

THE REORGANIZATIONAL AND REGULAR MEETING OF THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NO. 2142, ST. LOUIS COUNTY SCHOOLS, HELD ON MONDAY, JANUARY 7, 2008.

A. Larson was declared the Treasurer by a unanimous vote.

The Reorganizational meeting was adjourned at 5:07 p.m. and the **regular meeting** of the Board of Education of Independent School District No. 2142 was called to order by Vice Chairperson B. Larson at 5:07 p.m.

Superintendent Charles Rick reported the following: 1.) The Superintendent briefly explained the January 7, 2008 School Board Study Session: a.) The Tower-Soudan School Eagle's Pride organization spoke to the board regarding concerns at the School, and reinforced the need for a full-time principal at the site; b.) There was a closed meeting to discuss negotiations strategy and the Superintendent's Evaluation; c.) There was a discussion on the District Strategic Plan; d.) Maintenance of transportation vehicles was discussed and the need to maintain vehicles at the closest available facility; e.) Sharing the cost of the baseball field in the City of Cook; f.) Principal & Dean of Students Model; g.) 2008-09 Planning Timeline; and h.) 2006-07 Financial Audit Review by Auditor; 2.) Teachers' Mediation will be on Thursday, January 10, 2008 at the NESD; 3.) The school board will be attending the MSBA January 16 to 18, 2008; 4.) The administrators are currently going over the master schedule for 2008-09; and 5.) The superintendent is currently working on the budget.

Assistant Superintendent Sidney L. Simonson reported the following: 1.) There will be a staff development in-service for teachers at the Cherry School, on Monday, January 21, 2008. The board will be receiving more information on staff development; 2.) There will be more accountability for principals. Mary Barnes coming to the district has made a difference. She was able to visit three (3) sites; and 3.) Testing will begin in March.

Discussion followed.

Motion by Fowler and seconded by Foster to **approve the consent agenda**: December 11, 2007, Regular School Board Meeting Minutes; Policy: Donations: 1.) \$125.00 from the Women of the Elca, Hope Lutheran Church, Embarrass for "Coats for Kids" at the Babbitt-Embarrass School; 2.) \$150.00 from the AlBrook Academic Boosters for the AlBrook School Art Department; 3.) \$100.00 from the Northland Chapter of ATSSA for the Cook School student council; 4.) \$500.00 from Exxon Mobil Corporation for the Cook School student council; 5.) \$481.69 from Enstrom Studio, Inc. for 2007-2008 commission for the Cotton School; 6.) \$1,086.17 from Enstrom Studio, Inc. for 2007-2008 commission for the AlBrook School; 7.) \$250.00 from an anonymous donor for the Orr School science / math departments; 8.) An Acer 20 inch color monitor from Mary Lou Sixberry for the Cherry School; 9.) \$200.00 from Sappi, S. D. Warren Company for the AlBrook School softball equipment; 10.) \$500.00 from the Cook PTO for the Cook School art program; *the following donations were received for the AlBrook School all-night graduation party*: 11.) \$200.00 from the Goal Line Booster Club, Inc.; 12.) \$25.00 from the Proctor Federal Credit Union of Proctor, MN; 13.) \$50.00 from the Members Cooperative Credit Union; 14.) \$50.00 from Orthopaedic Associates of Duluth, P. A.; 15.) \$30.00 from Mielke Electric Works, Inc. of Duluth, MN; 16.) \$100.00 from USG Interiors, Inc. of Chicago, IL.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by A. Larson and seconded by M. Foster to **approve the State Bank of Tower and Minnesota Liquid Asset Fund (Cadre Services) as designated depositories for district funds.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Establish Representative Assignments for 2008: Establish School Board Salaries and Other Compensation

Salary: For regularly scheduled school board meeting to be \$225.00 per month, and an hourly rate of \$8.50 per hour for additional meetings that require attendance at meetings, workshops, and conventions, including travel time.

Mileage: Follows IRS established rates. (See attached)

Per Diem: Shall be consistent for all employees at the following rates:
Within Region 7 Breakfast \$5.00

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| | | |
|------------------|-----------|---------|
| | Lunch | \$7.00 |
| | Dinner | \$15.00 |
| Outside Region 7 | Breakfast | \$10.00 |
| | Lunch | \$15.00 |
| | Dinner | \$20.00 |

Motion by Fowler and seconded by Foster to **approve salaries and other compensations for 2008 as presented.**

Member Salmela opened discussion for a clarification of paragraph two (2).

Member Bjerklie said that he was willing to take the cut.

Discussion followed.

Member Fowler and Foster agreed to the amended motion.

Member Salmela suggested raising the hourly rate to \$10.00.

Member Fowler would not agree to the amended hourly rate.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Appointments made by Vice Chair person B Larson for 2008 calendar year:

| | |
|-----------------------------------|--|
| Continuing Education | Andrew Larson |
| Staff Development | Bob Larson |
| Human Rights Officer (s) | Roland Fowler Zelda Bruns |
| MSHSL Board Representative | Darrell Bjerklie |
| Legislative Liaison | Roland Fowler |
| (Alternate) | Zelda Bruns |

Board Representation for Negotiations Contract Renewals:

| | |
|-------------------|--|
| Teachers - | Mark Foster Larry Salmela Zelda Bruns |
|-------------------|--|

(During present 2008 Teacher Contract Mediation; the board will meet as a whole.)

Teamsters – (Aides, Food Service, Clerical, Health Services (COTA))

Bob Larson
Darrell Bjerklie

Operating Engineers – (Custodians, Bus Drivers)

Bob Larson
Roland Fowler

Principals -

Andrew Larson
Roland Fowler

Non-bargaining Unit Employees -

Darrell Bjerklie
Zelda Bruns

Motion by Foster and seconded by Fowler to **recognize Colosimo, Patchin, Aronson, Kearney & Brunfelt, Ltd. Law Firm as legal counsel for ISD # 2142 for the year 2008.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Foster and seconded by Bruns, to **recognize Knutson, Flynn & Deans Law Firm as legal counsel for ISD # 2142 in regards to negotiations of the teachers' contract for the year 2008.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Fowler and seconded by Salmela to **award legal publishing to the Cook News-Herald for the year 2008.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Greg Knutson of Walker, Giroux, & Hahne gave a brief report on the District Audit ending June 30, 2007.

Superintendent Rick recommended approval of the final audit and activity audit for year ending June 30, 2007.

Board Member Salmela pointed out the District's capable financial management now, and congratulated Superintendent Rick and Business Manager Kim Johnson on their performance.

Motion by Bjerklie and seconded by Foster to **accept ISD # 2142 final audit and activity audit for the year ending June 30, 2007.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Superintendent Rick mentioned that this resolution takes place in January as a first step in school finances.

PROPOSED DISCONTINUANCE OF POSITIONS, AND CURTAILMENT OR DISCONTINUANCE OF PROGRAMS

Member Salmela moved, that

Whereas there has been a reduction in student enrollment and this reduction in student enrollment must include discontinuance of positions, and curtailment or discontinuance of programs and

Whereas, as determination must be made as to which teachers' contracts must be terminated and not renewed and which teachers may be placed on unrequested leave of absence without pay or fringe benefits in effecting discontinuance of positions,

Be It Resolved, by the School Board of ISD 2142,

That the School Board hereby directs the superintendent of schools and administration to consider the discontinuance of programs and positions, and, as a result of reduction in enrollment, make recommendations to the school board for the discontinuance of programs, the curtailment of programs, discontinuance of positions, curtailment of positions.

The motion for the foregoing was duly seconded by Member Foster and upon vote being taken thereon, the following voted in favor thereof: Fowler, A. Larson, Bruns, Salmela, Foster, B. Larson, and Bjerklie.

Absent: None and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted.

Motion by A. Larson and seconded by Fowler to **accept Andrea Hilla's resignation as instructional aide, effective December 27, 2007.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Fowler and seconded by A. Larson to **hire Rick Pesola as bus driver, bargaining unit, not to exceed full time equivalency for this position, effective January 2, 2008,** with terms and conditions of employment in accord with master agreement between ISD # 2142 and Operating Engineers #70.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by A. Larson and seconded by Salmela to **hire Courtney E. John-Hopkins as instructional aide, bargaining unit, 6.5 hours per day, 5 days per week, effective January 2, 2008,** with terms and conditions of employment in accord with master agreement between ISD #2142 and Teamsters Local #346.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Fowler and seconded by A. Larson to **approve unpaid leave of absence for Julie Gentilini under the medical leave act, effective January 9, 2008 to February 7, 2008,** pursuant to Article XI, Section 7, Subd. 4, in accord with Master Agreement, between ISD #2142 and EDMNSLCT.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Foster and seconded by Salmela to **approve the 2007-2008 Winter coaching staff as presented, and dependent upon appropriate levels of high school (grades 9-12) participation, as follows: Cherry: assistant boys basketball-Brad Mayry; Cotton: co-assistant girls basketball-Melissa Randall/(co-assistant girls basketball-Heather Kowarsch was hired at the September 24, 2007 School Board Meeting).**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Motion by Salmela and seconded by A. Larson to **approve unpaid leave of absence for Erin Peitso, effective January 2, 2008 to April 4, 2008,** pursuant to Article 12, Section 5, Subd. 1, in accord with Master Agreement, between ISD # 2142 and Teamsters Local #346.

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

This is the Second Reading of the Employee Background Checks Policy 404.

**ST. LOUIS COUNTY SCHOOLS
ISD NO. 2142**

Adopted: _____

Revised: January 7, 2008

404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in St. Louis County Schools in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district or such other background checks as provided by this policy. St. Louis County Schools may also elect to do

background checks of volunteers, independent contractors and student employees in the school district.

II. GENERAL STATEMENT OF POLICY

- A. St. Louis County Schools shall require that applicants for school district positions who receive an offer of employment submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the school district that an applicant's criminal history does not preclude the applicant from employment with the school district.
- B. St. Louis County Schools specifically reserves any and all rights it may have to conduct background checks regarding current employees or applicants without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, independent contractors and student employees.

III. PROCEDURES

- A. Normally an applicant will not commence employment until St. Louis County Schools receives the results of the criminal history background check. The school district may conditionally hire an applicant pending completion of the background check, but shall notify the applicant that the applicant's employment may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (hereinafter "the BCA"). The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. An applicant who is offered employment must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide a money order or check payable to either the BCA or to the school district, at the election of the school district, in an amount equal to the actual cost to the BCA and the school district of conducting the criminal history background check. If the applicant fails to provide the school district with a signed Informed Consent Form and fee at the time the applicant received a job offer, the applicant will be considered to have voluntarily withdrawn the application for employment.
- C. St. Louis County Schools, in its discretion, may elect not to request a criminal history background check on an applicant who holds an initial entrance license issued by the state board of teaching or the state board of education within the 12 months preceding an offer of employment.
- D. St. Louis County Schools may use the results of a criminal background check conducted at the request of another school hiring authority if:
 - 1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
 - 2. the other school hiring authority conducted a criminal background check within the previous 12 months;
 - 3. the applicant executes a written consent form giving the school district access to the results of the check; and

4. there is no reason to believe that the applicant has committed an act subsequent to the check that would disqualify the applicant for employment.
- E. For all nonstate residents who are offered employment with the school district, the school district shall request a criminal history background check on such applicants from the superintendent of the BCA and from the government agency performing the same function in the resident state, or if no government entity performs the same function in the resident state, from the Federal bureau of Investigation. Such applicants must provide an executed criminal history consent form.
- F. When required, applicants must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the applicant are unusable, the applicant will be required to submit another set of prints.
- G. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the job posting and job advertisements.
- H. The applicant will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with the school district, the applicant will be so advised.
- J. St. Louis County Schools may apply these procedures to volunteers, independent contractors or student employees as though they were applicants for employment.

IV. CRIMINAL HISTORY CONSENT FORM

A form to obtain consent for a criminal history background check is available in the business office.

Legal References: Minn. Stat. 13.04, Subd. 4 (Inaccurate or Incomplete Data)
Minn. Stat. 123B.03 (Background Checks)
Minn. Stat. 299C.60-299C.64 (Minnesota Child Protection Background Check Act)
Minn. Stat. 364.09(b) (Exception for School Districts)

Cross References:

ST. LOUIS COUNTY SCHOOLS

Independent School District No. 2142
1701 North 9th Avenue
Virginia, MN 55792
Tel: (218) 749-8130, extension 1106
Fax: (218) 749-8133

TO: Prospective Employees
FROM: Payroll/Personnel Coordinator
RE: Background Check

St. Louis County Schools will request the Superintendent of the Minnesota Bureau of Criminal Apprehension (BCR) to perform a background check on you pursuant to the Minnesota Child Protection Check Act, Minnesota Statutes 299C.62 et. Seq.

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As the subject of the background check request, you have the following rights:

- To be informed that a background check is being requested about you for the purpose of your application to be employed by St. Louis County Schools (or continuing as an employee).
- To be informed by St. Louis County Schools of the BCA’s response to the background check.
- To obtain from St. Louis County Schools a copy of the background check report.
- To obtain from the BCA any record that forms the basis for the background check report.
- To challenge the accuracy and completeness of any information contained in the background check report or record pursuant to Minnesota Statutes Section 13.04(4).
- To be informed by St. Louis County Schools if your application to be employed by St. Louis County Schools (or continue as an employee) has been denied because of the background check request.

Please fill out the enclosed consent form and return it to me along with a check or money order in the amount of \$15.00 payable to “Minnesota Bureau of Criminal Apprehension.” If you have already had a background check completed elsewhere, a copy of that report may be provided to St. Louis County Schools.

Minnesota Statute 123B.03 Informed Consent Form
St. Louis County Schools, ISD # 2142
1701 9th Avenue North
Virginia, MN 55792
218-749-8130 / 218-749-8133 (FAX)

Date _____

The following named individual has made application with this agency for employment.

Full name of applicant: _____
Last
First
Middle

Address: _____

Phone Number: _____

Maiden, previous or alias: _____

Social Security Number of Applicant: _____

Date of birth: _____
Month/Day/Year

I hereby request/authorize the Minnesota Bureau of Criminal Apprehension to conduct a criminal background check of me through their records. This information shall be sent to: School District ISD No. 2142 pursuant to Minnesota Statute 123B.03 for the purpose of employment as _____ with this school district.

School Location: _____

CONDITIONAL HIRING: I understand that the School District may permit me to commence my employment duties pending completion of the criminal history background check and acknowledge and agree that I may be terminated based on the result of the background check.

The expiration of this authorization shall be for a period no longer that one year from the date of my signature.

Signature of Applicant

Date

Motion by Salmela and seconded by Bruns to **approve Policy 404, Employee Background Checks.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Adopted: _____
Revised: **January 7, 2008**

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students are protected from discrimination on the basis of a disability.
- B. It is the responsibility of the school district to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one of more major life activities, including learning; or
 - 2. has a record of such impairment; or
 - 3. is regarded as having such impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions, comments, or complaints should contact regarding grievances or hearing requests regarding disability issues. This person is the school district's ADA/504 Coordinator.

IV. GRIEVANCE PROCEDURE

- A. This grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits, or in employment practices and policies, by ISD # 2142.
- B. The School District encourages all grievances to be resolved with the individual closest to the issue, in most cases the school principal or designated 504/ADA Facilitator. The grievance should contain information about the alleged discrimination such as name and phone number of the complainant and location, date, and description of the problem. Alternate means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

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- C. The complaint must be filed by the grievant and/or her/his designee within 30 calendar days after the alleged violation.
- D. When it is not possible to file the complaint with the individual closest to the issue, or when such attempts have not been successful, the grievance may be filed in writing with the District 504/ADA Coordinator.
- E. The ISD # 2142 504/ADA Coordinator is:
 - Name:
 - Address:
 - Telephone Number:
 - TDD Number:
 - Hours Available:

Step One

The grievance should be submitted to the school principal or designated 504/ADA facilitator who will investigate the circumstances of the alleged violation. The principal or 504/ADA facilitator will provide a written report of her/his findings of fact and conclusions within ten (10) school days to the grievant and District 505/ADA coordinator.

Step Two

If the grievance has not been resolved to the satisfaction of the grievant, she/he may appeal to the District 504/ADA Coordinator within ten (10) school days of receipt of the report. The District 504/ADA Coordinator will conduct an investigation and within ten (10) school days of receipt of the appeal, the District 504/ADA Coordinator will affirm, reverse, or modify the report of the principal or school 504/ADA facilitator.

Step Three

If the grievance has not been resolved in Step Two to the satisfaction of the grievant, she/he may request an impartial due process hearing.

Step Four

The grievant may file a complaint with community, State or Federal agencies.

Legal References: 29 U.S.C 794 et seq. (504 of Rehabilitation Act of 1973) 34 C.F.R. Part 104 (Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

U. S. Department of Education
Office for Civil Rights, Region V
500 West Madison Street – Suite 1475
Chicago, IL 60661
Tel. 312-730-1560
TDD 312-730-1609

Motion by Salmela and seconded by Foster to **approve Policy No. 521, Student Disability Nondiscrimination.**

Yes- Bjerklie, Bruns, Foster, Fowler A. Larson, B. Larson, Salmela
Against- None

Comments from the School Board:

All School Board members welcomed the Board Chair, Zelda Bruns back. They expressed that it was good having her back.

Superintendent Rick welcomed Zelda Bruns back.

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Board Vice Chair B. Larson also welcomed Zelda Bruns back and indicated that the board had a good study session.

Comments from visitors:

Mark Carlson, Cotton resident indicated that he was upset about the hiring process for the Dean of Students in Cotton; Appointment process for Cotton board member; Complaints regarding coaching staff and employee practices.

Jeff Poski, Cotton resident also expressed his concern and came in support of Mr. Carlson.

The school board meeting was adjourned at 6:11 p.m.

Chairperson

Clerk