk is directed to file a certified copy of this resolution with the county auditors of each of the counties in which the school district is located, in whole or in part, within thirty (30) days after its adoption.

5. As required by Minnesota Statutes, Section 204B.16, Subdivision 1a, the clerk is hereby authorized and directed to give written notice of new polling place locations to each affected household with at least one registered voter in the school district whose school district polling place location has been changed. The notice must be a non-forwardable notice mailed at least twenty-five (25) days before the date of the first election to which it will apply. A notice that is returned as undeliverable must be forwarded immediately to the appropriate county auditor, who shall change the registrant's status to "challenged" in the statewide registration system.

MEMORANDUM

TO: Curriculum Dept.

FROM: Patricia Fleege, Adult Diploma Program

SUBJECT: High School Diploma

DATE: 11/22/2020

The following student completed all requirements for graduation from I.S.D. 709 via the Adult Diploma Program and requests her Duluth Public Schools diploma, dated

Alicia L. Hamilton

11/22/2020

11/30/2020

Anthony Bonds, Assistant Superintendent
Independent School District 709
215 N 1st Ave E
Duluth MN 55802

Dear Mr. Bonds:

This is to certify that the person(s) listed below has completed all the requirements for High School graduation from the Duluth Public Schools and is eligible to receive their diploma from the school listed.

<u>NAME OF GRADUATE</u>	<u>SCHOOL ON DIPLOMA</u>	<u>GRADUATION</u>
Miranda C. Berntsen	Duluth Public Schools	11/26/2020

Please send diploma to Michelle Porter at the Area Learning Center, Room 126.

Adrian Norman
Principal

Michelle Porter
Administrative Assistant
Area Learning Center

12/1/2020

Anthony Bonds, Assistant Superintendent
Independent School District 709
215 N 1st Ave E
Duluth MN 55802

Dear Mr. Bonds:

This is to certify that the person(s) listed below has completed all the requirements for High School graduation from the Duluth Public Schools and is eligible to receive their diploma from the school listed.

<u>NAME OF GRADUATE</u>	<u>SCHOOL ON DIPLOMA</u>	<u>GRADUATION</u>
Kiana S. McVay Durant	Duluth Public Schools	12/2/2020

Please send diploma to Michelle Porter at the Area Learning Center, Room 126.

Adrian Norman
Principal

Michelle Porter
Administrative Assistant
Area Learning Center



December 3, 2020

Anthony Bonds, Assistant Superintendent
Independent School District 709
215 N 1st Ave E
Duluth MN 55802

Dear Mr. Bonds:

This is to certify that the person(s) listed below has completed all the requirements for High School graduation from the Duluth Public Schools and is eligible to receive their diploma from the school listed.

<u>NAME OF GRADUATE</u>	<u>SCHOOL ON DIPLOMA</u>	<u>GRADUATION</u>
Rose L. Munoz	Duluth Public Schools	12/4/2020

Please send diploma to Michelle Porter at the Area Learning Center, Room 126.

Adrian Norman
Principal

Michelle Porter
Administrative Assistant
Area Learning Center

December 7, 2020

Anthony Bonds, Assistant Superintendent
Independent School District 709
215 N 1st Ave E
Duluth MN 55802

Dear Mr. Bonds:

This is to certify that the person(s) listed below has completed all the requirements for High School graduation from the Duluth Public Schools and is eligible to receive their diploma from the school listed.

<u>NAME OF GRADUATE</u>	<u>SCHOOL ON DIPLOMA</u>	<u>GRADUATION DATE</u>
David J. Andresen	Duluth Public Schools	12/8/2020

Please send diploma to Michelle Porter at the Area Learning Center, Room 126.

Adrian Norman
Principal

Michelle Porter
Administrative Assistant
Area Learning Center

ROCKRIDGE ACADEMY

4849 Ivanhoe Street
Phone: (218) 336-8955 ~ Fax: (218) 336-8959

November 23rd, 2020

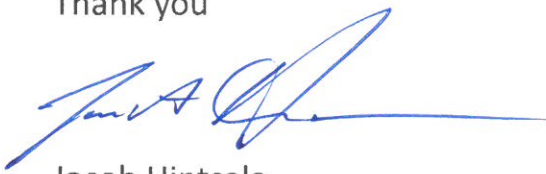
John Magas
Ind. School District 709
215 N. 1st Ave. E
Duluth, MN 55802

Dear Mr. Magas,

This is to certify that the person listed below has completed all the requirements for High School graduation from the Duluth Public Schools and is eligible to receive his diploma from the school listed.

<u>Name of Graduate</u>	<u>School</u>	<u>Graduation Date</u>
Cierra T. Hoskins	Rockridge Academy	December 11th, 2020

Thank you



Jacob Hintsala
Principal

Adopted:

MSBA/MASA Model Policy 520

Orig. 1995

Revised:

Rev. 2016

520 STUDENT SURVEYS

[Note: School districts are required by statute to have a policy addressing student surveys.]

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.

- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 1. political affiliations or beliefs of the student or the student’s parent;
 2. mental and psychological problems of the student or the student’s family;
 3. sex behavior or attitudes;
 4. illegal, antisocial, self-incriminating, or demeaning behavior;
 5. critical appraisals of other individuals with whom respondents have close family relationships;
 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 7. religious practices, affiliations, or beliefs of the student or the student’s parent; or
 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.
 1. The following policies are to be adopted in consultation with parents:
 - a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent’s request for reasonable access to such survey within a reasonable period of time after

the request is received.

“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

- b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).
- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.
 - (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
 - (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education

- recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.
2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
- a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
 - b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (non-Department of Education funded) containing one or

more of the items contained in Section IV.B., above.

- (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

- c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
- d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 20 U.S.C. § 1232h (Protection of Pupil Rights)
 34 C.F.R. § 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)

Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

First Reading: 12-15-2020

206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS

I. PURPOSE

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public **discussion input** as well as to protect the due process and privacy rights of individuals under the law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school board is to encourage **discussion input** by persons of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free **discussion input** by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. DEFINITIONS

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for

the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:
- Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.
- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

IV. RIGHTS TO PRIVACY

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
 3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
 4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

V. THE PUBLIC'S OPPORTUNITY TO BE HEARD

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

VI. OPEN FORUM **(MOVED IN ORDER)**

The school board shall normally provide a specified period of time when persons may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are 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 be allotted time during the meeting to address the board.

VII. PROCEDURES

A. Agenda Items

1. ~~Persons who wish to have a subject discussed at a public school board meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.~~

~~**Any individual may speak on a school related subject, or on his/her own behalf, or on behalf of an organization as its official representative. At the outset of the meeting the Chairperson of the School Board may ask if any delegation wishes to be called on during the designated public comment period. Delegates are expected to be as concise as possible and are not expected to enter into debate or actual deliberations of the School Board. The Board may question delegates for purposes of clarification and information but are not expected to enter into debate or discussion with delegates.**~~

1. Persons who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain.
2. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
3. The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
4. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.
5. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
6. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's

privilege to address the school board.

7. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

8. Public comments will be taken on any issue at the boards regular monthly meeting. Public comment at other meetings will be limited to the issue(s) on the agenda for that meeting. Public comment may or may not be taken at meetings where there is no official action.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

VII. PENALTIES FOR VIOLATION OF DATA PRIVACY

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)

- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. § 13.43 (Personnel Data)
 Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)
 Minn. Stat. § 13D.05 (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. § 122A.44 (Contracting with Teachers)
 Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)
 Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 Minn. Op. Atty. Gen. 852 (July 14, 2006)

Cross References: MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
 MSBA/MASA Model Policy 207 (Public Hearings)
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
 MSBA/MASA Model 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)

First Reading: October 20, 2020
 Second Reading: November 17, 2020
 Adoption: December 15, 2020

8080 SCHOOL BOARD MEETINGS

The School Board, as a representative body of the School District, wishes to provide an avenue for any citizen to express his/her interest in and concerns for the schools. Accordingly, the public is cordially invited to attend any and all sessions of the School Board.

In order that the School Board may fairly and adequately discharge its overall responsibility, citizens who wish to make requests, representations, or proposals to the School Board are requested to direct these to the Superintendent, who will deal with them according to rules adopted by the School Board. The intent of the policy is:

1. To allow everyone who wishes it, a fair and adequate hearing.
2. To allow the Superintendent to take direct action, or to recommend action to the School Board, when policies have already been established by the School Board.
3. To minimize the possibility of the School Board's making ill-advised, illegal, or improper rulings due to hasty action in the absence of adequate information and study, especially when a policy does not exist, a change in policy is proposed, or an exception to policy is specifically requested.
4. To see that the time so devoted does not interfere with the scheduled business of the School Board.

It is the policy of the School Board to announce in advance, whenever practicable, through the newspapers and such other means as may appear appropriate, the date, time, and place of all regular and special meetings and the major topics to be discussed there at. It shall be the duty of the School Board clerk to supervise the execution of this policy.

In accord with confirming the right and desirability of the public expressing its point of view to the School Board, delegations or individuals are welcome at regular meetings, subject to the following regulations designed to expedite deliberations and provide for full consideration of problems and questions:

- Matters concerning an individual school shall be discussed first with the principal of that school.

Operational Problems

1. If the problem cannot be resolved at the school, it shall then be brought to the Superintendent.
2. If the problem cannot be resolved with the Superintendent, it shall then be brought to the School Board in the following manner.
 - a. An appointment to meet with the School Board must be established at least one week in advance of the meeting.
 - b. Questions and problems must be submitted in writing at the time of the request for an appointment.
 - c. Delegates shall indicate whom they represent and shall be asked to comment on their questions or problems.
 - d. The School Board will take questions and problems under advisement and issue responses after due deliberation, usually at the next meeting.

- e. If questions or problems relate to personalities, the School Board may go into executive session to receive such presentations.
- f. In cases of emergency, of which the Superintendent and/or School Board shall be the judge, stipulations concerning prior conferences and appointments may be dispensed with by unanimous vote of the School Board members present.

School Board Agenda Items

While public comment on any issue will be taken at the board's regular monthly meeting, public comment at other meetings will be limited to the issue(s) on the agenda for that meeting. Public comment may or may not be taken at meetings where there is no official board action.

Any individual may speak on a school related subject, or on his/her own behalf, or on behalf of an organization as its official representative, at a time on the agenda specified for delegations. At the outset of the meeting the Chairperson of the School Board may ask if any delegation wishes to be called on at a time when a specific agenda item is to be discussed by the School Board. Delegates are expected to be as concise as possible and are not expected to enter into debate or actual deliberations of the School Board. The Board may question delegates for purposes of clarification and information but are not expected to enter into debate with delegates.

Legal Reference: MSA 471.705

Adopted: 06-09-1970 ISD 709
 Revised: 06-20-1995
05-20-2008 ISD 709