

SCHOOL BOARD  
INDEPENDENT SCHOOL DISTRICT No. 15  
St. Francis, Minnesota  
December 10, 2012  
Regular Meeting – 7:00 p.m.  
Central Services Center – Community Room  
4115 Ambassador Blvd.  
M I N U T E S

The regular meeting was called to order by Chair Van Denburgh at 7:00 p.m. with the following members present: Directors Anderson, Erkel, Glover, Grams, Kelly, Rustad and Superintendent Saxton.

Others present were Associate Director of Business Services Scott Nelson, Director of Human Services Dave Lindberg, Assistant Director of Community Services Troy Ferguson, and community members.

Roll call was taken.

**Board Calendar Dates:** Regular meetings held at 7:00 p.m. at the Central Services Center, January 14, January 28, February 11, and February 25. Dialogue with the School Board will be at 6:30 p.m. prior to the regular meetings.

**Site Report – CCCS, EBCS, and SFES STEM Report**

Kara Lofgren, 4<sup>th</sup> grade teacher at Cedar Creek Community School, and other 4<sup>th</sup> grade teachers were present to provide an update to the STEM (Science, Technology, Engineering, Math) program. 4<sup>th</sup> grade student Abrielle Stanaway talked about the pond and water filters. East Bethel Community School 4<sup>th</sup> teacher Laurel Schurke introduced student Natalie Netteberg who talked about studying and building a free-standing structure. Principals Darin Hahn, Angie Scardigli, and Kathy Kohlen were in attendance.

**Truth in Taxation**

Mr. Nelson, Assoc. Director of Business Services, presented the 2012-2013 budget and the 2012 Payable 2013 Levy in accordance with MN Statute Section 275.065, subdivision 3.

**Consideration of Visitors**

Bria Smith addressed the School Board expressing concern over the potential removal of Director Rustad from the School Board. Ms. Smith also suggested that the District consider removing another Director.

**Agenda**

Motion was made by Ms. Erkel and second by Ms. Glover. Mr. Rustad made a motion to remove item VI. B. Resolution Removing a School Board member from the agenda, second by Ms. Erkel. Discussion: Mr. Rustad stated information recently released in an Advisory Opinion from the IPAD (Information Policy Analysis Division) might be pertinent to this agenda item. He distributed copies of the opinion for review. Discussion included: a procedural error made by Mr. Lindberg, whether or not School Board members are considered district employees, the opinion carries with it no penalties however is an instructive tool, Mr. Rustad should not have made the motion regarding the agenda item concerning himself, review of making a motion in Robert's Rules of Order, the District's attorney responded to the IPAD opinion, based on facts and information provided the opinion is that a school board member's rights were violated.

Moving ahead to the motion made by Mr. Rustad. Motion failed 3-4 with nays being Ms. Glover, Mr. Grams, Ms. Kelly and Mr. Anderson.

Motion to approve the agenda carried, 6-1.

**Consent Agenda**

Motion was made to approve the revised Consent Agenda by Mr. Anderson and second by Mr. Grams.

- A. THAT the minutes of November 26, 2012, be approved as presented.
- B. THAT the Personnel Items Be approved as presented.

BE IT RESOLVED by the School Board of Independent School District No.15 that the Personnel actions as listed below be approved:

NEW EMPLOYMENT									
Name	Position	Replacement for	Site	Position Status	Days/Year	Hrs/Day	Salary Level	Wage	Effective
Batsys, Barbara	EA-Classroom	NEW POSITION	CCCS	CONT	172.0 prorated	5.0	B21/1	\$11.66	12/07/12
Bennett, Susan	EA-Job Coach-Extension	Stone, Lucinda	T15	TEMP	15.0	6.0	B21/1	\$12.36	9/21/12-12/31/12
Ernst, Stacy	EA-Classroom	NEW POSITION	CCCS	CONT	172.0 prorated	5.0	B21/1	\$11.66	12/07/12
Howe, Wayne	Custodian-2 <sup>nd</sup> Shift	Lofgren, Curtis	CCCS	TEMP	26.0	8.0	B21/3	\$14.58	12/10/12
Monson, Mike	Custodian-Night Lead	Trandem, Lee	SFMS	CONT	260.0 prorated	8.0	B23/3	\$15.35	11/5/12
Reilly, Kathleen	School Social Worker	Norstrom, Jennifer	SFMS	TEMP	19.0	8.0	Sub Rate	\$125.00	11/26-12/21/12
Stanley, Tami	EA-Classroom	NEW POSITION	CCCS	CONT	172.0 prorated	5.0	B21/1	\$11.66	12/10/12
West, Kristen	Preschool Instructor	Milner, Hilary	LLC	TEMP	13.0	3.0	CED	\$18.68	12/18/12

LEAVES OF ABSENCE							
				Expected Duration		Most recent assignment	
Name	Position	Location	From	To	Days/Year	Hrs/Day	
Baker, Rebecca	Speech/Language Pathologist	LLC	08/28/12	Returned 11/28/12	186.0	8.0	
Beal, Melissa	Tchr-ELL	SFHS	08/28/12	Returned 12/03/12	186.0	8.0	
Bosma, Jessica	Tchr-Special Education	EBCS	01/14/13	3/11/13	186.0	8.0	
Brockner, Larry	Technology Tech	SFE	10/23/12	Returned 11/18/12	260.0	8.0	
Johnson, Christine	Assistant Cook	SFHS	12/01/11	Returned 12/03/12	176.0	7.25	
Lindquist, Vic	Custodian	District Wide	10/23/12	Returned 01/02/13	260.0	8.0	
Lundquist, Mary	Tchr-Language Arts	SFHS	08/28/12	Returned 12/03/12	186.0	8.0	
Waters, Ryan	Custodian	SFHS	11/05/12	Returned 11/18/12	260.0	8.0	

RESIGNATION/RETIREMENTS/TERMINATIONS/DISCONTINUANCE OF POSITION						
Name	Position	Site	Reason	Effective	Last Work Day	
Bechard, Sarah	Speech/Language Pathologist	LLC	End of LTS	11/27/12	11/27/12	
Mehr, Robert	Custodian	CCCS	Termination	11/16/12	11/16/12	
Luniewski, Traci	School Social Worker	SFE	Resignation	12/07/12	12/07/12	
Zeik, Casey	EA-Noon	EBCS	Termination	11/26/12	11/26/12	

C. THAT Disbursements be approved as presented.  
 BE IT RESOLVED by the School Board of Independent School District No. 15 that these disbursements as presented, and excluding net payroll, be allowed and charged to funds as follows:

FundNo.	Description	Amount
01	General	\$ 1,087,601.59

02	Food Service	\$	70,177.03
04	Community Services	\$	64,628.74
06	Construction	\$	-
07	Debt Redemption	\$	-
09	Trust and Agency	\$	300.28
20	Internal Service	\$	338,389.52
47	OPEB Debt Service	\$	-
	TOTAL DISTRICT	\$	1,561,097.16

D. THAT Gift Acknowledgements be approved as presented.

BE IT RESOLVED by the School Board of Independent School District No. 15 that the following gifts be hereby accepted as set forth in the attached donor form(s):

\$282.66, Wells Fargo Community Support Campaign, to SFHS to be used at principal's discretion

\$50.00 (in kind), CCCS PTO, paid to Gordon Fredrickson (an author) to do a presentation for first grade students

\$25,000.00, EBCS PTO, spiral mountain playground equipment purchased and installed from Play and Park Structures

\$253.67, SFE APT, wages for Alice Ballance for seven reading/math nights throughout the 2012-13 school year

\$55.24, SFE APT, wages for Nicole Browning for two activity nights for the 2012-13 school year

\$5,194.00, Center Ice Club, JV coach, St. Francis High School Girls Hockey

\$213.45, CCCS PTO, to CCCS for special education supply items

\$500.00, Deluxe Corporation Foundation, to CCCS to be used at principal's discretion

\$1,045.10, CCCS PTO, purchase books for the library at CCCS

Motion carried, 7-0.

## Reports

### *Superintendent Report and Communications*

- School Closings – SchoolReach was released at approximately 4 a.m. Monday, December 10, and called as soon as a determination was made.
- Career Ladder observation done this week.
- Met with Paul Neubauer and Chris Vincent from Faith Based Community in regards to collaboration with our students.
- Met with two grant readers regarding the methodology in writing grants.
- Continue to meet with principals on planning for next year, will meet with Financial Planning Action Committee (FPAC) on December 13.
- TIES Conference is December 10-11 with awards event December 11.
- List of School Board committee assignments for organizational meeting consideration is on table top.
- Communication committee to meet after the meeting. Ms. Van Denburgh would like a report back.

### *Dialogue*

No one attended.

### *School Board Member Reports*

Mr. Rustad received IPAD opinion. Attended Crossroads Awards banquet.

Ms. Kelly attended Schools for Equity in Education.

Mr. Anderson attended Oak Land Cooperative meeting, audit was approved. Attended the high school Jazz Band concert. He will be attending the FPAC meeting.

Ms. Glover reported notes from the Cedar Creek Community School SMC meeting December 3.

Ms. Erkel has nothing to report.

Mr. Grams attended the *Christmas Carol* at St. Francis High School, and the Crossroads School awards program. Met with Mr. Neubauer, Mr. Krause and associates met regarding the round-a-bouts in the District, estimated in 2015.

Ms. Van Denburgh attended the Indian Education dinner which was well attended. She received one phone call about the school closing.

Mr. Lindberg quoted Robert Rules of order article 6 subsection 38 regarding voting on a resolution affecting oneself.

### Other Matters

#### *Final Payable 2013 Levy*

Motion was made by Ms. Erkel and second by Ms. Glover.

BE IT RESOLVED by the School Board of Independent School District No. 15 that the final 2012 payable 2013 property tax levy be certified as follows:

Category	Amount
<b><u>GENERAL FUND</u></b>	
General RMV Voter Approved	\$ 1,741,909.02
General RMV Other	719,251.24
General NTC Other	1,873,569.57
<b>TOTAL GENERAL FUND</b>	<b>\$4,334,729.83</b>
<b><u>COMMUNITY SERVICE</u></b>	<b>\$365,382.08</b>
<b><u>DEBT SERVICE</u></b>	
Debt Service – Voter Approved	\$4,741,563.99
Debt Service – Other	923,733.44
Debt Service – OPEB	449,058.35
<b>TOTAL ALL DEBT SERV. FUNDS</b>	<b>\$6,114,355.78</b>
<b>TOTAL ALL FUNDS</b>	<b>\$10,814,467.69</b>
<b>TOTAL CERTIFIED LEVY</b>	<b>\$10,814,467.69</b>

#### *Resolution Removing a School Board Member*

Ms. Van Denburgh read the resolution.

Motion was made by Mr. Anderson and second by Mr. Grams.

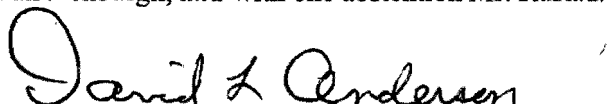
Discussion included: the hearing was not a legal court, hearing was not impartial, Mr. Rustad not offered District representation or resources, belief that the hearing was legal as set forth to all Board members, statement was clear from the Independent Hearing Officer (IHO), we make decisions for the education of the students, this reflects badly on the entire Board, money has always been a concern however we need to take a stand on something this important, employees statement of a vendetta, taxpayers' money being spent, given permission to use the article, who will be next, I have no vendetta, he plagiarized and did not come forward, it is a waste of money but it is a necessity, as this action pertains to a school system it is a serious violation, still unsure of the fact of equal representation by District legal counsel, yes he made a mistake and plagiarized but does not feel there is proper cause, could potentially be a violation of due process, a lot of opinion offered at the hearing, statute does not define proper cause, originally it was decided that censure was enough, the selection of the IHO was not impartial, District legal counsel provided three names to the District, belief that the Board did follow the law in the hearing, and the focus of the Board should get back to educating students.

Mr. Grams inquired as to the process to replace Director Rustad should he be removed. Mr. Lindberg explained.

Motion carried, 4-2, 4-3, nays being Ms. Erkel, and Ms. Van Denburgh, ~~and with one abstention~~ Mr. Rustad.

(Resolution attached)

The regular meeting was adjourned at 9:05 p.m.

  
School Board Clerk 1-14-13

Member David Anderson introduced the following Resolution and moved its adoption:

**RESOLUTION REMOVING A SCHOOL BOARD MEMBER**

WHEREAS, the School Board has complied with the procedural requirements of Minnesota Statutes, Section 123B.09, subdivision 9;

WHEREAS, a hearing on the proposed removal of School Board member Matthew Rustad from his seat on the School Board of Independent School District No. 15 was held on November 14, 2012 at 6:00 p.m. in the I.S.D. 15 Central Services Center, 4115 Ambassador Boulevard, St. Francis, MN; and

WHEREAS, the School District employed Independent Hearing Officer James Martin to conduct the hearing and submit proposed Findings of Fact, Conclusions, and a Recommendation to the School Board; and

WHEREAS, the Independent Hearing Officer has made Findings of Fact, Conclusions, and a Recommendation; and

WHEREAS, the School Board has reviewed the Hearing Officer's Findings of Fact, Conclusions, and Recommendation;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The School Board hereby adopts the Independent Hearing Officer's proposed Findings of Fact, Conclusions, and Recommendation that Matthew Rustad be removed from his position of School Board member pursuant to Minnesota Statutes Section 123B.09, subdivision 9.
2. The School Board hereby removes Matthew Rustad from his position on the School Board.

Member Harry Grams seconded the foregoing Resolution and upon a vote being taken thereon, the following voted in favor thereof:

David Anderson, Janet Glover, Harry Grams, Amy Kelly  
and the following voted against the same:

Suzanne Erkel, Marsha Van Denburgh, Matt Rustad

Whereupon such Resolution was declared duly passed and adopted.